

**Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association
and the Special Rapporteur on the situation of human rights defenders**

REFERENCE: AL
NOR 1/2015:

24 July 2015

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolutions 24/5 and 25/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **allegations of investigation of human rights organisation Global Network for Rights and Development and its President Mr. Loai Deeb**.

Mr. Loai Deeb is a human rights defender and the Founder and current President of the Global Network for Rights and Development. He has participated in sessions of the Human Rights Council and Universal Periodic Review in Geneva, led several electoral observation missions, and organised and participated in multiple human rights conferences.

The **Global Network for Rights and Development (GNRD)** is a Norwegian based non-governmental organisation that works globally for the promotion and protection of human rights and development within a human rights framework. The GNRD organises human rights events, implements human rights projects and observes elections. It also reports and coordinates international action on the issue of balancing human rights and counter-terrorism measures. Members of the GNRD have been the subject of one previous communication, dated 2 October 2014, case no. QAT 2/2014.

According to the information received:

On 15 May 2015, the Norwegian National Authority for Investigation and Prosecution of Economic Crime ("*Økokrim*") received warrants issued by a night-duty judge by way of urgent procedure, permitting the search of the home of Mr.

Loai Deeb and his office at the Global Network for Rights and Development (GNRD).

On 27 May 2015, 12 days after the issuing of the search warrants, the home of Mr. Deeb was raided by more than 30 officers under the order of *Økokrim*. During the raid, Mr. Deeb's 10 year-old daughter was reportedly taken for police questioning without prior judicial or parental permission, Mr. Deeb's spouse and one year-old daughter were physically detained by a policewoman, and 16 year-old daughter was questioned by police.

In the course of the raid, multiple items, including computers, mobile phones and documents were reportedly seized without the compilation of a list of the items removed. A large number of photographs were allegedly taken.

Mr. Deeb was arrested during the course of the raid and detained for 48 hours for questioning on suspicion of money-laundering. The questioning of Mr. Deeb is reported to have largely concerned his human rights activities and the work of the GNRD.

On the same day as the raid of the home of Mr. Deeb, the 27 May 2015, at around 8.30 a.m., the headquarters of the GNRD in Stavanger, Norway, were raided by 15 policemen and representatives of *Økokrim*.

The police and *Økokrim* representatives reportedly conducted an extensive search of the organisation's headquarters, including searches of its ten office rooms and two meeting rooms. During this time, the offices were comprehensively photographed and computers and documents concerning all areas of the work of the GNRD were seized.

The GNRD staff members were then informed by the police that the GNRD and its President Mr. Deeb are under investigation for suspected money-laundering. All of those present were then requested to fill in a witness form comprised of questions pertaining to personal details and the work of the GNRD. Oral interviews were conducted while the GNRD staff members filled in the witness forms.

All GNRD staff were then allowed to leave, apart from the GNRD Chief Executive, who was requested to stay and assist the police. The Chief Executive was then read the rights of the GNRD and presented with the search warrant by the present public prosecutor, who explained that the investigation had been initiated on the basis of foreign transfers received and made by the GNRD.

During the following seven days, GNRD employees were requested to present themselves before the police for witness interviews.

On 28 May 2015, the office of the accounting firm hired by the GNRD was reportedly raided by *Økokrim* officials. During the raid, papers on all of GNRD's accounts and the personal accounts of its President were confiscated. No list of the confiscated materials was provided.

On 29 May 2015, Mr. Deeb was reportedly released. Upon release, the bank cards of Mr. Deeb were returned to him, although the bank accounts connected to them remained frozen. Of the documents and equipment seized during the raid of the offices of the GNRD, it is reported that several items remain to be returned to the organisation.

As of the sending of this correspondence, no case has been filed by the police against Mr. Deeb.

Concern is expressed at the allegations that the investigations into Mr. Loai Deeb and the GNRD for money-laundering relate to the peaceful and legitimate human rights activities of the organisation and its President. Further concern is expressed at the alleged questioning of Mr. Deeb's children and the allegations that questions raised with Mr. Deeb during his detention were primarily related to his activities as a human rights defender.

While we do not wish to prejudge the accuracy of these allegations, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

In connection with the above alleged facts and concerns, please refer to the **Reference to International Law Annex** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

It is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Has a complaint been lodged by or on behalf of the alleged victim?
3. Please provide the details, and where available the results, of any investigation, and judicial or other inquiries carried out in relation to this case.
4. Please kindly indicate what measures have been taken to ensure that human rights defenders are able to carry out their legitimate work in a safe and enabling environment without undue interference.

We would appreciate receiving a response within 60 days.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Maina Kiai

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

Michel Forst

Special Rapporteur on the situation of human rights defenders

Annex
Reference to international human rights law

In connection with above alleged facts and concerns, we should like to appeal to your Excellency to seek clarification of the circumstances with a view to ensuring that the rights of Mr. Loai Deeb and his family are protected in accordance with the fundamental principles as set forth in the International Covenant on Civil and Political Rights and the UN Declaration on Human Rights Defenders.

The article 22 of the International Covenant on Civil and Political Rights that Norway ratified on 13 September 1972 stipulates that “Everyone shall have the right to freedom of association with others”.

Moreover, the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, provides, in its articles 1 and 2, for the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and states that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms.

Furthermore, we would like to bring to the attention of your Excellency’s Government the following provisions of the UN Declaration on Human Rights Defenders:

- article 5 (b), which provides for the right to form, join and participate in non-governmental organizations, associations or groups; and

- article 13, point b) and c), which provides for the right to solicit, receive, and utilize resources for the purpose of peacefully promoting and protecting human rights and fundamental freedom.

In addition, in relation to the allegations according to which the home and office searches and questioning of Mr. Loai Deeb and his family are the result of suspicions of money-laundering activities of the Global Network for Rights and Development, we would like to draw your Government’s attention to the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association that states that: “States have a responsibility to address money-laundering and terrorism, but this should never be used as a justification to undermine the credibility of the concerned association, nor to unduly impede its legitimate work [...] All measures adopted in this context should promote transparency and engender greater confidence in the sector, across the donor community and with the general public so that charitable funds and services reach intended legitimate beneficiaries.” (A/HRC/20/27, paragraph 70).