

Mandates of the Working Group on Enforced or Involuntary Disappearances; the Working Group on Arbitrary Detention; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the human rights of migrants; the Special Rapporteur on extreme poverty and human rights and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

REFERENCE:
AL THA 8/2020

11 December 2020

Excellency,

We have the honour to address you in our capacities as Working Group on Enforced or Involuntary Disappearances; Working Group on Arbitrary Detention; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the human rights of migrants; Special Rapporteur on extreme poverty and human rights and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 36/6, 42/22, 44/5, 43/4, 41/12, 43/16, 43/6, 44/13 and 43/20.

In this connection, we would like to bring to the attention of your Excellency's Government, information we have received concerning at least six alleged cases of Thai political activists disappearing abroad, namely **Wanchalearm Satsaksit, Siam Theerawut, Surachai Danwattananusorn, Chatchan Bubphawan, Kraidej Luelert** and **Itthipol Sukpan**, and concern that this may point to a pattern of extraterritorial abductions leading to enforced disappearances. The information received also refers to the alleged enforced disappearance in Thailand of Lao PDR national and human rights defender **Od Sayavong** and the alleged short term enforced disappearance of Vietnamese national and human rights defender **Truong Duy Nhat**, who later reappeared in detention in Viet Nam.

These cases have all previously been raised in communications with your Excellency's Government including:

- The alleged abduction and enforced disappearance of Mr. Wanchalearm Satsaksit on 4 June 2020, raised in communications sent on 12 June 2020 (THA 5/2020) and 15 July 2020 (THA 6/2020). We thank you for the reply received to both communications dated 10 August 2020 detailing the steps taken on this case. We note that a communication was also sent to Cambodia on this case, who have indicated that there was no evidence of the abduction occurring. We remain concerned that the fate and whereabouts of Mr. Satsaksit are still unknown.
- The alleged enforced disappearance of Mr. Od Sayavong and its possible connection with Mr. Sayavong's meeting with the former Special Rapporteur on extreme poverty and human rights his official visit to Lao PDR in March 2019, raised in a communication on 25 September

2019 (THA 8/2019) and a press release.¹ His case was included in the 2020 report of the Secretary-General on cooperation with the UN, its representatives and mechanisms in the field of human rights (A/HRC/45/36, paras. 83 and 112, Annex I paras. 68-69, 124 and 126). We regret that no reply has been received to date.

- The alleged arrest, enforced disappearance and repatriation of Mr. Truong Duy Nhat, raised in a communication sent on 18 April 2019 (THA 5/2019). We thank you for the reply received on 20 July 2019, which indicated that there is no record of his arrival and that he may not have passed through an immigration checkpoint. However, we remain concerned by the alleged involvement of Thai police in the case. Furthermore, Mr. Truong Duy Nhat is a subject of the Opinion 42/2020 (Thailand & Vietnam) of the Working Group on Arbitrary Detention. We regret that no reply has been received from Your Excellency's Government in connection to this opinion.
- The alleged enforced disappearance and extrajudicial, summary or arbitrary executions of Mr. Chatchan Bubphawan, and Mr. Kraidej Luelert, and the disappearance of Mr. Surachai Danwattananusorn and Itthipol Sukpan, raised in a communication on 6 March 2019 (THA 3/2019). We regret that no substantive reply has been received to date.

We would also like to recall that the cases of Mr. Siam Theerawut and Mr. Od Sayavong have also been treated under the humanitarian mandate of the Working Group on Enforced or Involuntary Disappearances and remain outstanding, and the case of Mr. Truong Duy Nhat was treated and has since been clarified

According to the latest information received:

The following cases, involving Thai political activists allegedly disappeared abroad, have been filed with the Standing Committee on Legal Affairs, Justice, and Human Rights of the House of the Representatives of Thailand:

- Mr. **Wanchalearm Satsaksit**, a political activist affiliated with the United Front for Democracy against Dictatorship (UDD), who was abducted in Phnom Penh, Cambodia on 4 June 2020 by four unidentified armed persons and whose fate and whereabouts remain unknown,
- Mr. **Surachai Danwattananusorn**, a political activist affiliated with UDD, who was last heard from on 12 December 2018, who disappeared from Lao PDR and whose fate and whereabouts remain unknown.
- Mr. **Chatchan Bubphawan** a political activist affiliated with the UDD who was last heard from on 12 December 2018, and whose remains were found in late December 2018 on the banks of the Mekong River bordering Thailand and Lao People's Democratic Republic,

¹ OHCHR, "Thailand/Lao PDR: UN experts concerned by disappearance of Lao human rights defender" (1 October 2019), <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25087&LangID=E>

- Mr. **Kraidej Luelert** a political activist affiliated with the UDD who was last heard from on 12 December 2018, and whose remains were found in late December on the banks of the Mekong River bordering Thailand and Lao PDR, and
- Mr. **Itthipol Sukpan**, also affiliated with the UDD who was last seen on 22 June 2016 in Lao PDR and who it was initially indicated had been arrested by the Thai authorities, which was later denied, and whose fate and whereabouts remain unknown,

It is reported that the Standing Committee has engaged with the relevant Thai authorities and the report of its inquiry into these cases and recommendation will be submitted to the Parliament shortly

Regarding the case of Mr. **Surachai Danwattananusorn**, on 23 June 2020, the family of Mr. Danwattananusorn filed the case with the National Interim Mechanism to Manage the Complaint of Torture and Enforced Disappearance, under the Ministry of Justice. The mechanism is supporting the DNA collection process as part of the search for him.

Regarding the case of Mr. **Siam Theerawut**, he is a Thai national and political activist affiliated with the UDD. He was charged in absentia in 2014 by the Royal Thai police under article 112 of the Criminal Code for lèse majesté for his involvement with a play in 2013 about the pro-democracy, student-led demonstrations that took place in Thailand's Thammasat University in 1973. The arrest warrant remains active.

In January 2019, Mr. Theerawut was last in contact with persons associated with him. In February 2019, unconfirmed reports were received that he had been arrested and detained on charges of illegal entry into Viet Nam.

In May 2019, complaints were lodged with the National Human Rights Commission of Thailand (NHRCT), who indicated that the case was being investigated. Also in May 2019, requests were submitted to the Thai Ministry of Foreign Affairs, Protection of Thai Nationals Abroad Division, and the Thai Ministry of Justice, Rights and Liberties Protection Division.

Complaints were also lodged with the Embassy of the Socialist Republic of Viet Nam in Thailand. In June 2019, information was received from the Embassy of Viet Nam transmitting a letter from the Crime Suppression Division dated 24 May 2019, informing that no information had been submitted from other parties regarding Mr. Theerawut's arrest warrant.

The case of Mr. Theerawut has been filed with Thailand's House of Representatives' Standing Committee on Legal Affairs, Justice, and Human Rights. The Standing Committee has engaged with the relevant Thai authorities and the report of its inquiry into these cases and recommendation will be submitted to the Cabinet shortly. His fate and whereabouts remain unknown to date.

Pattern of disappearances of individuals affiliated with the UDD who had fled abroad

In addition to the six cases mentioned above, there are several other alleged cases of Thai activists disappearing abroad between 2016 and 2020 in neighboring countries. These cases point to a pattern of disappearances.

Given the political affiliations of the individuals, it is believed that the Thai authorities were involved in their disappearances. Furthermore, several of the cases have indications that the individuals were being sought or surveilled prior to their disappearance, including:

- Mr. Bubphawan, Mr. Luelert, Mr. Danwattananusorn, Mr. Theerawut and Mr. Satsaksit had outstanding arrest warrants issued against them in Thailand,
- Mr. Sukpan's family had been visited by police in the years before his disappearance and informed that the authorities were investigating allegations of lèse majesté against him,
- Thai police officers visited the home of Mr. Satsaksit's family in Ubol, Ratchathani province, Thailand a few weeks before his disappearance, and
- Initial information in the case of Mr. Sukpan indicated he was in the custody of the Thai authorities, although this was later denied.

While the remains of Mr. Chatchan Bubphawan and Mr. Kraidej Luelert have been found, the fate and whereabouts of all other individuals remain unknown. No perpetrators of the disappearances and killings have been identified or prosecuted and there are no indications that actions have been taken to investigate the pattern of these cases with a view to preventing further such instances.

The pattern of cases appears also to point towards countries in the region coordinating, assisting or acquiescing to extraterritorially abduct political activists leading to enforced disappearances.

In this regard it is relevant to note that in March 2018, during a meeting between the Prime Minister of Thailand and the Defense Minister of Cambodia, both countries reportedly agreed to monitor individuals who escape the law by crossing borders.

Furthermore, the Thai Government has allegedly made several requests, since 2016, for the extradition of Thai political activists members from Lao PDR.

On 14 December 2018, the Governments of Lao PDR and Thailand released a joint statement signed by their respective foreign ministries indicating both countries would strengthen their collaboration and “stand firm on the policy to not allow any person or group of people plan for disorder or anti-government activities in another country on their land.”

[Updated information on cases of non-Thai nationals disappearing in Thailand and the Thai legislation on extradition](#)

Mr. **Od Sayavong**, is a Lao PDR national, human rights defender and former member of “Free Lao,” a group advocating for human rights and democracy in Lao PRD, who disappeared in August 2019 in Bangkok after having met with the former Special Rapporteur on extreme poverty and human rights in March 2020, and whose fate and whereabouts remain unknown. On 22 June 2020, Mr. Sayavong’s family were invited by the Department of Special Investigation (DSI) to discuss the case and DNA of one family member was collected. The case has been transferred to the DSI for investigation as no progress had been made in the case by the local police in Beungkum Police Station.

Mr. **Truong Duy Nhat**, is a Vietnamese blogger, journalist and human rights defender, regularly commenting on social and political issues, including human rights issues, who left Viet Nam on 19 January 2019 and approached UNHCR Thailand to submit an application for refugee status, and was apprehended by Thai police on 26 January 2019. His fate and whereabouts were unknown until he reappeared in March 2019 in a detention facility in Viet Nam. He remains in detention in Viet Nam.

Bill on Torture and Enforced Disappearances

The crimes of enforced disappearance and torture are not currently codified within Thai law. A draft law on this topic has been pending since 2010.

In June 2020, the Cabinet approved the draft bill and in October 2020, it was approved by the Council of State, with online public hearings scheduled for October and early November. The draft now includes key provisions which were lacking in previous drafts regarding an absolute prohibition of torture in any circumstances and the prohibition of non-refoulement. However, it is not fully compliant with international standards in all aspects, notably in relation to the statute of limitations and command responsibility.

While we do not wish to prejudge the accuracy of these allegations, we are deeply concerned about the reported lack of progress in the search and investigations into the disappearances of Mr. Wanchalearm Satsaksit, Mr. Siam Theerawut, Mr. Surachai Danwattananusorn, Mr. Itthipol Sukpan, and investigations into the killings of Mr. Chatchan Bubphawan and Mr. Kraidej Luelert especially given that several of the cases occurred more than a year ago. We are also disturbed by the apparent pattern of disappearances of political activists and the indications that Thai authorities may have been involved in the incidents.

We are further concerned that after more than a year, the fate and whereabouts of Od Sayavong remain unknown and we remain concerned that the alleged involvement of Thai police in the alleged short-term enforced disappearance and extradition of Mr. Truong Duy Nhat has not been clarified. We are concerned that these cases appear to point to a pattern of countries in the region coordinating or acquiescing to extraterritorially abduct political activists who have fled abroad leading to enforced disappearances.

Serious concern is expressed that the above-mentioned cases are not isolated, and that individuals who allegedly violate Thailand’s *lèse majesté* continue to receive

threats or attacks to their physical integrity. This curtails the right of all individuals to seek, receive and impart information and ideas of all kinds in the Kingdom of Thailand. We would also like to note that concerns about the use of lèse majesté law to restrict the right to freedom of opinion and expression in the Kingdom of Thailand have been expressed to your Excellency's Government by Special Procedures mandate holders on numerous occasions.

In this regard, we underline that Thailand should take any available steps to search for Mr. Wanchalearm Satsaksit, Mr. Siam Theerawut, Mr. Itthipol Sukpan, Mr. Surachai Danwattananusorn and Mr. Od Sayavong and investigate their disappearances, and should also investigate the killings of Mr. Chatchan Bubphawan and Mr. Kraidej Luelert, in cooperation with the relevant authorities in Viet Nam, Cambodia and Lao PDR. We further highlight that Thailand should take steps to prevent any further disappearances of activists abroad.

While we welcome efforts to ensure that enforced disappearances and torture are codified as crimes within Thai law, we underline the importance of ensuring that any legislation in this regard is fully compliant with international human rights standards. We further encourage Thailand to promptly ratify the Convention for the Protection of All Persons from Enforced Disappearance, which it signed in 2012.

Should these allegations be confirmed, they would violate articles 6, 7, 9, 19 and 22 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Thailand on 29 October 1996, which guarantee the right to life, the right to personal integrity, the right to liberty and security of the person and the right to freedom of expression. We would also like to refer to the Declaration on the Protection of All Persons from Enforced Disappearance.

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

As 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. Regarding the case of **Mr. Satsaksit**, please provide an update on the investigations conducted into the case, including any developments since the Government's reply in August 2020. Please provide detailed information on the cooperation with the Cambodian authorities, particularly given their reply to Special Procedures indicating there was no evidence of an abduction occurring.
3. Regarding the case of **Mr. Siam Theerawut**, please provide information on his fate and whereabouts. Please also provide information on any investigations that have taken place into the case,

including the steps taken to search locate and protect him and regarding the coordination with the authorities of Viet Nam in this regard.

4. We reiterate our queries on the cases of **Mr. Bubphawan, Mr. Luelert, Mr. Danwattananusorn and Mr. Itthipol Sukpan** raised in UA THA 3/2019, namely:
 - a. Please provide the full details of any investigations which may have been undertaken into the killing of Mr. Bubphawan and Mr. Luelert. Have any perpetrators been identified and if so have any criminal prosecution been undertaken? If no investigations have taken place, or if they have been inconclusive, please explain why, and how this is consistent with Thailand's human rights obligations under the treaties it has ratified.
 - b. Please provide information on the fate and whereabouts of Mr. Danwattananusorn and Mr. Itthipol Sukpan. If their fate and whereabouts are still unknown, please provide the details on any investigation or other queries, which may have been carried out. If no investigations have taken place, or if they have been inconclusive, please explain why.
 - c. Given that the crime of enforced disappearance is not yet codified within Thai law, please elaborate on the legal framework, which is being applied to investigate these cases and the disappearance of other Thai activists in Thailand or in neighbouring Laos.
5. We reiterate our queries raised regarding the case of **Mr. Od Sayavong** raised in UA THA 8/2019, namely;
 - a. Please provide any information you may have concerning Mr. Od's current location and the progress of the investigation into his disappearance.
 - b. Please provide details of any specific measures taken by your Excellency's Government to locate Mr. Od and ensure his physical and psychological integrity and well-being.
 - c. If Mr. Od has been arrested and detained by Thai authorities, please provide the legal grounds of his arrest and detention, and indicate whether he has been provided access to a lawyer.
 - d. Please provide information about whether your Excellency's Government has initiated a process of deportation of Mr. Od, and if so, on what basis.
 - e. Please provide information on what measures are being taken to ensure the rights of Lao nationals in Thailand who have been granted UNHCR protected status.
6. Regarding the case of **Truong Duy Nhat**, please provide an update on the investigations conducted into the case, including any developments since the Governments reply in April 2019, and in particular regarding investigations into the alleged involvement of Thai police in his reported enforced disappearance and forced repatriation.

7. Please provide information on the steps being taken to investigate the apparent pattern of disappearances of Thai political activists in neighboring states, including the possible involvement of any branch of the Thai State or individuals linked to them, and to prevent further such instances.
8. Please provide information on the steps being taken to ensure political activists and human rights defenders can operate freely in a safe environment without fear of being forcibly disappeared.
9. Please also provide information on the safeguards in place to prevent individuals being expelled, returned (refouled) or extradited to another State where there are substantial grounds to believe that he would be in danger of enforced disappearance, including in cases where the individual entered Thailand in an irregular manner.
10. Please provide information on cooperation and extradition agreements with Lao PDR, Viet Nam and Cambodia, and the measures in place to prevent individuals being returned if they may be at risk of enforced disappearance, during or after the extradition.
11. Please provide an update on the status of the draft law criminalizing enforced disappearance and torture and the measures being taken to ensure that it is fully compliant with international standards.

We would appreciate receiving a response within 60 days. Passed this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#). They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

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.

In light of the allegations of possible reprisals for cooperation with the United Nations on human rights, we reserve the right to share this communication – and any response received from Your Excellency's Government - with other UN bodies or representatives addressing intimidation and reprisals for cooperation with the UN in the field of human rights, in particular the senior United Nations official designated by the Secretary General to lead the efforts within the United Nations system to address this issue.

We would like to inform your Excellency's Government that letters with similar concerns have been transmitted to the Governments of the Cambodia, Lao PDR and Viet Nam.

We would like to inform your Excellency's Government that after having transmitted an allegation letter to the Government, the Working Group on Arbitrary

Detention may transmit the cases through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. Such appeals in no way prejudice any opinion the Working Group may render. The Government is required to respond separately for the allegation letter and the regular procedure.

Furthermore, we would also like to bring to the attention of your Excellency's Government that should sources submit the allegations of enforced disappearance mentioned in this communication as a case to the Working Group on Enforced or Involuntary Disappearances, they will be considered by the Working Group according to its methods of work, in which case your Excellency's Government will be informed by a separate correspondence.

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

Tae-Ung Baik
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Elina Steinerte
Vice-Chair of the Working Group on Arbitrary Detention

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Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Felipe González Morales
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Olivier De Schutter
Special Rapporteur on extreme poverty and human rights

Nils Melzer
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, 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.

We would like to highlight that enforced disappearance constitutes a unique and integrated series of acts and omissions representing a grave threat to life and that states are required to conduct an effective and speedy inquiry to establish the fate and whereabouts of persons who may have been subject to enforced disappearance and introduce prompt and effective procedures to investigate cases of disappearances thoroughly, by independent and impartial bodies (Human Rights Committee, General Comment 36).

We would also like to bring to your Excellency's Government's attention the United Nations Declaration on the Protection of All Persons from Enforced Disappearance (the Declaration) which sets out necessary protection by the State, and in particular that no State shall practice, permit or tolerate enforced disappearances, States should take measures **to prevent and terminate acts of enforced disappearance** in any territory under its jurisdiction and should cooperate to prevent an eradicate enforced disappearances (articles 2 and 3 of the Declaration). States should investigate **all** cases of enforced disappearance **promptly and impartially** and, where necessary, undertake **without delay a thorough and impartial investigation** including when there has not been a formal complaint (article 13 of the Declaration). We underline that an enforced disappearance **continues until the fate and whereabouts of the individual concerned are established** irrespective of the time passed, and that the family members have a right to truth which means the right to know about the progress and results of an investigation, the fate or the whereabouts of the disappeared persons, and the circumstances of the disappearances, and the identity of the perpetrator(s) (A/HRC/16/48). We would also like to recall that the Human Rights Committee in its General Comment No. 35, para 17, has reaffirmed that the enforced disappearance is a particularly aggravated form of arbitrary detention.

We further emphasise that no State shall expel, return (refouler) or extradite a person to another State where there are substantial grounds to believe that he would be in danger of enforced disappearance (article 8 of the Declaration). We underline that this applies irrelevant of the immigration status of the individual in question.

We would also like to remind your Excellency's Government that while enforced disappearance is a crime in itself, it may also amount to torture or other cruel, inhuman or degrading treatment or punishment, and is a serious violation of international law. The Committee against Torture² and the Human Rights Committee³ have concluded that enforced disappearances may amount to torture and other forms of ill-treatment both with regard to the disappeared and with regard to their family

² See, for example, conclusions and recommendations on the second periodic report of Algeria (A/52/44, para. 79), on the initial report of Namibia (A/52/44, para. 247) and on the initial report of Sri Lanka (A/53/44, paras. 249 and 251).

³ CCPR/C/50/D/440/1990 (24 March 1994), para. 5.4.

members, due to the anguish and uncertainty concerning the fate and whereabouts of loved-ones. The absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment, is an international norm of *jus cogens*, and as reflected inter alia, in Human Rights Council Resolution 25/13 and General Assembly Resolution 68/156. We further highlight that families of forcibly disappeared persons should be protected from ill-treatment or intimidation if required (article 13 of the Declaration).

Regarding allegations that the disappearance of Mr. Od Sayavong could have possibly been an act of reprisals against for his cooperation with the UN in the field of human rights, we would like to refer to Human Rights Council resolutions 12/2, 24/24, 36/21, and 42/28 reaffirming the right of everyone, individually or in association with other, to unhindered access to and communication with international bodies, in particular the United Nations, its representatives and mechanisms in the field of human rights. In these resolutions, the Human Rights Council urges States to refrain from all acts of intimidation or reprisals, to take all appropriate measures to prevent the occurrence of such acts. This includes the adoption and implementation of specific legislation and policies as well as the issuance of appropriate guidance to national authorities in order to promote a safe and enabling environment for engagement with the United Nations on human rights, and to effectively protect those who cooperate with the United Nations. The Council also urges States to ensure accountability for reprisals by providing access to remedies for victims, and preventing any recurrence. It calls on States to combat impunity by conducting prompt, impartial and independent investigations, pursuing accountability, and publicly condemning all such acts.

We would also like to appeal to your Excellency's Government to take all necessary steps to secure the right to freedom of opinion and expression in accordance with fundamental principles as set forth in article 19 of the ICCPR, which provides that “everyone shall have the right to hold opinions without interference” as well as that “everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” This right includes not only the exchange of information that is favorable, but also that which may shock or offend. In its General Comment No. 34 on Freedoms of opinion and expression (CCPR/C/GC/34), the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedoms of opinion and expression, including inter alia ‘political discourse, commentary on one’s own and on public affairs, canvassing, discussion of human rights, journalism’, subject only to admissible restrictions as well as the prohibition of propaganda for hatred and incitement to hatred, violence and discrimination.

We would like to refer your Excellency's Government to the fundamental principles set forth in 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. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has 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 that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedom.

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 6 point a), which provides for the right to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms;
- article 6 points b) and c), which provides for the right to freely publish, impart or disseminate information and knowledge on all human rights and fundamental freedoms, and to study, discuss and hold opinions on the observance of these rights;
- article 9, paragraph 4, point a), which provides for the right to unhindered access to and communication with international bodies;
- article 12, paragraphs 2 and 3, which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration.