



# General Assembly

Distr.: General  
23 February 2012

English/French/Spanish only

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## Human Rights Council

Nineteenth session

Agenda item 3

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

### **Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya**

**Addendum**

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

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\* The present document is being circulated in the languages of submission only.

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## Introduction

1. The present document is submitted by the Special Rapporteur on the situation of human rights defenders, Ms. Margaret Sekaggya, to the Human Rights Council, pursuant to resolutions 5/1 and 7/8 of the Human Rights Council. The document provides observations on the communications on specific cases addressed by the Special Rapporteur to States, as well as on the replies by States received.
2. The cases raised by the Special Rapporteur in this addendum include communications sent between 12 December 2010 and 30 November 2011.
3. The addendum contains observations on the communications and responses received from States until 31 January 2012. A few replies received before 31 January 2012 are not included in the present report because translation of these documents has not been finalised. Most of the responses by States refer to cases raised by the Special Rapporteur during the period December 2010 to November 2011; however, some of the responses are to cases addressed by her in earlier reporting periods. These communications are marked with a footnote in the text.
4. For ease of reference, cases have been grouped by country, with countries listed alphabetically according to their names in English. Each communication is referenced in one of four categories: urgent appeal (UA), allegation letter (AL), joint urgent appeal (JUA) and joint allegation letter (JAL). This is followed by the date the communication was issued, as well as the case number and the State reply. The electronic version of the present document has both of these items hyperlinked, and clicking on them will open the communication sent and the reply from the concerned State, respectively, as uploaded on the OHCHR website. Finally, in bold, is a summary of the allegations contained in the communication in the language of submission.
5. The Special Rapporteur is grateful to all States which have transmitted responses to communications sent. She considers response to her communications an important part of cooperation by states with her mandate.

### Algeria

6. JAL 11/10/11 Case no.: DZA 4/2011 State Reply: 11/01/12 **Recrudescence alléguée d'actes de harcèlement judiciaire contre les membres de la Ligue Algérienne pour la Défense des Droits de l'Homme (LADDH) et des syndicalistes autonomes.**

### Observations

7. La Rapporteuse spéciale est préoccupée par les informations reçues faisant état d'harcèlement judiciaire à l'encontre des défenseurs des droits de l'homme en Algérie. A cet égard, elle aimerait rappeler au Gouvernement de l'Algérie l'article 2 et l'article 12 de la Déclaration sur les défenseurs des droits de l'homme.
8. La Rapporteuse spéciale a également suivi le développement visant à l'adoption d'une nouvelle loi sur les associations en Algérie durant la période couverte par le présent rapport. Afin d'assurer un cadre de travail favorable à l'expression des défenseurs des droits de l'homme en Algérie, elle aimerait attirer l'attention du Gouvernement sur l'article 5, alinéas b) et c) de la Déclaration sur les défenseurs des droits de l'homme, ainsi que sur les recommandations incluses dans son rapport à l'Assemblée générale de 2009 (A/64/226), en particulier ses para. 104 à 116.

## Angola

9. JAL 29/08/11 Case no.: AGO 2/2011 State Reply: None to date **Alleged denial of entry by immigration officials.**

### Observations

10. The Special Rapporteur regrets that no reply has been received from the Government of Angola to the allegation letter sent during the reporting period upon finalization of the current report. The Special Rapporteur is concerned about information received on alleged restrictions on the right to freedom of peaceful assembly in Angola, including reported deportations of human rights defenders from neighbouring countries who had planned to attend the Southern Africa Civil Society Forum. In this regard, the Special Rapporteur wishes to refer the Government of Angola to the provisions of the Declaration on Human Rights Defenders, particularly article 5, points b) and c).

## Argentina

11. JUA 27/06/11 Case no.: ARG 2/2011 State Reply: 07/09/11 **Supuestas amenazas contra juez.**

### Observaciones

12. La Relatora Especial se muestra preocupada por los actos de intimidación a defensores de los derechos humanos, en particular a jueces, abogados y funcionarios públicos, que luchan contra la impunidad por crímenes de lesa humanidad ocurridos durante la dictadura militar. La Relatora Especial toma nota de que dicha denuncia, objeto de su comunicación, no habría sido tramitada ante el Consejo de Magistratura.

13. La Relatora Especial desea hacer referencia al Gobierno de Argentina las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo 9, párrafo 3, apartado c), el cual establece que toda persona tiene derecho, individual o colectivamente, entre otras cosas, a ofrecer y prestar asistencia letrada profesional u otro asesoramiento y asistencia pertinentes para defender los derechos humanos y las libertades fundamentales.

## Azerbaijan

14. JUA 16/03/11 Case no.: AZE 1/2011 State Reply: 05/05/11 **Alleged closure of human rights organisation.**

15. JUA 24/08/11 Case no.: AZE 2/2011 State Reply: 08/09/11 **Alleged demolition of a building owned by a human rights defender.**

16. JAL 27/09/11 Case no.: AZE 3/2011 State reply: None to date **Alleged destruction of women's centre.**

### Observations

17. The Special Rapporteur wishes to acknowledge the Government's dialogue with the organizations involved in the situation outlined in one of the communications sent during the reporting period. Nevertheless, she remains concerned that the policies put in place to monitor NGOs might be putting unnecessary restrictions on the work of human rights defenders. The Special Rapporteur wishes to refer the Government of Azerbaijan to the recommendations put forward in her 2009 report to the General Assembly (A/64/226),

particularly para. 104 to 119. The Special Rapporteur remains available to provide any guidance or technical support the Government of Azerbaijan might require.

## **Bahrain**

18. JUA 17/02/11 Case no.: [BHR 1/2011](#) State Reply: [05/04/11](#) **Alleged excessive use of force in the context of peaceful protests.**
19. JUA 18/03/11 Case no.: [BHR 3/2011](#) State Reply: [20/04/11](#) **Alleged excessive use of force by security forces against protesters.**
20. JUA 22/03/11 Case no.: [BHR 4/2011](#) State Reply: [26/04/11](#) **Alleged arrests and threats against human rights defenders.**
21. JUA 12/04/11 Case no.: [BHR 5/2011](#) State Reply: [07/06/11](#) **Alleged incommunicado detention and possible enforced disappearance.**
22. JUA 21/04/11 Case no.: [BHR 6/2011](#) State Reply: [08/06/11](#) **Alleged arrest, detention and possible enforced disappearance of human rights lawyer.**
23. JUA 20/05/11 Case no.: [BHR 9/2011](#) State Reply: [08/06/11](#) **Alleged torture and mistreatment in detention.**
24. JUA 16/06/11 Case no.: [BHR 12/2011](#) State Reply: [29/08/11](#), [02/09/11](#) **Allegations of acts of violence, intimidation, and the enactment of travel bans against, as well as the interrogation of, a number of human rights defenders.**
25. JUA 04/07/11 Case no.: [BHR 14/2011](#) State Reply: [24/08/11](#) **Alleged torture and ill-treatment of opposition politician.**
26. JUA 05/08/11 Case no.: [BHR 17/2011](#) State Reply: [23/09/11](#) **Alleged life imprisonment of human rights defenders.**
27. JUA 09/09/11 Case no.: [BHR 18/2011](#) State Reply: [15/12/11](#) **Alleged arrests, detention, harassment and stigmatisation against human rights defenders and their relatives.**

## **Observations**

28. The Special Rapporteur is concerned about the significant number of allegations received and communications sent during the reporting period. She is deeply concerned about the physical and psychological integrity of human rights defenders in Bahrain, in particular at the reported practice of detention in undisclosed locations as well as about their treatment while in detention. She remains very concerned about the situation of Mr. Abdulhadi Al-Khawaja and Dr. Abduljalil Al-Singace, as well as their co-defendants, who were sentenced to life imprisonment on 22 June 2011. The Special Rapporteur is also concerned about the reported restrictions on the right to peaceful assembly and the right to freedom of opinion and expression in Bahrain. In this connection, the Special Rapporteur wishes to refer the Government of Bahrain to the provisions outlined in the Declaration on Human Rights Defenders, notably to article 2; article 5 point (a) and (b); to article 6 point (b) and (c); and to article 12, in particular para. 2 and 3.

## **Bangladesh**

29. JUA 14/03/11 Case no.: [BGD 3/2011](#) State Reply: [02/04/11](#) **Alleged surveillance of human rights organization.**

30. JUA 10/06/11 Case no.: BGD 4/2011 State Reply: 14/06/11, 28/06/11 **Alleged abduction, interrogation and ill-treatment of human rights defender.**

31. JAL 11/10/11 Case no.: BGD 5/2011 State Reply: 12/10/11 **Alleged delay in approval for funding for NGO project.**

32. JUA 10/11/11 Case no.: BGD 6/2011 State Reply: 16/11/11 **Alleged acts of intimidation against human rights defender and teacher.**

#### **Observations**

33. The Special Rapporteur thanks the Government of Bangladesh for the responses received to her communications sent during the reporting period, but she regrets that the allegations contained therein were not adequately addressed. The Special Rapporteur remains concerned about the reported restrictions on the right to association and the rights to freedom of opinion and expression in Bangladesh. In this connection, the Special Rapporteur wishes to refer the Government of Bangladesh to the provisions outlined in the Declaration on Human Rights Defenders, notably to article 5 point (b) and (c); and to article 6 point (b) and (c).

34. The Special Rapporteur is further concerned about information she has received regarding acts of violence, ill-treatment and intimidation compromising the physical and psychological integrity of human rights defenders in Bangladesh. In this regard, she would like to bring to the attention of the Government of Bangladesh the provisions contained in the Declaration on Human Rights Defenders, specifically article 2 and article 12, para. 2 and 3.

#### **Belarus**

35. JUA 22/12/10 Case no.: BLR 1/2010 State Reply: 10/01/11, 19/01/11 **Alleged arbitrary detention and torture related to the presidential elections of 19 December 2010.**

36. JUA 28/01/11 Case no.: BLR 1/2011 State Reply: 01/02/11 **Alleged intimidation against an NGO and interference in the work of lawyers in connection with the 19 to 20 December 2010 demonstrations.**

37. JUA 25/02/11 Case no.: BLR 2/2011 State Reply: None to date **Alleged harassment, arrests and interrogation of human rights defenders.**

38. JAL 31/05/11 Case no.: BLR 6/2011 State Reply: 10/06/2011 **Alleged arrest and detention of human rights defender.**

39. JAL 01/06/2011 Case no.: BLR 7/2011 State Reply: 10/06/2011 **Alleged arrests, detentions and sentencing of human rights defenders following the Presidential elections.**

40. JUA 15/08/11 Case no.: BLR 9/2011 State Reply: 31/10/11 **Alleged arrest and detention of human rights defender.**

41. JAL 21/11/11 Case no.: BLR 10/2011 State Reply: 17/01/12 **Allegation that legislative amendments may restrict the rights to freedom of peaceful assembly and of association.**

#### **Observations**

42. The Special Rapporteur remains deeply concerned about developments in Belarus following the presidential elections of 19 December 2010, including reported restrictions on



non-governmental organizations, detention of human rights defenders who were protesting peacefully, and judicial harassment of human rights defenders. The Special Rapporteur reiterates her concern in the case of Mr. Ales Bialiatski, a human rights defender who was sentenced to 4.5 years in prison for financial irregularities on 25 November 2011 amid severe concerns regarding due process in relation to his trial. In this connection, the Special Rapporteur wishes to refer the Government of Belarus to the provisions outlined in the Declaration on Human Rights Defenders, notably to article 5 point (a); article 9, para. 1; and article 13. She remains available to provide any guidance and technical cooperation which the Government might request, and she reiterates her hope that the Government will respond favourably to her repeated requests since 2010 to visit the country.

## **Brazil**

43. JUA 23/03/11 Case no.: [BRA 1/2011](#) State Reply: None to date **Alleged killing of human rights defender and death threats against his family.**

44. JAL 06/07/11 Case no.: [BRA 3/2011](#) State Reply: None to date **Alleged killings of human rights defenders.**

45. JUA 11/07/11 Case no.: [BRA 4/2011](#) State Reply: None to date **Alleged threats and attack against judge.**

### **Observations**

46. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communications sent during the reporting period. The Special Rapporteur is deeply concerned about the physical and psychological integrity of human rights defenders in Brazil, in particular at reports of killings in the central and northern part of the country. In this connection, she wishes to refer the Government of Brazil to the provisions contained in the Declaration on Human Rights Defenders, specifically its article 2 and article 12, para. 2 and 3.

47. The Special Rapporteur commends the measures put in place by the Government of Brazil to protect Ms. Fabiola Michele Moura but expresses concern that some of the measures reportedly do not respond adequately to the security risks in question. She wishes to refer the Government of Brazil to the recommendations contained in her report to the Human Rights Council in 2010 (A/HRC/13/22), para. 111 to 114. She remains available to provide any technical assistance the Government might require.

## **Burundi**

48. JAL 04/08/11 Case no.: [BDI 1/2011](#) State Reply: [07/10/11](#) **Allégations d'assassinat d'un défenseur des droits de l'homme, d'insuffisances de la procédure judiciaire dans le cadre de cet assassinat et de menaces contre les membres de la société civile qui ont dénoncé cet assassinat et ces insuffisances.**

### **Observations**

49. La Rapporteuse reconnaît les mesures entreprises par le Gouvernement afin d'amener les auteurs de l'assassinat d'Ernest Manirumwa devant la justice mais elle regrette que le Gouvernement n'ait pas adressé les inquiétudes de la société civile à cet égard de façon adéquate. Elle est également préoccupée par les menaces alléguées à l'intégrité physique de certains défenseurs des droits de l'homme au Burundi. A cet égard, elle aimerait référer le Gouvernement du Burundi aux principes énoncés dans la

Déclaration sur les défenseurs des droits de l'homme, notamment l'article 2 et l'article 12, para. 2 et 3, ainsi que les recommandations fournies dans son rapport de 2010 au Conseil des droits de l'homme (A/HRC/13/22), para. 111 à 114. La Rapporteuse spéciale reste disponible pour fournir tout appui technique dont aurait besoin le Gouvernement.

## **Cambodia**

50. JAL 03/02/11 Case no.: KHM 1/2011 State Reply: None to date **Alleged conviction on defamation charges of human rights defenders.**

51. JAL 13/05/11 Case no.: KHM 3/2011 State Reply: None to date **Allegation that draft NGO Law may hamper legitimate work in the promotion of human rights.**

52. JUA 23/09/11 Case no.: KHM 6/2011 State Reply: None to date **Alleged demolition of houses and police beating during the demolitions.**

53. JAL 26/09/11 Case no.: KHM 5/2011 State Reply 09/01/12, 23/01/12 **Alleged suspension, warnings and acts of intimidation against NGOs.**

### **Observations**

54. The Special Rapporteur thanks the Government of Cambodia for the detailed response provided with regard to the communication regarding actions taken against civil society organizations. However, the Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to either of her other communications sent during the reporting period.

55. The Special Rapporteur reiterates her concern regarding the general situation for human rights defenders in Cambodia and reported acts of intimidation, arrests and judicial harassment as well as restrictions to their legitimate right to freedom of opinion and expression. The Special Rapporteur urges the Government to take the necessary measures to ensure an environment which is conducive to the work of all human rights defenders allowing them to carry out their legitimate work without fear of persecution. In this regard, the Special Rapporteur commends the Government of Cambodia for consulting civil society during the development of the draft NGO law in the country. She encourages the Government to pay close attention to recommendations provided by civil society; the provisions contained in the Declaration on Human Rights Defenders; and the recommendations put forward in her 2009 report to the General Assembly (A/64/226), particularly para. 104 to 119. She remains available to provide any technical assistance the Government might require.

## **Cameroon**

56. JAL 05/08/11 Case no.: CMR 1/2011 State Reply: None to date **Allégations d'assassinat, intimidation et harcèlement de défenseurs de droits de l'homme.**

### **Observations**

57. La Rapporteuse spéciale regrette, au moment de la finalisation du présent rapport, l'absence de réponse à la communication envoyée pendant la période couverte par le présent rapport. Elle exhorte le Gouvernement à répondre au plus vite aux craintes exprimées dans celles-ci, notamment en fournissant des informations précises sur les enquêtes menées afin de traduire en justice les auteurs de l'assassinat de M. Djimé. Elle reste préoccupée par la situation de Mme Ngo Mbe, surtout en ce qui concerne son intégrité physique and psychologique. A cet égard, elle aimerait référer le Gouvernement du

Cameroun aux principes énoncés dans la Déclaration sur les défenseurs des droits de l'homme, notamment l'article 2 et l'article 12, para. 2 et 3, ainsi que les recommandations fournies dans son rapport de 2010 au Conseil des droits de l'homme (A/HRC/13/22), para. 111 à 114.

58. La Rapporteuse spéciale exprime son inquiétude concernant des informations reçues au sujet des restrictions de la liberté d'assemblée pacifique au Cameroun. A cet égard, elle aimerait attirer l'attention du Gouvernement du Cameroun à l'article 5, alinéas a) de la Déclaration sur les défenseurs des droits de l'homme ; au rapport adressé à l'Assemblée générale par l'ancienne Représentante spéciale du Secrétaire général sur la situation des défenseurs des droits de l'homme en 2006 (A/61/312), en particulier au para. 98, ainsi qu'au rapport de l'ancienne Représentante spéciale à l'Assemblée générale en 2007 (A/62/225), para. 101.

## Chile

59. JAL<sup>1</sup> 15/10/10 Case no.: CHL 3/2010 State Reply: 10/03/11, 11/04/11 **Supuesto uso excesivo de la fuerza contra activistas indígenas.**

### Observaciones

60. La Relatora Especial reitera su preocupación por actos intimidatorios en contra de defensores que trabajan por los derechos del pueblo indígena mapuche e insta al Gobierno a continuar con sus esfuerzos para garantizar un ambiente seguro en el que los defensores puedan llevar a cabo su trabajo.

61. La Relatora Especial toma nota de los esfuerzos reiterados por el Gobierno de Chile para que las instancias correspondientes subsanen cualquier exceso que pudiera haberse cometido contra los defensores de derechos humanos y se tomen las medidas necesarias para evitar amenazas o daños a la integridad física de los miembros del pueblo mapuche que realicen manifestaciones públicas.

62. La Relatora Especial desea hacer referencia al Gobierno de Chile las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente en el artículo 5, apartado a), el cual estipula que a fin de promover y proteger los derechos humanos y las libertades fundamentales, toda persona tiene derecho, individual o colectivamente, en el plano nacional e internacional a reunirse o manifestarse pacíficamente.

## China

63. JUA 19/01/11 Case no.: CHN 1/2011 State Reply: 22/03/11 **Alleged harassment against a housing rights activist and lawyer.**

64. JUA 08/02/11 Case no.: CHN 2/2011 State Reply: None to date **Alleged arbitrary arrest, torture and harassment of a Christian human rights lawyer.**

65. JUA 02/03/11 Case no.: CHN 5/2011 State Reply: None to date **Alleged pattern of arrests, detentions, enforced disappearances and intimidations of human rights defenders and lawyers.**

<sup>1</sup> Although this communication was sent prior to the period covered by this report, the Government response was transmitted within the current reporting period.

66. JUA 05/04/11 Case no.: [CHN 8/2011](#) State Reply: [16/05/11](#) **Alleged detention and irregularities during the trial of a human rights activist.**
67. JUA 26/04/2011 Case no.: [CHN 11/2011](#) State Reply: [23/06/11](#) **Alleged detention of human rights defender.**
68. JUA 11/05/11 Case no.: [CHN 13/2011](#) State Reply: [14/07/11](#) **Alleged new cases of enforced or involuntary disappearances.**
69. JUA 15/07/11 Case no.: [CHN 14/2011](#) State Reply: [09/09/11](#) **Alleged detention and new charges brought against journalist.**
70. JUA 29/07/11 Case no.: [CHN 16/2011](#) State Reply: [11/10/11](#) **Alleged enforced disappearance of four Uyghur persons.**
71. JUA 15/11/11 Case no.: [CHN 22/2011](#) State Reply: [30/01/12](#) **Alleged abduction of human rights defender.**
72. JUA<sup>1</sup> 22/09/11 Case no.: [CHN 24/2010](#) State Reply: [16/02/11](#) **Alleged detention of HIV/AIDS activist.**

### **Observations**

73. The Special Rapporteur wishes to express her deep concern about the arrest, detention and intimidation of human rights defenders in China for peacefully exercising their right to freedom of expression. In this regard, she wishes to remind the Government of the People's Republic of China of the provisions of the Declaration on Human Rights Defenders, specifically article 2, article 6, points b) and c), and article 12.

74. The Special Rapporteur is also concerned about information she has received about increased restrictions on the freedom of peaceful assembly and the negative impact such restrictions have had on the work of human rights defenders. In this regard, she would like to call the attention of the Government to article 5, point a), of the Declaration on Human Rights Defenders, as well as the report of the former Special Representative of the Secretary General on the situation of human rights defenders to the General Assembly in 2006 (A/61/312), para. 98.

75. The Special Rapporteur reiterates her hope that the Government will respond favourably to her repeated requests since 2008 to visit the country.

### **Colombia**

76. JUA 22/12/10 Case no.: [COL 20/2010](#) State Reply: [14/04/2011](#) **Supuestas amenazas contra integrantes de varias organizaciones de derechos humanos en Valla del Cauca.**
77. JUA 01/03/11 Case no.: [COL 2/2011](#) State Reply: [03/06/11](#) **Supuesta detención de defensor de derechos humanos.**
78. JUA 05/04/11 Case no.: [COL 2/2011](#) State Reply: None to date **Supuesto asesinato de defensor de derechos humanos.**
79. JUA 29/04/11 Case no.: [COL 3/2011](#) State Reply: [20/05/11](#) **Supuesta desaparición y actos de hostigamiento.**
80. JUA 30/05/11 Case no.: [COL 4/2011](#) State Reply: [12/09/11](#) **Supuestas amenazas y actos de intimidación contra defensores de derechos humanos.**
81. JUA 15/06/11 Case no.: [COL 5/2011](#) State Reply: [21/09/11](#) **Supuestas amenazas de muerte contra periodista.**

82. UA 24/06/11 Case no.: [COL 6/2011](#) State Reply: None to date **Supuestas amenazas de muerte contra defensores de derechos humanos.**
83. UA 04/08/11 Case no.: [COL 8/2011](#) State Reply: [11/10/11](#) **Supuestas amenazas y actos intimidatorios contra defensores de derechos humanos.**
84. JUA 07/10/11 Case no.: [COL 9/2011](#) State Reply: None to date **Supuesto ataque y acusaciones públicas.**
85. JUA 24/11/11 Case no.: [COL 10/2011](#) State Reply: None to date **Supuesto ataque y amenazas contra defensores de derechos humanos.**

### Observaciones

86. La Relatora Especial toma nota del inicio de investigaciones y procesos de protección en varios de los casos detallados en las comunicaciones enviadas durante el periodo del presente informe. Sin embargo, la Relatora Especial lamenta que al finalizar este informe, el Gobierno de Colombia no hubiera proporcionado respuesta a cuatro de las comunicaciones enviadas durante el periodo.

87. Asimismo, la Relatora Especial expresa preocupación por las informaciones recibidas sobre un contexto de constante violencia e inseguridad para los defensores de los derechos humanos en Colombia, incluyendo asesinatos, actos de intimidación, hostigamiento y amenazas en particular contra jueces y abogados, periodistas, sindicalistas, así como contra defensores trabajando por los derechos de las comunidades campesinas e indígenas en situación de desplazamiento forzoso. La Relatora Especial desea hacer referencia de nuevo a las conclusiones y recomendaciones contenidas en el informe elaborado después de su visita al país, que tuvo lugar en 2009 (A/HRC/13/22/Add.3).

88. La Relatora Especial toma nota de los esfuerzos reiterados por el Gobierno de Colombia para que las instancias correspondientes brinden la necesaria protección a aquellos defensores que se encuentren en situación de vulnerabilidad. Asimismo, la Relatora Especial desea hacer referencia al Gobierno de Colombia, las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo 5, apartado b) y c); artículo 6, apartados b) y c); artículo 9, párrafo 3, apartado c); el artículo 12, párrafos 2 y 3.

89. La Relatora Especial desea de igual forma, hacer referencia a su informe presentado ante la Asamblea General A/65/223 de 4 de agosto de 2010, párrafos 28 y 29, el cual señala que en el contexto de violaciones de los derechos humanos de los defensores cometidas por agentes no estatales, la responsabilidad de los mismos de respetar los derechos de los defensores “no libera al Estado de las obligaciones que le incumben en virtud de las normas de derechos humanos de respetar, proteger y aplicar los derechos humanos, incluidos los de los defensores de los derechos humanos”.

### Cuba

90. UA 04/03/11 Case no.: [CUB 1/2011](#) State Reply: [13/05/11](#) **Supuesto arresto e interrogatorio de activistas.**
91. JUA 02/09/11 Case no.: [CUB 2/2011](#) State Reply: [28/09/11](#), [11/11/11](#) **Presunto ataque contra dos integrantes de las Damas de Blanco.**
92. JUA 15/11/11 Case no.: [CUB 3/2011](#) State Reply: [17/01/11](#) **Presunto arresto, detención y agresión contra defensora de derechos humanos.**
93. JUA 24/11/11 Case no.: [CUB 4/2011](#) State Reply: [17/01/11](#) **Presunto arresto, detención y agresión física contra defensora de derechos humanos.**

94. JUA<sup>1</sup> 03/04/09 Case no.: CUB 2/2009 State Reply: 11/11/11 **Supuestos actos de hostigamiento contra mujeres integrantes de las Damas de Blanco.**

#### **Observaciones**

95. La Relatora Especial expresa preocupación por las informaciones recibidas sobre un contexto de creciente violencia e inseguridad para los defensores de los derechos humanos en Cuba, incluyendo arrestos, actos de intimidación, hostigamiento y amenazas, en particular en contra de defensores trabajando a favor de derechos civiles y políticos.

96. La Relatora Especial desea hacer referencia al Gobierno de Cuba, las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo 5, apartado a), b) y c); el artículo 6, apartado a), b) y c); el artículo 12, párrafos 2 y 3.

97. La Relatora Especial desea de igual forma hacer referencia a su informe presentado ante la Asamblea General A/65/223 de 4 de agosto de 2010, párrafos 28 y 29, el cual señala que en el contexto de violaciones de los derechos humanos de los defensores cometidas por agentes no estatales, la responsabilidad de los mismos de respetar los derechos de los defensores “no libera al Estado de las obligaciones que le incumben en virtud de las normas de derechos humanos de respetar, proteger y aplicar los derechos humanos, incluidos los de los defensores de los derechos humanos”.

98. Además, la Relatora Especial quisiera referirse al informe de 2006 presentado ante la Asamblea General (A/61/312) (de la Representante Especial del Secretario-General para los defensores de los derechos humanos) y en particular al párrafo 98 que dice que “de conformidad con el artículo 15 de la Declaración [sobre los Defensores de los Derechos Humanos], la Representante Especial exhorta a los Estados a que garanticen que los organismos encargados de hacer cumplir la ley y sus miembros reciban formación y adquieran concienciación sobre las normas internacionales de derechos humanos y las normas internacionales sobre la vigilancia de reuniones pacíficas, incluida la Declaración sobre los Defensores de los Derechos Humanos, el Código de conducta para funcionarios encargados de hacer cumplir la ley y otros tratados, declaraciones y directrices pertinentes.

### **Cyprus**

99. JAL 20/07/11 Case no.: CYP 1/2011 State Reply: 15/09/11 **Alleged charges brought against human rights activist.**

#### **Observations**

100. The Special Rapporteur commends the Government for the measures taken to ensure a conducive working environment for human rights defenders in Cyprus. In this connection, she would like to reiterate the need to ensure that the right to freedom of assembly is respected, in accordance with article 5, point a), of the Declaration on Human Rights Defenders.

### **Democratic Republic of the Congo**

101. JUA 09/02/11 Case no.: COD 2/2011 State Reply: 07/02/11 **Allégation de menaces contre des défenseurs des droits de l’homme.**

102. JUA 15/04/11 Case no.: COD 2/2011 State Reply: None to date **Allégation de menaces et actes d’intimidation.**

103. AL 06/07/11 Case no.: [COD 3/2011](#) State Reply: None to date **Projet de loi portant sur la promotion et la protection des défenseurs des droits de l'homme.**

104. UA 05/08/11 Case no.: [COD 4/2011](#) State Reply: None to date **Allégations de menaces de mort et d'actes d'intimidation contre un défenseur des droits de l'homme**

### Observations

105. La Rapporteuse spéciale remercie le Gouvernement de la République démocratique du Congo des informations fournies dans sa réponse à la communication relative aux menaces contre des défenseurs des droits de l'homme du 9 février 2011 sur les mesures prises dans ce contexte. Elle regrette, au moment de la finalisation du présent rapport, l'absence de réponse aux autres communications envoyées durant la période couverte par le présent rapport.

106. La situation des défenseurs des droits de l'homme opérant en République démocratique du Congo demeure très préoccupante, et ce malgré les recommandations formulées par la Rapporteuse spéciale à la suite de sa visite du pays en juin 2009 (A/HRC/13/22/Add.2). Assurer l'intégrité physique et mentale des défenseurs des droits de l'homme reste un grand défi dans le pays, et la Rapporteuse spéciale aimerait rappeler au Gouvernement de l'article 2 et l'article 12 de la Déclaration sur les défenseurs des droits de l'homme. Elle reconnaît le projet de loi portant sur la promotion et la protection des défenseurs des droits de l'homme dans ce contexte et reste disponible pour fournir tout appui technique dont aurait besoin le Gouvernement.

107. Les craintes exprimées par la Rapporteuse spéciale dans son dernier rapport au Conseil des droits de l'homme, portant sur une nouvelle recrudescence de violations contre les défenseurs dans le contexte des prochaines élections présidentielles réalisées en novembre 2011, ont malheureusement été confirmées par des informations reçues. La Rapporteuse spéciale reste préoccupée par des rapports de menaces et d'arrestations de défenseurs des droits de l'homme dans le contexte des élections. Enfin, la Rapporteuse spéciale espère que les enquêtes dans le cadre du meurtre de M. Floribert Chebeya Bahizire continueront afin de faire toute la lumière sur cet acte odieux.

108. Enfin, la Rapporteuse spéciale exhorte une nouvelle fois les membres de l'Assemblée nationale de la République démocratique du Congo à ne pas adopter la « proposition de loi relative aux pratiques sexuelles contre nature », en conformité avec les obligations internationales du pays en matière de droits de l'homme, incluant la Déclaration sur les défenseurs des droits de l'homme.

### Djibouti

109. JUA 14/02/11 Case no.: [DJI 1/2011](#) State Reply: [11/05/11](#) **Allégation d'arrestation et détention liées à l'exercice des droits à la liberté d'opinion et d'expression.**

110. JUA 18/08/11 Case no.: [DJI 2/2011](#) State Reply: [19/09/11](#) **Allégation de détention arbitraire.**

111. JUA<sup>1</sup> 13/03/07 Case no.: [DJI 1/2007](#) State Reply: [23/07/07](#), [09/04/11](#) **Allégation d'arrestation et détention liées aux activités de défense des droits de l'homme.**

112. JUA<sup>1</sup> 09/04/11 Case no.: [DJI 1/2009](#) State Reply: [09/04/11](#) **Allégation d'arrestation liée aux activités de défense des droits de l'homme.**

### Observations

113. Malgré les informations fournies dans les réponses détaillées aux communications envoyées pendant la période couverte par le présent rapport et les assurances du Gouvernement, la Rapporteuse spéciale reste préoccupée par la situation des défenseurs des droits de l'homme au Djibouti, notamment à cause des informations reçues de détention, de harcèlement juridique et de restrictions sur les libertés d'assemblée et d'expression dans le pays. A cet égard, elle aimerait rappeler au Gouvernement du Djibouti des dispositions de la Déclaration sur les défenseurs des droits de l'homme, notamment l'article 2, l'article 5, point a), et l'article 12, ainsi que les recommandations fournies par l'ancienne Représentante spéciale du Secrétaire général concernant la situation des défenseurs des droits de l'homme dans son rapport à l'Assemblée générale en 2007, en particulier para. 101. La Rapporteuse spéciale reste disponible pour fournir tout appui technique dont aurait besoin le Gouvernement.

### Ecuador

114. JAL 30/11/11 Case no.: [ECU 3/2011](#) State Reply: None to date **Acerca de las alegaciones recibidas indicando el asesinato del Sr. Marlon Lozano Yulán.**

115. JUA<sup>1</sup> 28/01/11 Case no.: [ECU 2/2009](#) State Reply: [07/07/11](#) **Supuestas amenazas contra defensores de derechos humanos.**

116. JUA<sup>1</sup> 04/05/09 Case no.: [ECU 4/2009](#) State Reply: [07/07/11](#) **Supuestos ataques contra dos defensoras de derechos humanos.**

### Observaciones

117. La Relatora Especial agradece al Gobierno del Ecuador las respuestas a dos comunicaciones enviadas durante el periodo del informe anterior. Sin embargo, lamenta que el Gobierno no haya respondido a la comunicación enviada durante el periodo del presente informe.

118. La Relatora Especial lamenta el asesinato del Sr. Marlon Lozano Yulán, defensor que luchaba por el derecho a la tierra como medio específico de subsistencia y como elemento fundamental para ejercer el derecho a la alimentación. Por ello, la Relatora Especial desea hacer referencia al Gobierno del Ecuador las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo 5, apartados b) y c) y el artículo 12, párrafos 2 y 3.

119. La Relatora Especial desea de igual forma hacer referencia a su informe presentado ante la Asamblea General A/65/223 de 4 de agosto de 2010, párrafos 28 y 29, el cual señala que en el contexto de violaciones de los derechos humanos de los defensores cometidas por agentes no estatales, la responsabilidad de los mismos de respetar los derechos de los defensores "no libera al Estado de las obligaciones que le incumben en virtud de las normas de derechos humanos de respetar, proteger y aplicar los derechos humanos, incluidos los de los defensores de los derechos humanos".

### Egypt

120. JUA 01/02/11 Case no.: [EGY 4/2011](#) State Reply: None to date **Alleged arrests, excessive use of force, killings, attacks against journalists, and disruptions in media coverage and access to the Internet in relation to demonstrations.**



121. JUA 04/02/11 Case no.: [EGY 5/2011](#) State Reply: None to date **Alleged worsening of the situation of human rights defenders and journalists in relation to demonstrations.**

122. JUA 11/11/11 Case no.: [EGY 11/2011](#) State Reply: None to date **Alleged arrest and detention, ill-treatment, irregularities during trial and sentencing of human rights defender.**

123. JUA 17/11/11 Case no.: [EGY 12/2011](#) State Reply: [17/01/12](#) **Alleged increasing climate of stigmatisation and harassment against civil society organisations.**

### **Observations**

124. The Special Rapporteur thanks the Government of Egypt for the detailed response provided with regard to the communication regarding actions taken against civil society organizations. However, the Special Rapporteur regrets that no reply has been received from the Government to the other communications sent during the reporting period.

125. The Special Rapporteur recognizes the significant efforts of the Government of Egypt, in place since 25 January 2011, to improve the situation of human rights defenders and other rights holders in the country. However, she remains deeply concerned about arbitrary arrests, threats and judicial harassment against human rights defenders using their right to freedom of expression and freedom of assembly to denounce human rights violations. In this regard, she would like to remind the Government of Egypt of the provisions of the Declaration on Human Rights Defenders, notably its article 2, article 5, point a), and article 12, as well as the recommendations put forward by the former Special Representative of the Secretary General on the situation of human rights defenders in her reports to the General Assembly in 2006 (A/61/312, para. 98) and 2007 (A/62/225, para. 101).

126. The Special Rapporteur thanks the Government of Egypt for the information transmitted in response to her communication regarding alleged restrictions on the right to freedom of association in Egypt. Nonetheless, she remains concerned about the negative impact such restrictions may have on the work of human rights defenders. Of particular concern are allegations against organizations which have been operating for a number of years that they have been doing so without being properly registered, and suggested restrictions on receiving funding from abroad. In this regard, the Special Rapporteur would like to refer the Government of Egypt to the principles set forth in the Declaration on Human Rights Defenders, specifically its article 5, points b) and c), and its article 13. She also encourages the Government to pay close attention to the recommendations put forward in her 2009 report to the Human Rights Council (A/64/226, para. 104 to 119).

127. The Special Rapporteur reiterates her hope that the Government will respond favourably to her repeated requests since 2008 to visit the country. She remains available to provide any technical support the Government of Egypt might require.

### **El Salvador**

128. JUA 13/05/11 Case no.: [SLV 1/2011](#) State Reply: None to date **Supuestas amenazas contra periodistas.**

129. JAL 19/07/11 Case no.: [SLV 3/2011](#) State Reply: None to date **Supuesto asesinato.**

### Observaciones

130. La Relatora Especial lamenta que el Gobierno de El Salvador no haya respondido a las dos comunicaciones enviadas durante el periodo del presente informe. La Relatora Especial se muestra preocupada por el contexto de creciente violencia contra los defensores de los derechos humanos en El Salvador, en particular en contra de periodistas y activistas ambientales. A este respecto, insta al Gobierno a crear un clima propicio afín que los defensores/-as puedan realizar su trabajo sin temor a sufrir violencia y que ninguna violación cometida contra los defensores de los derechos humanos quede en la impunidad.

131. La Relatora Especial desea hacer referencia al Gobierno de El Salvador las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo 6, apartados b) y c), y el artículo 12, párrafos 2 y 3.

### Ethiopia

132. JUA 05/10/11 Case no.: ETH 4/2011 State Reply: None to date **Alleged arrests, detention and charges under antiterrorism legislation of journalists and opposition politicians.**

#### Observations

133. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communication sent during the reporting period. The Special Rapporteur expresses deep concern regarding the alleged detention and charges brought against human rights defenders and, given the grave nature of the allegations received, she urges the Government to respond to the concerns raised by her. She is equally concerned about information received regarding the alleged use of anti-terrorism legislation and NGO legislation in Ethiopia to restrict the right to freedom of association and the right to freedom of expression, which in consequence has impeded the work of human rights defenders. In this regard, the Special Rapporteur would like to remind the Government of Ethiopia of the provisions contained in the Declaration on Human Rights Defenders, specifically article 5, points b) and c), article 12 and article 13. Concerning the right to freedom of association, she urges Ethiopia to revisit her report to the General Assembly in 2009 (A/64/226), in particular recommendations given at para. 104 through 116. She remains available to provide any technical assistance the Government of Ethiopia might require.

### Fiji

134. JUA 03/03/11 Case no.: FJI 1/2011 State Reply: None to date **Alleged arrests, arbitrary detentions, torture and ill-treatment in relation to a planned demonstration.**

135. JAL 02/09/11 Case no.: FJI 2/2011 State Reply: None to date **Alleged illegitimate restrictions on the exercise of workers' rights to freedom of association and of expression, right to collectively bargain and right to strike due to the promulgations of the "Essential National Industries (Employment) Decree"; arrest, detention, and physical assault of trade unionists; and arbitrary decision by the Ministry of Labour against a trade unionist.**

#### Observations

136. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communications sent during the reporting

period. The Special Rapporteur expresses deep concern regarding information received about alleged restrictions on the right to freedom of assembly and the right to freedom of expression in Fiji. She is particularly concerned about the situation of trade unionists in this context, and she urges the Government of Fiji to respect the legitimate right of this group to defend workers' rights. In this regard, she commends the Government's recent announcement to lift the long-standing state of emergency. The Special Rapporteur would like to remind the Government of Fiji of the provisions contained in the Declaration on Human Rights Defenders, specifically article 5, point a), and article 6, points b) and c). Concerning the right to freedom of assembly, she would like to put to the attention of the Government the report of the former Special Representative of the Secretary General on the situation of human rights defenders to the General Assembly in 2006 (A/61/312), para. 98.

137. The Special Rapporteur reiterates her hope that the Government will respond favourably to her request to visit the country issued in 2010. She remains available to provide any technical support the Government of Fiji might require.

## Gambia

138. JUA 10/10/11 Case no.: GMB 1/2011 State Reply: None to date **Alleged arrest, detention and subsequent sentencing of two lawyers on fabricated charges.**

### Observations

139. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communication sent during the reporting period. The Special Rapporteur has received information alleging judicial harassment and prison sentences handed down to human rights defenders in the Gambia, and she expresses her deep concern that these acts appear to be linked to their legitimate work in defence of human rights. In this regard, she wishes to remind the Government of the Gambia of the provisions contained in the Declaration on Human Rights Defenders, notably articles 2, 9 and 12. She remains available to provide any technical assistance the Government might require.

## Guatemala

140. JUA 13/12/10 Case no.: GTM 8/2010 State Reply: 23/12/10 **Presunto ataque contra sindicalista.**

141. JUA 28/12/10 Case no.: GTM 9/2010 State Reply: 24/01/11, 26/01/11 **Presunto secuestro y asesinato de defensora de derechos humanos.**

142. JAL 21/02/11 Case no.: GTM 1/2011 State Reply: 16/05/11 **Supuesto asesinato relacionado con actividades de promoción y protección de los derechos humanos.**

143. JAL 14/03/11 Case no.: GTM 2/2011 State Reply: 15/06/11 **Supuesto asesinatos de cuatro personas indígenas.**

144. JAL 27/06/11 Case no.: GTM 7/2011 State Reply: None to date **Presuntos asesinatos.**

145. UA 20/07/11 Case no.: GTM 9/2011 State Reply: None to date **Supuesto allanamiento y robo.**

146. JUA 25/07/11 Case no.: GTM 11/2011 State Reply: 14/10/11 **Presuntos actos de amenaza y presiones.**

147. JUA 18/08/11 Case no.: GTM 14/2011 State Reply: 14/10/11, 21/10/11  
**Presuntas amenazas de muerte y actos intimidatorios.**

148. JAL 05/10/11 Case no.: GTM 15/2011 State Reply: None to date **Presunto asesinato de sindicalista.**

#### **Observaciones**

149. La Relatora Especial se muestra especialmente preocupada por el contexto de creciente violencia contra los defensores y defensoras en Guatemala, en particular por el alto porcentaje de asesinatos. De igual forma, expresa preocupación por el clima general de intimidación, acoso y hostigamiento en contra de los defensores y defensoras en Guatemala.

150. Asimismo, la Relatora Especial observa que las violaciones en contra de los defensores y defensoras de derechos humanos, se dirige principalmente en contra de líderes indígenas, sindicales y ambientalistas, y en contra de aquellos que trabajan con comunidades rurales y que investigan violaciones a los derechos humanos cometidas durante el gobierno militar. A este respecto, insta al Gobierno de Guatemala a brindar un clima propicio afín que los defensores/-as puedan realizar su trabajo sin temor a sufrir violencia y que ninguna violación cometida contra los defensores de los derechos humanos quede en la impunidad.

151. La Relatora Especial desea hacer referencia al Gobierno de Guatemala las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo 5, apartados b) y c); el artículo 6, apartado a), b) y c); el artículo 9, párrafo 3, apartado c), y el artículo 12, párrafos 2 y 3. La Relatora Especial desea hacer referencia de nuevo a las conclusiones y recomendaciones contenidas en el informe elaborado después de su visita de seguimiento al país, que tuvo lugar en 2008 (A/HRC/10/12/Add.3).

#### **Honduras**

152. JAL 06/05/11 Case no.: HND 4/2011 State Reply: 08/08/11 **Supuesto uso excesivo de la fuerza.**

153. JAL 19/05/11 Case no.: HND 5/2011 State Reply: None to date **Supuesto asesinato de defensor de derechos humanos y periodista.**

154. JAL 09/06/11 Case no.: HND 5/2011 State Reply: None to date **Fallecimiento de siete jóvenes en el contexto de hechos ocurridos alrededor de un operativo policial y el presunto asesinato de un Fiscal.**

155. JUA 05/07/11 Case no.: HND 6/2011 State Reply: 22/07/11 **Presunta amenaza con arma de fuego.**

156. JUA 26/07/11 Case no.: HND 7/2011 State Reply: None to date **Supuestos actos intimidatorios.**

157. JUA 25/10/11 Case no.: HND 9/2011 State Reply: None to date **Presunto asesinato, atentado contra la vida, detención arbitraria y amenaza de muerte.**

#### **Observaciones**

158. La Relatora Especial agradece al Gobierno de Honduras las respuestas a dos de las seis comunicaciones enviadas durante el periodo del presente informe. No obstante, la Relatora Especial lamenta que, en el momento de finalizar este informe, no se había recibido respuesta a cuatro de dichas comunicaciones.

159. La Relatora Especial reitera su especial preocupación por el contexto de creciente violencia e inseguridad para los defensores de los derechos humanos en Honduras incluyendo asesinatos y actos de hostigamiento e intimidación, en particular en contra de los periodistas, sindicalistas, estudiantes, activistas LGBTI, jueces y abogados, y defensores que trabajan documentando violaciones ocurridas durante las protestas pacíficas relacionadas con el golpe de Estado de 2009. Asimismo, la Relatora Especial expresa preocupación por el excesivo uso de fuerza durante manifestaciones.

160. De igual forma, la Relatora Especial expresa seria preocupación por el creciente clima de impunidad en la región del Bajo Aguán, localidad en la cual, un número considerable de defensores habrían sido sujeto de ataques por parte de actores estatales y no estatales. A este respecto, insta al Gobierno a brindar un clima propicio afin que los defensores/-as puedan realizar su trabajo sin temor a sufrir violencia y que ninguna violación cometida contra los defensores de los derechos humanos quede en la impunidad.

161. La Relatora Especial desea hacer referencia al Gobierno de Honduras las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo 5, apartado a), b) y c); el artículo 6, apartado a), b) y c); el artículo 9, párrafo 3, apartado c), y el artículo 12, párrafos 2 y 3.

162. Además, la Relatora Especial quisiera referirse al informe de 2006 a la Asamblea General (A/61/312) (de la antigua Representante Especial del Secretario-General para los defensores de los derechos humanos) y en particular al párrafo 98 que dice que “de conformidad con el artículo 15 de la Declaración [sobre los Defensores de los Derechos Humanos], la Representante Especial exhorta a los Estados a que garanticen que los organismos encargados de hacer cumplir la ley y sus miembros reciban formación y adquieran concienciación sobre las normas internacionales de derechos humanos y las normas internacionales sobre la vigilancia de reuniones pacíficas, incluida la Declaración sobre los Defensores de los Derechos Humanos, el Código de conducta para funcionarios encargados de hacer cumplir la ley y otros tratados, declaraciones y directrices pertinentes. La Representante Especial también aconseja a todos los Estados que todas las denuncias de uso indiscriminado o excesivo de la fuerza por funcionarios encargados de hacer cumplir la ley se investiguen cabalmente y se adopten las medidas apropiadas en contra de los funcionarios responsables.”

163. Asimismo, en relación con la participación en manifestaciones de jóvenes menores de 18 años, la Relatora Especial quisiera referirse a su informe presentado ante la Asamblea General de 2007 (de la antigua Representante Especial del Secretario-General para los defensores de los derechos humanos), en el cual se recomienda “adoptar medidas para crear un entorno favorable que permita que los niños y jóvenes se asocien y expresen su opinión sobre cuestiones que les afectan, así como sobre cuestiones más generales de derechos humanos. Las protestas de los estudiantes tienen un gran valor educativo ya que son parte de las primeras experiencias de participación en los asuntos públicos y defensa de los derechos humanos que tienen los estudiantes. La creación de un entorno favorable para las protestas de los estudiantes es una inversión social y una obligación jurídica” (A/62/225, párrafo 101 b).

164. La Relatora Especial se complace por la decisión favorable del Gobierno de permitir una visita a Honduras durante el mes de febrero de 2012, con la finalidad de poder examinar la situación de los defensores de derechos humanos. La visita permitirá a la Relatora Especial abordar las preocupaciones mencionadas arriba.

## India

165. JUA 16/02/11 Case no.: [IND 4/2011](#) State Reply: [27/03/11](#) **Alleged arrest warrants related to human rights work.**
166. JUA 28/03/11 Case no.: [IND 5/2011](#) State Reply: [27/03/11](#), [27/07/11](#) **Alleged harassment and threats against human rights lawyer.**
167. JUA 04/04/11 Case no.: [IND 6/2011](#) State Reply: [21/04/11](#), [27/07/11](#) **Alleged killing and death threats.**
168. UA 08/04/11 Case no.: [IND 7/2011](#) State Reply: [21/04/11](#), [21/07/11](#) **Alleged attack on human rights defenders.**
169. JUA 29/07/11 Case no.: [IND 14/2011](#) State Reply: [03/08/11](#) **Alleged acts of violence and intimidation in the context of forced evictions.**
170. JUA 05/08/11 Case no.: [IND 16/2011](#) State Reply: [08/08/11](#) **Detention and allegations of acts of intimidation against residents of the villages located on Chhindwada.**
171. JUA 09/09/11 Case no.: [IND 19/2011](#) State Reply: [21/09/11](#) **Alleged killing, attacks and threats against women human rights defenders.**
172. AL 28/10/11 Case no.: [IND 21/2011](#) State Reply: [03/11/11](#) **Alleged raid on and search of the home of human rights defender.**
173. JUA<sup>1</sup> 18/08/10 Case no.: [IND 14/2010](#) State Reply: [29/06/11](#) **Alleged arrest and detention of human rights defenders.**

### Observations

174. The Special Rapporteur thanks the Government of India for the responses received to her communications sent throughout the reporting period.<sup>2</sup>

## Indonesia

175. UA 30/08/11 Case no.: [IDN 5/2011](#) State Reply: None to date **Alleged excessive use of force and surveillance.**

### Observations

176. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communication sent during the reporting period. The Special Rapporteur is concerned about information she has received of excessive use of force during demonstrations, attacks against human rights defenders during demonstrations, and alleged police surveillance of human rights defenders in Indonesia. She wishes to call to the attention of the Government of Indonesia the provisions contained in the Declaration on Human Rights Defenders, notably article 2, article 5, point a), and article 12. The Special Rapporteur wishes to remind the Government of the recommendations given by the former Special Representative of the Secretary General on the situation of human rights defenders in her report to the General Assembly in 2006

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<sup>2</sup> For further information on the situation of human rights defenders in India, please see the Special Rapporteur's report on her visit to India carried out in 2011 (A/HRC/19/55/Add.1).

(A/61/312, para. 98), as well as the recommendations contained in the report of the former Special Representative on her visit to Indonesia in 2007 (A/HRC/7/28/Add.2).

### **Iran (Islamic Republic of)**

177. JUA 23/12/10 Case no.: [IRN 35/2010](#) State Reply: None to date **Alleged arrest and detention of lawyer and human rights activist.**

178. JUA 22/03/11 Case no.: [IRN 5/2011](#) State Reply: None to date **Alleged detention of human rights defenders.**

179. JUA 12/04/11 Case no.: [IRN 6/2011](#) State Reply: None to date **Alleged detention and torture of human rights lawyer.**

180. JUA 08/07/11 Case no.: [IRN 9/2011](#) State Reply: None to date **Alleged arbitrary detention of human rights defenders and persons peacefully exercising their freedoms of expression and assembly.**

181. JUA 26/07/11 Case no.: [IRN 10/2011](#) State Reply: None to date **Alleged death sentence on charges of apostasy.**

182. JUA 27/09/11 Case no.: [IRN 11/2011](#) State Reply: None to date **Alleged arbitrary detention and solitary confinement of human rights lawyer and defender.**

183. JUA 11/10/11 Case no.: [IRN 13/2011](#) State Reply: None to date **Alleged arrest and detention, ill-treatment, judicial harassment and sentencing of women human rights defenders.**

184. JUA 19/10/11 Case no.: [IRN 14/2011](#) State Reply: None to date **Alleged arrest, detention and sentencing of human rights defenders.**

185. JUA<sup>1</sup> 01/04/10 Case no.: [IRN 10/2010](#) State Reply: [07/10/10](#), [21/06/11](#) **Alleged arrest and detention of a journalist.**

186. JUA<sup>1</sup> 27/08/11 Case no.: [IRN 24/2010](#) State Reply: [09/02/11](#) **Alleged detention on charges of enmity against God.**

187. JUA<sup>1</sup> 24/09/10 Case no.: [IRN 26/2010](#) State Reply: [17/02/11](#) **Alleged conviction of human rights defenders.**

188. JUA<sup>1</sup> 07/10/10 Case no.: [IRN 30/2010](#) State Reply: [07/10/10](#), [16/02/11](#) **Alleged sentencing of a journalist and a blogger.**

189. JUA<sup>1</sup> 12/11/10 Case no.: [IRN 31/2010](#) State Reply: [08/02/11](#) **Alleged conviction and disbarment of human rights lawyer.**

### **Observations**

190. The Special Rapporteur thanks the Government of the Islamic Republic of Iran for the responses transmitted to her earlier communications. She regrets however that, at the time of the finalization of this report, the Government had not responded to any of her communications sent during the reporting period.

191. The Special Rapporteur expresses grave concern about the situation regarding human rights defenders in Iran, particularly about allegations of widespread use of torture and ill-treatment against human rights defenders while in detention, as well as the practice of detention in unknown locations and incommunicado detention. In this regard, she wishes to remind the Government of the provisions contained in the Declaration on Human Rights Defenders, notably articles 2 and 12.

192. The Special Rapporteur is also concerned about reported restrictions with regard to access to a lawyer. In this regard, she would like to call to the attention of the Government the provision contained in article 9 of the Declaration on Human Rights Defenders.

193. The Special Rapporteur expresses deep concern about reported systematic arrests of human rights defenders, particularly lawyers, journalists, student activists and those advocating against the discrimination of women, as well as about the illegitimate restrictions imposed on the right of human rights defenders to freedom of opinion and expression. The Special Rapporteur urges the Government to take the necessary measures to guarantee the existence of an environment in which all human rights defenders can carry out their legitimate work without risk to their physical and psychological integrity or to any form of restriction, harassment, intimidation or fear of persecution, in accordance with the fundamental principles endorsed in the Declaration on Human Rights Defenders. On the subject of defenders working to promote women's rights, she encourages the Government to pay particular attention to the recommendations given in her report to the Human Rights Council in 2011 (A/HRC/16/44, para.109-112). The Special Rapporteur remains available to provide any technical support the Government might require in this regard.

## **Iraq**

194. JUA 27/04/11 Case no.: [IRQ 2/2011](#) State Reply: None to date **Alleged excessive use of force against peaceful protesters.**

195. JUA 21/06/11 Case no.: [IRQ 4/2011](#) State Reply: [28/07/11](#) **Allegations of attack against peaceful protestors in Baghdad's Tahrir Square.**

196. JUA 10/10/11 Case no.: [IRQ 5/2011](#) State Reply: None to date **Alleged enforced disappearance.**

197. JUA<sup>1</sup> 11/11/10 Case no. : [IRQ 6/2010](#) State Reply: [04/05/11](#) **Alleged arrest and incommunicado detention of human rights defender's family members.**

## **Observations**

198. The Special Rapporteur thanks the Government of Iraq for the response transmitted during the reporting period to her earlier communication. She regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communications sent during the reporting period.

199. The Special Rapporteur is deeply concerned about information she has received of considerable threats to the physical and psychological integrity of human rights defenders in Iraq, including as a result of arbitrary arrests, enforced disappearances and incommunicado detentions. In this regard, she wishes to remind the Government of Iraq of the provisions contained in the Declaration on Human Rights Defenders, notably its articles 2 and 12.

200. The Special Rapporteur is concerned about excessive use of force by security forces and affiliated groups during demonstrations. In this context, she would like to refer the Government to article 5, point a), of the Declaration on Human Rights Defenders as well as the recommendations provided by the former Special Representative of the Secretary General on the situation of human rights defenders in her reports to the General Assembly in 2006 (A/61/312, para. 98) and 2007 (A/62/225, para. 101).



## Israel

201. JAL 29/08/11 Case no.: [ISR 7/2011](#) State Reply: [15/12/11](#) **Allegation that a new law defines calling for a boycott as a ‘civil wrong’.**

202. JAL<sup>1</sup> 20/04/10 Case no.: [ISR 6/2010](#) State Reply: [30/03/11](#) **Alleged arrest and detention of human rights defenders.**

203. JUA<sup>1</sup> 08/11/10 Case no.: [ISR 14/2010](#) State Reply: [26/11/10](#), [15/02/11](#) **Alleged conviction of human rights defender.**

### Observations

204. The Special Rapporteur wishes to express her concern at the reported increased restrictions to the activities of human rights defenders working in Israel, including arrests, administrative detentions and restrictions to their freedom of movement. She urges the Government of Israel to pay close attention to the provision contained in the Declaration on Human Rights Defenders, notably its articles 2 and 12.

205. The Special Rapporteur is also concerned about increased restrictions on human rights defenders’ freedom of association and freedom of opinion and expression. In this regard, she wishes to call to the attention of the Government article 5, points b) and c), and article 6 of the Declaration on Human Rights Defenders, as well as the recommendations put forward in her report to the General Assembly in 2009 (A/64/226), para. 104 through 116.

## Kazakhstan

206. JUA 28/07/11 Case no.: [KAZ 2/2011](#) State Reply: [17/09/11](#) **Alleged detention of human rights defender and trade unionist.**

207. JUA 03/10/11 Case no.: [KAZ 4/2011](#) State Reply: None to date **Alleged investigation, arrest and sentencing of human rights defenders.**

### Observations

208. The Special Rapporteur remains concerned about restrictions in place with regard to the freedoms of assembly and of opinion and expression in Kazakhstan, and about judicial harassment and sentencing of human rights defenders attempting to exercise these rights. She urges the Government to take the necessary measures to ensure the existence of an environment conducive to the work of human rights defenders allowing them to carry out their legitimate work without fear of persecution. In this regard, she wishes to remind the Government of Kazakhstan of the provisions contained in the Declaration on Human Rights Defenders, notably article 2, article 5, point a), article 6, points b) and c), article 9 and article 12. With regard to the right to freedom of assembly, she would also like to bring to the attention of the Government the recommendations put forward by the former Special Representative of the Secretary General on the situation of human rights defenders in her report to the General Assembly in 2006 (A/61/312, para. 98).

209. The Special Rapporteur reiterates her hope that the Government of Kazakhstan will respond favourably to her newly issued request to visit the country. She remains available to provide any technical support the Government might require.

## **Kyrgyzstan**

210. JUA 16/03/11 Case no.: KGZ 1/2011 State Reply: 31/05/11 **Alleged violation of due process rights and guarantees in the conduct of criminal proceedings in relation to the June 2010 violence.**

211. JUA 18/08/11 Case no.: KGZ 4/2011 State Reply: None to date **Allegations of violent attacks against lawyer.**

### **Observations**

212. The Special Rapporteur thanks the Government of the Kyrgyz Republic for its extensive response transmitted to her communication regarding due process rights and guarantees in the conduct of criminal proceedings in relation to the June 2010 violence. She commends the Government for the enquiries conducted and measures taken in this regard, but she remains concerned about intimidation, threats and judicial harassment of human rights defenders in relation to the events of June 2010. The Special Rapporteur expresses grave concern with regard to the case of Mr. Azimjan Askarov, who has been sentenced to life in prison by the Supreme Court for crimes in relation to these events, amid grave concerns about lack of due process. In this context, the Special Rapporteur would like to remind the Government of the provisions contained in the Declaration on Human Rights Defenders, notably its articles 2, 9 and 12. The Special Rapporteur remains available to provide any technical assistance the Government of the Kyrgyz Republic might require.

## **Lebanon**

213. JUA 10/08/11 Case no.: LBN 3/2011 State Reply: None to date **Allégations d'actes d'intimidation.**

### **Observations**

214. La Rapporteuse spéciale regrette l'absence de réponse de la part du Gouvernement du Liban aux communications envoyées pendant la période couverte par le présent rapport. Elle reste préoccupée par des informations reçues sur la situation des défenseurs des droits de l'homme dans le pays, dont certains ont subi des actes d'intimidation et de harcèlement juridique, incluant suite à leur coopération avec l'Organisation des Nations Unies. La Rapporteuse spéciale aimerait rappeler au Gouvernement des dispositions contenues dans la Déclaration sur les défenseurs des droits de l'homme, en particulier l'article 2, l'article 5, alinéas c), et l'article 12.

## **Libya**

215. JUA 23/02/11 Case no.: LBY 1/2011 State Reply: None to date **Alleged excessive use of force against protesters.**

216. JUA 14/03/11 Case no.: LBY 2/2011 State Reply: None to date **Alleged abductions of journalists.**

217. JUA 18/03/11 Case no.: LBY 3/2011 State Reply: None to date **Alleged cases of enforced disappearances.**

218. JUA 31/03/11 Case no.: LBY 4/2011 State Reply: None to date **Alleged attacks against journalists.**

### Observations

219. The Special Rapporteur regrets that, at the time of the finalization of the current report, the Government of Libya (Libyan Arab Jamahiriya at the time the communications were sent) had not submitted a response to any of the communications sent by her during the reporting period. While recognizing that the country is faced with a very different situation compared to when the communications in question were sent, the Special Rapporteur calls on the Government of Libya to ensure a conducive working environment for human rights defenders in compliance with the Declaration on Human Rights Defenders, where their psychological and physical integrity is ensured, and where they do not face acts of harassment and intimidation. The Special Rapporteur urges the Government to pay particular attention to the situation of human rights defenders in the context of elections planned for 2012. She remains available to provide any technical assistance the Government of Libya might require.

### Malawi

220. JUA 28/03/11 Case no.: [MWI 1/2011](#) State Reply: [11/08/11](#) **Alleged threats and harassment against human rights defenders.**

221. JUA 24/05/11 Case no.: [MWI 2/2011](#) State Reply: None to date **Alleged threats and acts of intimidation against human rights defender.**

222. JUA 05/08/11 Case no.: [MWI 3/2011](#) State Reply: [09/08/11](#) **Alleged excessive use of force in the context of peaceful anti-Government protests, which resulted in at least 18 deaths and a large number of injured.**

223. JUA 10/10/11 Case no.: [MWI 4/2011](#) State Reply: [17/10/11](#) **Alleged arson attacks and unrest.**

224. JUA 19/10/11 Case no.: [MWI 6/2011](#) State Reply: None to date **Alleged arbitrary detention of human rights defenders for their peaceful exercise of the freedoms of expression and assembly.**

### Observations

225. The Special Rapporteur remains deeply concerned about the situation of human rights defenders in Malawi, particularly with regard to restrictions on their rights to freedom of assembly and freedom of expression. She notes with concern that human rights defenders who have exercised these rights have been met with violent attacks by security forces and other actors, resulting in injuries and even deaths of defenders. The Special Rapporteur urges the Government of Malawi to pay close attention to the provisions contained in the Declaration on Human Rights Defenders, notably its article 2, article 5, point a), article 6, points b) and c), and article 12. She also calls on the Government to revisit the recommendations put forward by the former Special Representative of the Secretary General on the situation of human rights defenders in her report to the General Assembly in 2006 (A/61/312, para. 98). The Special Rapporteur remains available to provide any technical assistance the Government might require.

### Malaysia

226. JAL 09/05/11 Case no.: [MYS 5/2011](#) State Reply: [24/08/11](#) **Alleged wave of arrests and harassment of human right defenders.**

227. JUA 28/07/11 Case no.: MYS 7/2011 State Reply: None to date **Court order allegedly imposing ban on entering Kuala Lumpur.**

#### **Observations**

228. The Special Rapporteur wishes to express her continued concern for human rights defenders advocating for minority rights in the country. According to information she has received, this group continues to face arbitrary arrests and violent threats, as well as restrictions to their rights to freedom of assembly and freedom of expression. The Special Rapporteur would like to remind the Government of Malaysia of the provisions contained in the Declaration on Human Rights Defenders, notably its articles 2, 5, point a), 6, points b) and c), and 12.

229. The Special Rapporteur has followed the development of the new Peaceful Assembly Bill and has previously expressed her related concerns.<sup>3</sup> She would like to refer the Government of Malaysia to the recommendations put forward by the former Special Representative of the Secretary General on the situation of human rights defenders in her reports to the General Assembly in 2006 (A/61/312, para. 98) and 2007 (A/62/225, para. 101).

230. The Special Rapporteur reiterates her hope that the Government will respond favourably to her request to visit the country issued in 2010. She remains available to provide any technical support the Government of Malaysia might require.

#### **Maldives**

231. JUA<sup>1</sup> 19/05/06 Case no.: MDV 3/2006 State Reply: 01/09/10, 05/06/11 **Alleged detention of journalists.**

#### **Observations**

232. The Special Rapporteur thanks the Government for responding to her earlier communication during the reporting period. While recognizing progress made by the Maldives to ensure respect for fundamental freedoms, the Special Rapporteur encourages the Government to take all necessary measures to ensure the existence of an environment conducive to the work of all human rights defenders. She remains available to provide any technical support the Government might require in this regard.

#### **Mauritania**

233. JUA 29/12/10 Case no.: MRT 3/2010 State Reply: 10/02/11 **Allégation de détention arbitraire et de mauvais traitements.**

#### **Observations**

234. La Rapporteuse spéciale demeure préoccupée quant à la situation de M. Biram Ould Dah Ould Abeid, ainsi que les membres de l'IRA-Mauritanie, qui ont subi des actes d'intimidation suite à la grâce présidentielle qui les ont remis en liberté. Elle reste également préoccupée par les restrictions sur la liberté d'association et sur la liberté d'assemblée pacifique en Mauritanie. La Rapporteuse spéciale aimerait attirer l'attention du Gouvernement de la Mauritanie sur les dispositions prononcées dans la Déclaration sur les

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<sup>3</sup> See <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11694&LangID=E>.

défenseurs des droits de l'homme, notamment l'article 2, l'article 5, alinéas a), b) et c), et l'article 12. Au sujet de l'usage excessif de la force durant des manifestations, elle encouragerait le Gouvernement d'évaluer les recommandations fournies par l'ancienne Représentante spéciale du Secrétaire général concernant la situation des défenseurs des droits de l'homme dans son rapport à l'Assemblée générale en 2007 (A/61/312, para. 98). La Rapporteuse spéciale reste disponible pour fournir tout appui technique dont aurait besoin le Gouvernement.

## Mexico

235. JUA 28/12/10 Case no.: MEX 30/2010 State Reply: None to date **Presunto asesinato de defensora de los derechos de las mujeres de Ciudad Juárez.**
236. JUA 19/01/11 Case no.: MEX 1/2011 State Reply: 07/02/11 **Supuesta desaparición de migrantes, amenazas y actos de hostigamiento.**
237. UA 11/02/11 Case no.: MEX 3/2011 State Reply: 18/04/11 **Supuestos secuestros y amenazas.**
238. JUA 14/02/11 Case no.: MEX 2/2011 State Reply: None to date **Supuesta detención de activista de los derechos del colectivo de LGBTI.**
239. JUA 18/03/11 Case no.: MEX 5/2011 State Reply: None to date **Supuestas amenazas contra defensoras de derechos humanos.**
240. UA 28/03/11 Case no.: MEX 7/2011 State Reply: 26/07/11 **Supuesta campaña de hostigamiento judicial.**
241. JUA 04/05/11 Case no.: MEX 9/2011 State Reply: None to date **Supuestos actos de amenazas y hostigamiento contra defensores de derechos humanos.**
242. JAL 25/05/11 Case no.: MEX 10/2011 State Reply: None to date **Supuesto asesinato de activista.**
243. JUA 04/07/11 Case no.: MEX 12/2011 State Reply: None to date **Presuntas amenazas contra activistas indígenas.**
244. JUA 18/08/11 Case no.: MEX 17/2011 State Reply: None to date **Presuntos actos de hostigamiento y amenazas.**
245. UA 04/11/11 Case no.: MEX 23/2011 State Reply: 02/12/11 **Supuesta amenaza de muerte contra un defensor de derechos humanos y presunto acto de hostigamiento contra él y su esposa.**
246. JAL<sup>1</sup> 15/05/09 Case no.: MEX 10/2009 State Reply: 02/03/11 **Supuesto asesinato de abogado y periodista.**

## Observaciones

247. La Relatora Especial agradece al Gobierno de México las respuestas recibidas en el momento de la finalización de este informe a cinco de sus once comunicaciones enviadas durante el periodo, así como a su comunicación enviada durante el periodo anterior. Sin embargo, lamenta que, en el momento de finalizar el presente informe, no había recibido respuesta a siete de las comunicaciones enviadas durante el periodo del presente informe.

248. La Relatora Especial reitera su preocupación sobre el hecho de que sigue recibiendo información acerca de graves violaciones y atentados contra la vida de defensores y defensoras de derechos humanos y, especialmente, contra defensores que trabajan por los derechos de los pueblos indígenas, migrantes, LGBTI y temas ambientales. La Relatora

Especial continúa preocupada por la situación de gran vulnerabilidad de los periodistas e informadores sociales en México así como de las mujeres defensoras y de los abogados de derechos humanos. Asimismo, se muestra alarmada por los informes recibidos acerca del clima de impunidad que impera en el país.

249. La Relatora Especial desea hacer referencia al Gobierno de México las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo 5, apartado b) y c); el artículo 6, apartado a), b) y c); el artículo 7; el artículo 9, párrafo 1 y 3, apartado c), y el artículo 12, párrafos 2 y 3.

250. Asimismo, quisiéramos llamar la atención del Gobierno de Su Excelencia sobre la Convención sobre la eliminación de todas las formas de discriminación contra la mujer y en especial el artículo 7 que establece que los Estados tomarán todas las medidas apropiadas para eliminar la discriminación contra la mujer en la vida política y pública del país y, en particular, garantizarán a las mujeres, en igualdad de condiciones con los hombres, el derecho a [...] participar en organizaciones y en asociaciones no gubernamentales que se ocupen de la vida pública y política del país.

251. Asimismo, la Relatora Especial desea hacer referencia a su informe presentado ante la Asamblea General A/65/223 el 4 de agosto de 2010, párrafos 28 y 29, el cual señala que en el contexto de violaciones de los derechos humanos de los defensores cometidas por agentes no estatales, la responsabilidad de los mismos de respetar los derechos de los defensores “no libera al Estado de las obligaciones que le incumben en virtud de las normas de derechos humanos de respetar, proteger y aplicar los derechos humanos, incluidos los de los defensores de los derechos humanos”.

## Morocco

252. JAL 03/02/11 Case no.: [MAR 1/2011](#) State Reply: None to date **Allégation de torture et de mauvais traitements par les forces de sécurité.**

253. JUA 31/05/11 Case no.: [MAR 2/2011](#) State Reply: [29/07/11](#) **Allégation de mauvais traitements et d'arrestations dans le cadre des protestations.**

254. JUA 04/11/11 Case no.: [MAR 6/2011](#) State Reply: [19/01/12](#) **Allégation d'arrestations et détentions de défenseurs de droits de l'homme.**

255. JAL 29/11/11 Case no.: [MAR 8/2011](#) State Reply: None to date **Allégation de refus de réceptionner les documents de constitution de l'Association sahraouie des victimes des graves violations des droits de l'homme (ASVDH).**

## Observations

256. La Rapporteuse spéciale remercie le Gouvernement du Maroc de la réponse envoyée pendant la période couverte par le présent rapport. Elle regrette que le Gouvernement n'ait pas fourni des réponses aux autres communications envoyées pendant cette même période. Elle demeure néanmoins préoccupée par la situation des défenseurs des droits de l'homme. Des restrictions relatives à la liberté d'assemblée pacifique représentent un obstacle considérable pour les défenseurs au pays entier, mais surtout pour ceux opérant au Sahara occidental. Un usage excessif de la force durant des manifestations constitue une menace contre l'intégrité physique et mentale des défenseurs. A cet égard, la Rapporteuse spéciale souhaite attirer l'attention au Gouvernement sur les dispositions contenus dans la Déclaration sur les défenseurs des droits de l'homme, en particulier l'article 5, alinéas a), ainsi que les recommandations fournies par l'ancienne Représentante spéciale du Secrétaire général concernant la situation des défenseurs des droits de l'homme dans son rapport à l'Assemblée générale en 2006 (A/61/312, para. 98).

257. La Rapporteuse spéciale est aussi préoccupée par des difficultés alléguées d'organisations au Sahara occidental de s'enregistrer auprès des autorités. Dans ce contexte, elle aimerait rappeler au Gouvernement du Maroc de l'article 5, alinéas b) et c) de la Déclaration sur les défenseurs des droits de l'homme, ainsi que les recommandations contenues dans son rapport à l'Assemblée générale en 2009 (A/64/226, para. 104 à 116).

258. La Rapporteuse spéciale reste disponible pour fournir tout appui technique dont aurait besoin le Gouvernement.

## Myanmar

259. JUA 26/07/11 Case no.: MMR 2/2011 State Reply: 19/09/11 **Alleged incommunicado detention of political prisoner.**

260. JUA 28/11/11 Case no.: MMR 4/2011 State Reply: None to date **Alleged assault of a prisoner by prison guards.**

### Observations

261. The Special Rapporteur commends the Government of Myanmar for its recent efforts aimed at democratic reform, which she hopes will lead to a conducive working environment for human rights defenders. However, she expresses concern about the situation of human rights defenders in Myanmar and urges the Government to put in place measures to ensure their physical and psychological integrity, in accordance with articles 2 and 12 of the Declaration on Human Rights Defenders. This pertains in particular to prisons and detention facilities where human rights defenders are being held.

262. The Special Rapporteur is also concerned about restrictions in place with regard to freedom of expression, which is a considerable impediment to the work of human rights defenders in Myanmar. She would like to draw to the attention of the Government the provisions contained in the Declaration on Human Rights Defenders in this regard, specifically article 6, points b) and c).

## Nepal

263. JUA 30/08/11 Case no.: NPL 1/2011 State Reply: None to date **Alleged acts of intimidation and death threats against a journalist and human rights lawyer.**

### Observations

264. The Special Rapporteur regrets that, at the time of the finalizing of this report, the Government had not transmitted a response to her communication sent during the reporting period. The Special Rapporteur remains concerned about the general situation for human rights defenders in Nepal and urges the Government to take the necessary measures to ensure that an environment exists in which human rights defenders are able carry out their legitimate work without fear of persecution, or restriction, in accordance with articles 2 and 12 of the Declaration on Human Rights Defenders.

265. The Special Rapporteur reiterates her hope that the Government will respond favourably to the repeated requests of the mandate holder since 2003 to visit the country. She remains available to provide any technical assistance the Government might require.

## Pakistan

266. JUA 30/12/10 Case no.: PAK 17/2010 State Reply: None to date **Alleged abduction of human rights defenders.**

267. JUA 24/01/11 Case no.: PAK 1/2011 State Reply: None to date **Allegation that the implementation of the blasphemy provisions has triggered a general atmosphere of fear.**

268. JUA 24/05/11 Case no.: PAK 4/2011 State Reply: None to date **Alleged abduction and subsequent killing.**

### Observations

269. The Special Rapporteur regrets that, at the time of the finalizing of this report, the Government had not transmitted responses to any of her communications sent during the reporting period. The Special Rapporteur remains deeply concerned about the general situation of human rights defenders in Pakistan, particularly about information she has received of severe threats to the physical and psychological integrity of defenders. She urges the Government to take the necessary measures to ensure that an environment exists in which human rights defenders are able carry out their legitimate work without fear of persecution, in accordance with article 2 and article 12 of the Declaration on Human Rights Defenders.

270. The Special Rapporteur is also concerned about increased restrictions with regard to freedom of expression following adoption of the blasphemy provisions as part of the Criminal Code, which is a considerable impediment to the work of human rights defenders in Pakistan. She would like to draw to the attention of the Government the provisions contained in the Declaration on Human Rights Defenders in this regard, specifically article 6, points b) and c). She welcomes the recent invitation of the Government of Pakistan extended to the Special Rapporteur on the right to freedom of opinion and expression.

271. The Special Rapporteur reiterates her hope that the Government will respond favourably to her repeated requests since 2008 to visit the country. She remains available to provide any technical assistance the Government might require.

## Panama

272. JUA 28/04/11 Case no.: PAN 2/2011 State Reply: None to date **Supuesta repatriación de defensores de derechos humanos.**

### Observaciones

273. La Relatora Especial lamenta que al finalizar este informe, no había recibido respuesta a la comunicación enviada durante el periodo. La Relatora Especial reitera su preocupación sobre la detención y posterior repatriación de defensores de derechos humanos que monitoreaban una manifestación de un grupo de indígenas. En ese sentido, la Relatora Especial sigue expresando su preocupación sobre los casos de acoso e intimidación de defensores de los derechos humanos en Panamá, en particular en relación con su derecho a la libertad de opinión y expresión.

274. La Relatora Especial desea hacer referencia al Gobierno de Panamá, las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo el artículo el artículo 5, apartado a); el artículo 6, apartado a) b) y c); y el artículo 12, párrafos 2 y 3.



275. En cuanto al rol que juegan los medios de comunicación y los defensores de los derechos humanos en la observación de manifestaciones, la Relatora Especial desea hacer referencia al informe presentado ante la Asamblea General de la Representante Especial del Secretario General sobre la situación de los defensores de los derechos humanos (A/62/225, paras. 91 y 93), el cual que señala que “la observación de las manifestaciones es importante para obtener un relato imparcial y objetivo de lo sucedido, incluida la descripción de la conducta de los participantes y los agentes del orden [...] La presencia de observadores de los derechos humanos en las manifestaciones puede disuadir la violación de los derechos humanos. Por ello es importante que los defensores de los derechos humanos puedan actuar libremente en el contexto de la libertad de reunión [...] La labor de los periodistas también es importante para facilitar información independiente sobre las manifestaciones y protestas [...] Por ello los medios de comunicación deben tener acceso a las manifestaciones y a las operaciones policiales que se organicen para facilitar esas manifestaciones.”

## Papua New Guinea

276. JUA 27/09/11 Case no.: PNG 3/2011 State Reply: None to date **Alleged brutal violence on basis of sorcery/witchcraft accusations, and alleged threats against human rights defenders.**

277. JAL 05/10/11 Case no.: PNG 4/2011 State Reply: None to date **Alleged lack of progress in the investigation into an attempted assassination.**

### Observations

278. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communications sent during the reporting period. The Special Rapporteur is concerned for the physical and psychological integrity of human rights defenders in Papua New Guinea given the threats and violence they have reportedly been subjected to. In this regard the Special Rapporteur refers the Government of Papua New Guinea to the provisions outlined in the Declaration on Human Rights Defenders, particularly to article 12, paras. 2 and 3. Furthermore, the Special Rapporteur emphasises the importance of implementing the recommendations put forward in her report to the Human Rights Council in 2010 (A/HRC/13/22, para. 111-114). The Special Rapporteur remains available for any technical support the Government of Papua New Guinea might require.

## Paraguay

279. JAL 11/10/11 Case no.: PRY 1/2011 State Reply: 17/01/2012 **Presuntas actos de intimidación e irregularidades en el proceso judicial.**

### Observaciones

280. La Relatora Especial reitera su preocupación sobre actos intimidatorios en contra de una organización que trabaja por los derechos de los pueblos indígenas. Asimismo, reconoce los esfuerzos del Gobierno de Paraguay para incorporar la Declaración sobre los defensores de los derechos humanos, a la Estrategia prioritaria dentro del primer Plan nacional de Acción en Derechos Humanos.

281. La Relatora Especial desea hacer referencia al Gobierno de Paraguay las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo 5, apartado b) y c); el artículo 6, apartado b) y c); el artículo 9, párrafo 1; y el artículo 12, párrafos 2 y 3.

## Peru

282. JUA 15/12/10 Case no.: [PER 5/2010](#) State Reply: None to date **Presuntas amenazas a activistas de derechos humanos.**

### Observaciones

283. La Relatora Especial lamenta que al finalizar este informe, no había recibido respuesta a la comunicación enviada durante el periodo. La Relatora Especial reitera su preocupación sobre los actos intimidatorios en contra de un activista de derechos humanos, el cual legítimamente buscaba garantizar el derecho al uso de tierras e impedir que un proyecto minero vulnerara los derechos humanos debido a su impacto medioambiental.

284. La Relatora Especial desea hacer referencia al Gobierno de Perú, las provisiones contenidas en la Declaración sobre los defensores de derechos humanos, particularmente el artículo el artículo el artículo 5, apartado a) y el artículo 12, párrafos 2 y 3.

## Philippines

285. JUA 29/03/11 Case no.: [PHL 1/2011](#) State Reply: [01/04/11](#) **Alleged arrest and detention of human rights defenders.**

286. JAL 20/04/11 Case no.: [PHL 2/2011](#) State Reply: None to date **Alleged killing of activist.**

287. JAL 04/07/11 Case no.: [PHL 4/2011](#) State Reply: None to date **Alleged acts of violence and intimidation against human rights defenders.**

288. JAL 24/10/11 Case no.: [PHL 4/2011](#) State Reply: [15/12/2011](#) **Alleged killing of human rights defender.**

289. JUA 10/11/11 Case no.: [PHL 6/2011](#) State Reply: None to date **Alleged killings of human rights defenders.**

290. JUA<sup>1</sup> 29/11/10 Case no.: [PHL 10/2010](#) State Reply: [22/03/11](#) **Alleged killing of human rights advocate and intimidation of witnesses.**

### Observations

291. The Special Rapporteur thanks the Government of the Philippines for its responses, but regrets that at the time of finalizing the present report, the Government had not transmitted a reply to the majority of her communications during the reporting period.

292. The Special Rapporteur remains seriously concerned regarding the persistent challenges faced by human rights defenders in the Philippines, including extrajudicial killings, threats and intimidation, arbitrary arrest and detention. The Special Rapporteur calls particular attention in this regard to the killing of Fr. Fausto Tenorio and in general to the prevalence of non-State actors as perpetrators in these cases. She urges the Government of the Philippines to conduct thorough investigations in each case and prosecute the perpetrators, in accordance with article 12 of the Declaration on Human Rights Defenders. Such measures are crucial in order to create a safe environment conducive to the work of defenders. With regard to the issue of non-State actors, the Special Rapporteur would like to call to the attention of the Government the recommendations put forward in her report to the General Assembly in 2010 (A/65/223, para. 51-80).

293. The Special Rapporteur reiterates her hope that the Government of the Philippines will respond favourably to her repeated requests since 2008 to visit the country, in order to

strengthen the dialogue with the authorities on the worrying situation of human rights defenders in the Philippines.

### **Republic of Moldova**

294. JAL 31/05/11 Case no.: [MDA 3/2011](#) State Reply: [11/07/11](#) **Alleged ban to broadcast a documentary film on LGBTI rights.**

295. JUA<sup>1</sup> 19/07/06 Case no.: [MDA 3/2006](#) State Reply: [20/06/11](#) **Alleged acts of intimidation against lawyers.**

#### **Observations**

296. The Special Rapporteur remains concerned about the situation of defenders of LGBTI rights in the Republic of Moldova, including restrictions on their right to freedom of expression. In this regard, the Special Rapporteur reiterates the need for the Government to ensure rights protected under article 6, points b) and c), and article 7 of the Declaration on Human Rights Defenders are respected. She remains available to provide any technical assistance the Government of the Republic of Moldova might require.

### **Russian Federation**

297. JUA 20/12/10 Case no.: [RUS 10/2010](#) State Reply: None to date **Alleged raid on the premises of, and subsequent attack against human rights activist.**

298. UA 23/12/10 Case no.: [RUS 11/2010](#) State Reply: [29/03/11](#) **Alleged ill-treatment by police officers and criminal investigation against a human rights lawyer.**

299. JAL 14/01/11 Case no.: [RUS 1/2011](#) State Reply: [28/03/11](#) **Alleged pattern of impunity regarding the deaths of lawyers and human rights activists.**

300. JUA 08/04/11 Case no.: [RUS 6/2011](#) State Reply: [01/06/11](#) **Alleged excessive use of force by the police.**

301. UA 24/06/11 Case no.: [RUS 7/2011](#) State Reply: [04/08/11](#) **Alleged attack against human rights defender.**

302. JUA 29/07/11 Case no.: [RUS 8/2011](#) State Reply: [15/09/11](#) **Alleged threats and acts of intimidation against human rights defenders.**

303. JAL 24/08/11 Case no.: [RUS 9/2011](#) State Reply: [17/11/11](#) **Alleged lack of progress in the investigation of the killing of a human rights defender.**

304. JUA 15/09/11 Case no.: [RUS 10/2011](#) State Reply: [19/12/11](#) **Alleged arrest and detention of human rights defenders.**

305. JUA 30/11/11 Case no.: [RUS 12/2011](#) State Reply: [18/01/12](#) **Allegation of the passing of the first reading of a bill which allegedly restricts LGBTI rights by the Legislative Assembly in St. Petersburg.**

306. JUA<sup>1</sup> 19/10/10 Case no.: [RUS 6/2010](#) State Reply: [21/02/11](#) **Alleged prison sentence and ill-treatment of human rights defender.**

#### **Observations**

307. The Special Rapporteur would like to express her deep concern about the context of increasing harassment, threats and acts of violence against human rights defenders in the Russian Federation, in particular against journalists and lawyers. She is also concerned

about reported arrests, detentions and instances of police abuse, excessive use of force during demonstrations and judicial harassment against human rights defenders. In this regard, she wishes to call to the attention of the Government the provisions contained in the Declaration on Human Rights Defenders, notably article 5, point a), article 9 and article 12. On the issue of the right to freedom of peaceful assembly, she encourages the Government to revisit the recommendations given by the former Special Representative of the Secretary General on the situation of human rights defenders in her report to the General Assembly in 2006 (A/61/312, para. 98).

308. The Special Rapporteur is also concerned about increased obstacles for defenders of LGBTI rights as a result of legislative moves in some cities in the Russian Federation, which would represent considerable restrictions on their rights to freedom of expression and freedom of assembly. In this regard, the Special Rapporteur urges the Russian Federation to ensure rights protected under article 6, points b) and c), and article 7 of the Declaration on Human Rights Defenders are respected.

309. The Special Rapporteur thanks the Government of the Russian Federation for responding to her request to visit the country. She hopes the visit can take place at a future time of convenience to both parties. She remains available to provide any technical support the Government might require.

## **Rwanda**

310. JUA 18/03/11 Case no.: RWA 1/2011 State Reply: None to date **Alleged threats and harassment against human rights defender.**

### **Observations**

311. The Special Rapporteur regrets that, at the time of the finalization of this report, the Government of Rwanda had not transmitted a reply to her communication sent during the reporting period. She remains concerned about reports of threats and intimidation of human rights defenders in Rwanda, which have led prominent defenders to flee the country. She urges the Government to put in place measures to ensure a conducive working environment for human rights defenders, in accordance with the provisions of the Declaration on Human Rights Defenders, notably article 2 and article 12.

## **Saudi Arabia**

312. JUA 16/12/10 Case no.: SAU 9/2010 State Reply: None to date **Alleged arbitrary detention of human rights activist.**

313. JUA 03/03/11 Case no.: SAU 1/2011 State Reply: None to date **Alleged detention of the founders of a political party.**

314. JUA 07/04/11 Case no.: SAU 3/2011 State Reply: None to date **Alleged arrest and detention of human rights defender.**

315. JUA 21/04/11 Case no.: SAU 4/2011 State Reply: None to date **Alleged arrest and detention of human rights activist.**

316. JUA 12/05/11 Case no.: SAU 5/2011 State Reply: None to date **Alleged arrest and incommunicado detention.**

317. JUA 27/07/11 Case no.: SAU 6/2011 State Reply: None to date **Alleged arrest and detention.**

318. JUA<sup>1</sup> 28/04/10 Case no.: SAU 4/2010 State Reply: 10/03/11 **Alleged restrictions on freedom of movement and acts of intimidation against human rights defender.**

#### **Observations**

319. The Special Rapporteur thanks the Government of Saudi Arabia for its response to her earlier communication. However, she expresses her regret that, at the time of the finalization of this report, the Government had not responded to any of her communications sent during the reporting period, and, moreover, she is deeply concerned at the increased number of cases she has been receiving from the country.

320. The Special Rapporteur is concerned about reported restrictions, including of movement and of registration, placed on organizations working in the defence of human rights. In this regard, she would like to refer to the Government the provisions contained in the Declaration on Human Rights Defenders, notably its article 2 and article 5, points b) and c). She also wishes to call to the Government's attention the recommendations put forward in her report to the General Assembly in 2009 (A/64/226, para. 104-116) with regard to ensuring respect for the freedom of association.

321. The Special Rapporteur is very concerned about the physical and psychological integrity of human rights defenders in Saudi Arabia, following reports of arbitrary arrests and incommunicado detention, as well as instances of severe and lengthy sentencing of human rights defenders. She urges the Government to respect articles 2 and 12 of the Declaration on Human Rights Defenders by implementing the recommendations put forward in her report to the Human Rights Council in 2010 (A/HRC/13/22, para. 111-114). The Special Rapporteur remains available for any technical support the Government of Saudi Arabia might require.

### **Senegal**

322. JUA 28/07/11 Case no.: SEN 2/2011 State Reply: None to date **Allégations d'actes de violence, ainsi que des propos diffamatoires à l'encontre de la société civile.**

#### **Observations**

323. La Rapporteuse spéciale regrette l'absence de réponse de la part du Gouvernement du Sénégal à la communication envoyée durant la période couverte par le présent rapport. La Rapporteuse spéciale est préoccupée par des informations reçues concernant des actes de violence à l'encontre de défenseurs des droits de l'homme au Sénégal, ainsi que des propos diffamatoires et intimidants envers ces derniers. Elle aimerait attirer l'attention du Gouvernement sur les dispositions énoncées dans la Déclaration sur les défenseurs des droits de l'homme, notamment l'article 2 et l'article 12. Elle reste disponible pour fournir tout appui technique dont aurait besoin le Gouvernement.

### **Serbia**

324. JAL 28/10/11 Case no.: SRB 1/2011 State Reply: None to date **Alleged ban of the 2011 Belgrade Pride Parade.**

#### **Observations**

325. The Special Rapporteur wishes to express her regret that, at the time of the finalization of this report, the Government had not responded to the communication she

sent during the reporting period. The Special Rapporteur is concerned at the alleged harassment of human rights defenders engaged in work protecting the rights of LGBTI people in Serbia. In this connection, the Special Rapporteur wishes to refer the Government of Serbia to the provisions outlined in the Declaration on Human Rights Defenders, particularly to article 5, points (a) and (b), and article 7.

## **Sierra Leone**

326. JUA 23/09/11 Case no.: SLE 1/2011 State Reply: None to date **Alleged threats against human rights defender.**

### **Observations**

327. The Special Rapporteur wishes to express her regret that, at the time of the finalization of this report, the Government had not responded to the communication she sent during the reporting period. The Special Rapporteur is concerned for the physical and psychological integrity of Ms. Mary Conte given the threats and harassment she has reportedly been subjected to. In this regard, the Special Rapporteur wishes to refer the Government of Sierra Leone to the provisions outlined in the Declaration on Human Rights Defenders, particularly to article 12, paras. 2 and 3.

## **South Africa**

328. JAL 14/01/11 Case no.: ZAF 1/2011 State Reply: None to date **Alleged “corrective” rape of a lesbian woman.**

### **Observations**

329. The Special Rapporteur wishes to express her regret that, at the time of the finalization of this report, the Government had not responded to the communication she sent during the reporting period. The Special Rapporteur is concerned for the physical and psychological integrity of human rights defenders working to protect the rights of lesbians in South Africa and urges the Government of South Africa to create a safe environment conducive to their legitimate work. In this regard, in the spirit of cooperation, the Special Rapporteur refers the Government of South Africa to the recommendations put forward in her 2010 report to the Human Rights Council (A/HRC/13/22), particularly paras. 113 and 114, as well as those put forward in her 2011 report to the Human Rights Council (A/HRC/16/44), in particular para. 109.

## **Sri Lanka**

330. JUA 11/08/11 Case no.: LKA 3/2011 State Reply: 16/08/11 **Alleged ongoing smear campaign against a human rights defender.**

331. JUA 23/08/11 Case no.: LKA 4/2011 State Reply: None to date **Alleged threats against those campaigning for justice following the killing of a human rights defender.**

332. JUA 04/11/11 Case no.: LKA 8/2011 State Reply: None to date **Alleged threats against and stigmatization of the work of a journalist and human rights defender.**

### **Observations**

333. The Special Rapporteur wishes to thank the Government for the response provided to her communication dated 11 August 2011, but notes with regret that information on the

issues raised has yet to be provided. Furthermore, the Special Rapporteur wishes to express her regret that the Government of Sri Lanka has not responded to the other communications sent during the reporting period.

334. The Special Rapporteur reiterates her concern about the reported climate of fear, including stigmatization of, threats and intimidation against human rights defenders. She is especially concerned at alleged smear campaigns that may have been related to the cooperation of human rights defenders with the UN Human Rights Council. In this connection, the Special Rapporteur wishes to refer the Government of Sri Lanka to the provisions outlined in the Declaration on Human Rights Defenders, specifically to article 9, para. 4 and article 12, paras. 2 and 3.

335. She reiterates her hope that the Government will respond favourably to her repeated requests since 2008 to visit the country.

## **Sudan**

336. UA 28/01/11 Case no.: SDN 1/2011 State Reply: None to date **Alleged arrest and detention of human rights defender.**

337. JUA 04/02/11 Case no.: SDN 2/2011 State Reply: None to date **Alleged arrests during peaceful demonstrations.**

### **Observations**

338. The Special Rapporteur wishes to express her regret that, at the time of the finalization of this report, the Government had not responded to either of the communications she sent during the reporting period. The Special Rapporteur expresses her concern for the physical and psychological integrity of human rights defenders in Sudan, particularly in light of allegations of acts of torture while in detention. The Special Rapporteur is also concerned about the reported arbitrary arrests of journalists in Sudan. In this connection, the Special Rapporteur wishes to refer the Government of Sudan to the provisions outlined in the Declaration on Human Rights Defenders, notably to article 6, points (b) and (c). In addition, in the spirit of cooperation, she would like to refer the Government to the conclusions and recommendations put forward in her 2012 report to the Human Rights Council (A/HRC/19/55), particularly paras. 118 to 122.

## **Syrian Arab Republic**

339. JUA 09/02/11 Case no.: SYR 2/2011 State Reply: None to date **Alleged detention of political activist.**

340. JUA 30/03/11 Case no.: SYR 4/2011 State Reply: 06/07/11 **Alleged assault and arrest in relation to peaceful demonstration.**

341. JUA 26/05/11 Case no.: SYR 5/2011 State Reply: None to date **Alleged detentions and possible enforced disappearances in connection with demonstrations.**

342. JUA 17/06/11 Case no.: SYR 7/2011 State Reply: None to date **Alleged killings of protesters, excessive use of force and denial of life-saving medical treatment.**

343. JAL 29/06/11 Case no.: SYR 6/2011 State Reply: 25/10/11 **Alleged arrest and detention of human rights activists following peaceful protests.**

344. JUA 04/08/11 Case no.: SYR 9/2011 State Reply: None to date **Alleged continued use of excessive force and arbitrary detention in relation to the continued violent crackdown against demonstrations.**
345. JUA 10/08/11 Case no.: SYR 10/2011 State Reply: None to date **Alleged arrest and possible enforced disappearance.**
346. JUA 16/08/11 Case no.: SYR 11/2011 State Reply: None to date **Alleged arrest and possible enforced disappearance.**
347. JUA 18/08/11 Case no.: SYR 12/2011 State Reply: 27/12/11 **Alleged disciplinary procedure against human rights lawyer and defender.**
348. JUA 30/08/11 Case no.: SYR 13/2011 State Reply: None to date **Allegations of arrests, physical assault, ill-treatment, charges, and incommunicado detention.**
349. JUA 23/09/11 Case no.: SYR 14/2011 State Reply: None to date **Alleged persecution and harassment of lawyer.**

### **Observations**

350. The Special Rapporteur wishes to thank the Government for the responses provided to four of her communications sent during the reporting period but she wishes to express her regret that, at the time of the finalization of this report, the Government had not responded to seven of her communications from the period.

351. The Special Rapporteur is concerned about the large number of allegations received and communications sent during the reporting period. She is gravely concerned for the physical and psychological integrity of human rights defenders in the Syrian Arab Republic, particularly in light of the numerous allegations of acts of violence, arbitrary detention, torture and other human rights violations reportedly being carried out against human rights lawyers, journalists, students and peaceful protesters. The Special Rapporteur is further concerned about the reported restrictions on the right to peaceful assembly and the right to freedom of opinion and expression in the country. In this connection, the Special Rapporteur wishes to refer the Government of the Syrian Arab Republic to the provisions outlined in the Declaration on Human Rights Defenders, notably to article 5, points (a) and (b); to article 6, points (b) and (c); and to article 12, in particular paras. 2 and 3.

352. The Special Rapporteur notes her concern for the physical integrity of Mr. Mohamed Jamal Al Tahhan given the fact that his whereabouts are unknown and he is allegedly in poor health.

353. The Special Rapporteur reiterates her hope that the Government will respond favourably to her repeated requests since 2008 to visit the country.

### **Thailand**

354. JUA 16/02/11 Case no.: THA 5/2011 State Reply: None to date **Alleged threats against human rights activist in relation to the enforced disappearance of her husband.**
355. JUA 10/06/11 Case no.: THA 5/2011 State Reply: 24/06/11 **Alleged human rights violations in relation to lèse majesté law.**
356. JUA<sup>1</sup> 01/10/10 Case no.: THA 7/2010 State Reply: 06/10/10, 17/02/11 **Alleged arrest of human rights defender.**



### Observations

357. The Special Rapporteur is concerned about the reported restrictions on the right to freedom of opinion and expression in connection with the lèse majesté law. In this regard, she wishes to refer the Government of Thailand to the provisions outlined in the Declaration on Human Rights Defenders, notably to article 6, points (b) and (c).

358. The Special Rapporteur reiterates her hope that the Government will respond favourably to repeated requests since 2008 to visit the country.

### The former Yugoslav Republic of Macedonia

359. AL 20/07/11 Case no.: MKD 1/2011 State Reply: None to date **Alleged attempt to discredit and stigmatize human rights organization.**

### Observations

360. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communication sent during the reporting period. The Special Rapporteur urges the Government of the former Yugoslav Republic of Macedonia to create a safe environment for human rights defenders conducive to their legitimate work. In this regard, the Special Rapporteur respectfully refers the Government to the recommendations put forward in her 2010 report to the Human Rights Council (A/HRC/13/22), particularly paras. 113 and 114. The Special Rapporteur remains available to provide any guidance or technical support the Government of the former Yugoslav Republic of Macedonia might require.

### Tunisia

361. JUA 14/01/11 Case no.: TUN 1/2011 State Reply: None to date **Allégation d'exécutions et d'arrestations dans le cadre des protestations.**

### Observations

362. La Rapporteuse spéciale regrette l'absence de réponse à la communication envoyée pendant la période couverte par le présent rapport. Elle reconnaît les mesures entreprises par le Gouvernement de la Tunisie d'assurer un milieu de travail propice pour les défenseurs des droits de l'homme, conformément aux principes énoncés dans la Déclaration sur les défenseurs des droits de l'homme.

363. La Rapporteuse spéciale est très reconnaissante que le Gouvernement de la Tunisie ait répondu favorablement à sa demande de visite afin de pouvoir effectuer un état des lieux de la situation des défenseurs des droits de l'homme dans le pays à une date à convenir.

### Turkey

364. JUA 06/05/11 Case no.: TUR 2/2011 State Reply: 29/07/11 **Alleged detention of human rights defenders and irregularities during their trial.**

365. JUA 18/10/11 Case no.: TUR 4/2011 State Reply: None to date **Alleged raids on offices and homes.**

366. JUA 26/10/11 Case no.: [TUR 5/2011](#) State Reply: [13/12/11](#) **Alleged arrest and harassment of human rights defenders working on issues related to enforced disappearances.**

367. JUA 17/11/11 Case no.: [TUR 6/2011](#) State Reply: None to date **Alleged arrest, detention and launching of criminal proceedings against various human rights defenders and lawyers in the context of anti-terrorism operations.**

368. JAL 30/11/11 Case no.: [TUR 7/2011](#) State Reply: None to date **Allegation of arrest and sentencing of three women human rights defenders and members of an LGBTI organization.**

369. JUA<sup>1</sup> 07/01/10 Case no.: [TUR 6/2009](#) State Reply: [18/03/11](#) **Alleged arrest of human rights defenders.**

#### **Observations**

370. The Special Rapporteur is concerned for the physical and psychological integrity of human rights defenders in Turkey, particularly in light of the alleged spate of arrests of defenders. In this context, the Special Rapporteur notes her concern regarding the allegations of the targeting of human rights lawyers in connection with their legitimate human rights work. Accordingly, the Special Rapporteur wishes to refer the Government of Turkey to the provisions outlined in the Declaration on Human Rights Defenders, notably to article 9, para. 3 (c) and to article 2. The Special Rapporteur remains available to provide any technical assistance the Government might require.

#### **Uganda**

371. JAL 01/02/11 Case no.: [UGA 1/2011](#) State Reply: None to date **Alleged murder of LGBTI rights activist.**

372. UA 25/02/11 Case no.: [UGA 2/2011](#) State Reply: None to date **Alleged break-in at the office of Sexual Minorities Uganda (SMUG).**

373. JAL 05/05/11 Case no.: [UGA 3/2011](#) State Reply: None to date **Alleged arrest and deportation of human rights defenders.**

374. JAL 25/05/11 Case no.: [UGA 5/2011](#) State Reply: [27/05/11](#) **Alleged abuses by the police and the military forces.**

#### **Observations**

375. The Special Rapporteur wishes to thank the Government for the response provided to her communication dated 25 May 2011, but notes with regret that information on the issues raised has yet to be provided. Furthermore, the Special Rapporteur wishes to express her regret that the Government of Uganda has not responded to the other communications sent during the reporting period.

376. The Special Rapporteur remains deeply concerned about the situation of human rights defenders advocating for LGBTI rights in Uganda, and urges the Government of Uganda to create a safe environment conducive to their legitimate work. In this regard, the Special Rapporteur respectfully refers the Government of Uganda to the recommendations put forward in her 2010 report to the Human Rights Council (A/HRC/13/22), particularly paras. 113 and 114, as well as those put forward in her 2011 report to the Human Rights Council (A/HRC/16/44), in particular para. 109. The Special Rapporteur remains available to provide any guidance or technical support the Government of Uganda might require.

## Ukraine

377. AL<sup>4</sup> 24/11/10 Case no.: UKR 5/2010 State Reply: 04/02/11 **Alleged harassment against human rights defenders.**

378. JUA<sup>1</sup> 24/11/10 Case no.: UKR 6/2010 State Reply: 21/02/11 **Alleged attack against members of LGBTI organisations.**

### Observations

379. The Special Rapporteur thanks the Government of Ukraine for providing details of the investigations carried out in respect to the concerns previously raised. Nonetheless, the Special Rapporteur urges the Government to ensure that human rights defenders do not face harassment or discrimination in connection with their work, and to take steps to create a safe environment conducive to this work. In this respect, the Special Rapporteur wishes to refer the Government of Ukraine to the recommendations put forward in her 2010 report to the Human Rights Council (A/HRC/13/22), particularly paras. 113 and 114. Furthermore, the Special Rapporteur respectfully reminds the Government of Ukraine of its obligations as outlined in the Declaration on Human Rights Defenders, particularly article 12, para. 2.

## United Arab Emirates

380. JUA 16/02/11 Case no.: ARE 2/2011 State Reply: None to date **Alleged arbitrary detention of a human rights defender.**

381. JUA 26/04/11 Case no.: ARE 4/2011 State Reply: None to date **Alleged arrest and detention of human rights defenders.**

382. JUA 27/09/11 Case no.: ARE 6/2011 State Reply: None to date **Alleged arrests and detentions.**

### Observations

383. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communications sent during the reporting period. The Special Rapporteur is concerned about the reported restrictions on the right to freedom of opinion and expression in the United Arab Emirates. In this connection, the Special Rapporteur wishes to refer the Government of the United Arab Emirates to the provisions outlined in the Declaration on Human Rights Defenders, notably to article 6, points (b) and (c).

384. The Special Rapporteur is deeply concerned about information she has received regarding the alleged arbitrary arrest of human rights defenders in connection with their legitimate human rights work. In this regard, the Special Rapporteur wishes to refer the Government of United Arab Emirates to the provisions outlined in the Declaration on Human Rights Defenders, specifically to article 2, paras. 1 and 2.

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<sup>4</sup> Although both the communication and the Government response were transmitted before the period covered by this report, the Government response had not been translated at the time of finalization of the previous report.

## Uzbekistan

385. JUA 15/12/10 Case no.: UZB 8/2010 State Reply: 14/01/11 **Alleged arrest and detention of human rights defenders.**

386. JUA 20/12/10 Case no.: UZB 7/2010 State Reply: 15/03/11 **Alleged arrest and detention of human rights defenders.**

### Observations

387. The Special Rapporteur thanks the Government of Uzbekistan for the responses transmitted to her earlier communications. Nevertheless, she remains gravely concerned at the situation of human rights defenders in Uzbekistan, particularly in relation to reports of acts of arbitrary arrest. In this connection, the Special Rapporteur wishes to refer the Government of Uzbekistan to the provisions outlined in the Declaration on Human Rights Defenders, notably to article 2, paras. 1 and 2.

## Venezuela (Bolivarian Republic of)

388. JUA 11/07/11 Case no.: VEN 2/2011 State Reply: None to date **Presunta existencia de una campaña de descalificación contra varios defensores y organizaciones.**

### Observaciones

389. La Relatora Especial lamenta que al finalizar este informe no se había recibido respuesta a la comunicación enviada durante el periodo del presente informe.

390. La Relatora Especial se muestra preocupada por los presuntos actos de descalificación y amenazas contra defensores de derechos humanos, los cuales, de ser confirmados, indicarían un contexto de creciente inseguridad para los defensores de los derechos humanos en Venezuela.

391. La Relatora Especial confía en que el Gobierno responderá favorablemente a su última solicitud de visita realizada el 21 de enero de 2010. (Nota: la solicitud anterior se envió el 21 de diciembre de 2007).

## Viet Nam

392. JUA 07/02/11 Case no.: VNM 1/2011 State Reply: 14/04/11 **Alleged imprisonments of human rights defender.**

393. JUA 21/04/11 Case no.: VNM 2/2011 State Reply: 06/06/11 **Alleged conviction of a prominent human rights activist.**

394. JUA 29/07/11 Case no.: VNM 3/2011 State Reply: 06/09/11 **Alleged sentencing of human rights defenders.**

### Observations

395. The Special Rapporteur commends the Government for its increased engagement with international human rights mechanisms. Nonetheless, she remains concerned for the physical and psychological integrity of human rights defenders in Viet Nam, particularly those who have been given long prison sentences and those who are in custody awaiting trial. In this regard the Special Rapporteur refers the Government of Viet Nam to the

provisions outlined in the Declaration on Human Rights Defenders, particularly to article 12, paras. 2 and 3.

396. The Special Rapporteur is further concerned about reported restrictions on the legitimate right to freedom of opinion and expression. In this regard, in the spirit of cooperation, she would like to refer the Government to the conclusions and recommendations put forward in her 2012 report to the Human Rights Council (A/HRC/19/55), particularly paras. 118 to 122.

## Yemen

397. JUA 03/03/11 Case no.: YEM 1/2011 State Reply: None to date **Alleged violence and attacks against journalists in connection with demonstrations.**

398. JUA 15/07/11 Case no.: YEM 3/2011 State Reply: None to date **Attempted assassination/ reprisals.**

399. JUA 19/10/11 Case no.: YEM 4/2011 State Reply: None to date **Alleged incommunicado detention, torture and denial of medical treatment.**

### Observations

400. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted a reply to her communications sent during the reporting period. The Special Rapporteur is concerned for the physical and psychological integrity of human rights defenders in Yemen, particularly in light of reports of violence being used against journalists and the ill-treatment of human rights defenders while in detention. In this connection, she wishes to refer the Government of Yemen to the provisions contained in the Declaration on Human Rights Defenders, specifically its article 12, paras. 2 and 3. In addition, in the spirit of cooperation, she would like to refer the Government to the conclusions and recommendations put forward in her 2012 report to the Human Rights Council (A/HRC/19/55), particularly paras. 118 to 122.

401. The Special Rapporteur is deeply concerned by reports that human rights defender Mr. Sadiq Al-Sharafy has been denied access to medical treatment while in detention.

## Zimbabwe

402. JUA 28/02/11 Case no.: ZWE 1/2011 State Reply: None to date **Alleged arrest and detention of activists.**

403. JUA 01/06/11 Case no.: ZWE 3/2011 State Reply: None to date **Alleged arrest and detention of human rights defenders.**

404. JUA 08/07/11 Case no.: ZWE 4/2011 State Reply: 11/07/11 **Alleged police occupation and suspected poisoning of property used by an NGO.**

405. JUA 26/10/11 Case no.: ZWE 5/2011 State Reply: None to date **Alleged arrest and detention of human rights defenders.**

### Observations

406. The Special Rapporteur wishes to thank the Government for the response provided to her communication dated 8 July 2011, but notes with regret that information on the issues raised has yet to be provided. Furthermore, the Special Rapporteur wishes to express

her regret that the Government of Zimbabwe has not responded to the other communications sent during the reporting period.

407. The Special Rapporteur is concerned about information received on alleged restrictions on the right to freedom of peaceful assembly and association and on the right to freedom of expression in Zimbabwe. In this regard, the Special Rapporteur wishes to refer the Government of Zimbabwe to the provisions of the Declaration on Human Rights Defenders, particularly article 5, points b) and c). The Special Rapporteur is particularly concerned about the repeated reports of police and judicial harassment of human rights defenders as well as alleged ill-treatment while in detention, particularly of women human rights defenders. In this regard, in the spirit of cooperation, the Special Rapporteur wishes to refer the Government of Zimbabwe to the recommendations put forward in her 2011 report to the Human Rights Council (A/HR C/16/44), particularly paras. 108 and 109.

408. The Special Rapporteur regrets that her request to carry out a country mission to Zimbabwe has been outstanding for almost ten years despite repeated follow-up and hopes that the Government will consider this request favourably in the near future.

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