



Permanent Mission
of the Federal Republic of Germany
to the Office of the United Nations and
to the other International Organizations
Geneva



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Note Verbale

The Permanent Mission of the Federal Republic of Germany to the Office of the United Nations and to the other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and referring to the Note Verbale, dated 24 March 2023 - JAL DEU 3/2022.

The Permanent Mission of the Federal Republic of Germany is pleased to transmit herewith the response of the Government of the Federal Republic of Germany.

The Permanent Mission of the Federal Republic of Germany to the Office of the United Nations and to the other International Organizations in Geneva avails itself of this opportunity to renew to the Secretariat of the United Nations (Office of the High Commissioner for Human Rights) the assurances of its highest consideration.

Geneva, 17 May 2023

To the

Office of the High Commissioner for Human Rights

Palais Wilson

Geneva

The alleged threat against or attempt to influence/intimidate the lawyer Mark SOMOS (S) [REDACTED] his client [REDACTED] (A), allegedly by Qatari forces, is known to the German investigative and law enforcement authorities. A criminal complaint was filed against persons unknown on suspicion of data espionage (section 202a of the German Criminal Code) and data manipulation (section 303a of the German Criminal Code). The charges were filed after A claimed that an unknown third party had manipulated her email address. Furthermore, it was no longer possible for her to access another email account.

The federal and state police authorities have stated that protective measures have been put in place for A and her children by the competent authorities. This includes carrying out regular threat assessments. Furthermore, it is our understanding that A was briefed on several occasions regarding risks to her own person and a possible risk to her children. Another briefing of this nature was scheduled for spring 2023. To date, however, the relevant police authorities have been unable to establish a concrete threat.

The Bavarian State Ministry of the Interior, for Sport and Integration has informed us that there were also various exchanges of correspondence between the competent Bavarian police authorities and S with a view to ascertaining the risk at different points in time and subsequently taking further preventive police measures. According to the information available to us, a police expert was consulted and recommendations provided to A on action that could be taken and possible safeguard measures. To date, the police authorities have been unable to confirm that any of the recommended measures have been taken by A.

We have been informed that in early 2023 S notified the competent Bavarian police authorities in an email that he no longer represented A because all UN human rights cases had been won and no more legal remedies were available. Furthermore, he wrote that he believed his person and the members of his family might be at risk. We have been informed that an exchange of messages with the Baden-Württemberg investigative and law enforcement authorities was initiated that same day.

Thanks to the close and coordinated cooperation among German authorities at federal and state level, it was possible to react promptly to the complaints and requests for help on the part of S and A. The relevant authorities are still in contact with the two individuals and remain willing to assess the situation and take any measures that may be required.