

Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; and the Working Group on discrimination against women and girls

REFERENCE:
AL VNM 5/2020

10 November 2020

Excellency,

We have the honour to address you in our capacities as Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the situation of human rights defenders; and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 42/22, 43/4, 43/16 and 41/6.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the arrest of five human rights defenders in response to their advocacy following the Dong Tam village raids in January 2020**.

Mr. **Trinh Ba Phuong** is a human rights defender and blogger who defends his community's right to housing and land. He extensively documents alleged human rights violations in Dong Tam and has been significantly active since the January raids of the village. He is vocal on Facebook, sharing information and raising awareness on the issue nationally with his 50,000 followers.

Mr. **Trinh Ba Tu** is a human rights defender and brother of Mr. Trinh Ba Phuong. He is a book distributor for underground publishing company Liberal Publishing House (LPH). Separately, he documents alleged human rights abuses related to the Dong Tam raids and other abuses of housing rights and freedom of expression. Through social media he shares testimonies of local Dong Tam villagers where they speak of alleged incidents of police brutality or raids.

Ms. **Can Thi Theu** is a woman human rights defender and mother of Mr. Trinh Ba Phuong and Mr. Trinh Ba Tu. She advocates for environmental and land rights and since 2007, she has focussed on documenting land seizures in Hanoi and its surrounding provinces. She is a vocal supporter of the publishing company Liberal Publishing House, particularly with regards to the book "A Handbook for Families of Prisoners" which provides practical and advocacy related guidance for families of detainees in Viet Nam.

Ms. **Nguyen Thi Tam** is a woman human rights defender, who has engaged with and provided commentary on land rights and human rights issues on Facebook and YouTube since 2016. Regarding the Dong Tam incident, Ms. Nguyen Thi Tam provided information and commentary on the subject on YouTube.

Ms. **Pham Thi Doan Trang** is a woman human rights defender, a writer and a blogger. She has written on and advocated for a range of human rights issues, including freedom of expression, citizen participation, police violence, environmental rights and

politics. She is the founder of the online law and human rights magazine Luật Khoa and is a member of the editorial board of The Vietnamese, an independent news website which raises public awareness about human rights and political issues in Vietnam. She is also a co-founder of the Liberal Publishing House.

Ms. Can Thi Theu was previously the subject of two communications sent by Special Procedures to your Excellency's Government sent on 4 October 2016 (VNM 7/2016) and 16 August 2016 (VNM 6/2016) regarding her arrest and detention. We thank your Excellency's Government for the reply dated 13 April 2017, which addresses both of these communications.

Ms. Pham Thi Doan Trang was previously the subject of a communication sent by Special Procedures to your Excellency's Government on 17 September 2020 (VNM 3/2020), regarding harassment and intimidation she had faced from the authorities, in response to her writings on human rights issues. We regret that the Government of Vietnam has not yet responded to this letter and the concerns expressed therein.

According to the information received:

Dong Tam Incident

On 9 January 2020, several thousand police officers conducted raids of residents' homes in Dong Tam village, which is located 25 kilometres from Hanoi. Construction of a wall surrounding a planned military airport was due to reach disputed land on the edge of Dong Tam that day. Many of the 9,000 residents of Dong Tam have spent a number of years peacefully opposing the construction of the airport, which has been under construction for three years. Locals fear that there could be further displacement resulting from the 50 hectares of farming land that they have already lost. Allegedly, they were not properly consulted at any point during the planning or construction of the airport.

During the raids, 85-year-old village leader, Mr. Le Dinh Kinh was killed after police officers forced their way into his home while he and his family were sleeping. Mr. Le Dinh Kinh was kept in the home while his family were taken away and beaten. When they returned, they found he had been killed. Authorities claim that Mr. Le Dinh Kinh was threatening police with a grenade. Three police officers were allegedly killed during the raids. It is alleged that they were attacked and set on fire by local villagers, however the full circumstances of their deaths remain unclear.

Mobile networks and internet services were disrupted during the raid at Dong Tam. In the days following the raid, some human rights defenders reported receiving a message that access to their Facebook profile had been restricted due to "legal requirements" in their country, allegedly due to violations of the 2018 Law on Cybersecurity. Many were unable to access instant messaging services or read uncensored news on Facebook's "Instant Articles" feature.

On 13 January 2020, State media broadcast confessions of a number of Dong Tam residents who had been detained during the raid, some reportedly showing visible signs of bruising on their faces. These confessions were reportedly coerced. The local community of Dong Tam began collecting money to support Mr. Kinh's family, raising a total of 500 million VND (approx. 21 500 USD). The Ministry of Public Security shortly thereafter froze the bank account of a woman human rights defender, who was managing the fund. On 20 January 2020, she and her husband were detained by officers of the Ministry of Public Security and questioned about their activities and their connection with other human rights defenders in the area and to Le Dinh Kinh. They were released from the office of the Security Investigating Agency a few hours later, following the questioning. Many of those who were identified as giving funds to Mr. Kinh's family were allegedly brought in for questioning and threatened with the intent of coercing them to confess to forming part of an organised political opposition, a serious criminal offence in Viet Nam.

On 7 September 2020, the trial of 29 Dong Tam residents accused of murdering the three police officers and resisting public officials began. On 14 September 2020, two of the residents were sentenced to death for murdering the three police officers. The other residents were issued sentences varying from life imprisonment to 15 months suspended. According to information received, the trial was marred by a number of violations of fair trial rights, such as the alleged denial of access to lawyers to meet with their clients privately or at all, to access their clients' case files as well as denying the lawyers the chance to confer with one another on the first day of the trial.

None of the above-mentioned human rights defenders were present in Dong Tam at the time of the incident on 9 January 2020. Prior to the incident in January, Mr. Trinh Ba Phuong and Mr. Trinh Ba Tu had been documenting the ongoing land dispute in Dong Tam. In September 2020, Ms. Pham Thi Doan Trang co-authored a report on the Dong Tam incident, which analyses the events that took place between police and villagers in the Dong Tam village on 9 January 2020, as well as the subsequent arrest, detention and trial of the villagers.

Mr. Trinh Ba Phuong

Following the raids in Dong Tam, on 15 January 2020, state-owned media falsely implicated Mr. Trinh Ba Phuong in the incident, accusing him of "inciting" Dong Tam residents.

On 6 February 2020, Mr. Trinh Ba Phuong met with three members of the political office of the US Embassy, to convey information about the events that occurred at Dong Tam and share the concerns of the villagers and of Vietnamese citizens in the aftermath of the incident.

On 24 June 2020, at 5.20 a.m., a number of both uniformed and plainclothes police officers broke down the door of Mr. Trinh Ba Phuong's house in the Duong Noi ward of Ha Dong district in Hanoi, and searched the premises. Minutes before his arrest, Mr. Trinh Ba Phuong posted a video on Facebook

allegedly showing police officers dragging his mother in law and another individual away from the front of her house, as other officers forced their way inside.

Mr. Trinh Ba Phuong was restrained with force despite not resisting the officers. He was taken away at 5.45 a.m., allegedly without an arrest warrant, at which time authorities read the arrest warrant to his family and began searching the house. Ms. Can Thi Theu, attempted to come and assist his family members from where she was staying nearby, but she was also arrested before she was able to do so.

The police officers allegedly confiscated all documentation and files related to the Dong Tam raids, and left the premises at 8.00 a.m. Mr. Trinh Ba Phuong's wife was not provided with a copy of the warrant or any list of items that were confiscated. Mr. Trinh Ba Phuong is detained at Detention Centre No. 1 in the district of Nam Tu Liem, Hanoi.

On 29 June 2020, state-owned media reported that Mr. Trinh Ba Phuong was charged with breaching article 117 of the 2015 Penal Code for “making, storing, spreading information, materials, items for the purpose of opposing the State”.

On 28 August 2020 at around 12.00 p.m., police went to Mr. Trinh Ba Phuong's home to summon his wife, but she was not home. They returned to her home on 30 August 2020 at around 9.00 p.m. She spoke with the police but refused the summons and refused to go to the police station.

On 19 October 2020, Mr. Trinh Ba Phuong's wife was informed that the detention period of Mr. Trinh Ba Phuong, Mr. Trinh Ba Tu and Mrs. Can Thi Theu was to be extended for another three months as the investigation was ongoing.

As of 26 October 2020, Mr. Trinh Ba Phuong had not been permitted to meet with his family, nor was he allowed to meet with a lawyer of his choosing.

Mr. Trinh Ba Tu

On 25 June 2015, Mr. Trinh Ba Tu and a group of 40 other individuals were attacked by 50 plainclothes police officers. Mr. Trinh Ba Tu was on his way to pick up his father, released from 18 months in detention. He was left with lasting vision impairment as a result of the injuries he sustained during the beating.

On 20 September 2016, Mr. Trinh Ba Tu and a number of other human rights defenders were violently arrested and beaten by police while they livestreamed a video on Facebook from outside of the court during his mother's trial. The police threatened Mr. Trinh Ba Tu and his family with death during his overnight detention. He was released the following day.

Following his vocal activity online following the Dong Tam raids, Mr. Trinh Ba Tu reported that police officers were positioned outside his home, in an alleged

attempt to prevent him from leaving his house. He was unable to travel to Le Dinh Kinh's funeral as a result.

On 24 June 2020, Mr. Trinh Ba Tu's house, along with that of his father, on the same farm property in Hoa Binh, was raided by approximately 100 police officers, in a mix of uniform and plainclothes, at 5.20 a.m. The father's door was allegedly knocked down before the police announced their presence. A warrant was presented and the residences were searched, however no copy of the warrant or itemisation of objects seized was handed over. Mr. Trinh Ba Tu was permitted to stay and watch the house search, which involved the confiscation of USBs and paperwork that the family had gathered about the Dong Tam raids and older land rights cases in the region. His property was searched until 9.30 a.m., after which he was taken to Hoa Binh police detention centre in Thong Nhat Commune, 80 kilometres from his home. His father was not arrested.

As reported by state-owned media on 29 June 2020, Mr. Trinh Ba Tu is charged with breaching article 117 of the 2015 Penal Code for "making, storing, spreading information, materials, items for the purpose of opposing the State" which relates to his involvement with the Liberal Publishing House, as well as his work on the Dong Tam case.

On 5 August 2020, Mr. Trinh Ba Tu initiated a hunger strike in detention. His family were not aware of the hunger strike until 25 August 2020, when they were reportedly informed by an anonymous source from the detention centre. On 26 August 2020, his father and other family members travelled to the Hoa Binh police detention centre to inquire about Mr. Trinh Ba Tu's health and wellbeing. However, they were not permitted to see Mr. Trinh Ba Tu.

As of 26 October 2020, Mr. Trinh Ba Tu has not been permitted to meet with his family, or a lawyer of his choosing. There has been no independent verification of his health and well-being, and the treatment he has received whilst in detention.

Ms. Can Thi Theu

On 10 February 2018, Ms. Can Thi Theu was released after completing a 20-month imprisonment sentence for "causing public disorder" under article 245 of the 1999 Penal Code.

On 12 July 2019, Ms. Can Thi Theu and 19 other individuals were beaten allegedly by plainclothes police officers outside Prison No. 6 as they made their way to visit a prisoner on hunger strike. Their phones, money and a number of personal documents were also stolen from them.

On 25 June 2020, Ms. Can Thi Theu received a call from Mr. Trinh Ba Phuong's family to inform her about the arrest and house search taking place. She was apprehended by a group of police officers, without a warrant, as she was leaving her daughter's house, 500 metres from Mr. Trinh Ba Phuong's home. She is currently being held at Ha Binh police detention centre in Hoa Binh City,

roughly 80km from her home in Ha Dong district in Hanoi. Her family have requested to send medicines for her osteoarthritis but the authorities have refused to allow it.

On 29 June 2020, state-owned media reported that Ms. Can Thi Theu has been charged under article 117 of the 2015 Penal Code for “making, storing, spreading information, materials, items for the purpose of opposing the State”.

On 13 July 2020, Ms. Can Thi Theu’s son-in-law, who lives in Hanoi, was summoned to the police station in Hoa Binh, to answer questions regarding a sim card that Ms. Can Thi Theu had been using, and other issues. According to Ms. Can Thi Theu’s family members, the son-in-law has a cognitive disability, and so the family was concerned regarding his ability to deal with the police interaction. They also feared that the police would take advantage of his cognitive disability to extract information about Ms. Can Thi Theu. Her son-in-law was instructed to report to the police in Hoa Binh on 16 July 2020 at 9.00 a.m. During this questioning, the police asked the son-in-law numerous questions regarding Ms. Can Thi Thieu’s phone. They also pressed him for information on her Facebook account, as well as the account of Mr. Trinh Ba Tu. Before the son-in-law was permitted to leave the police station, the police reportedly warned him to tell his family members to stop “making trouble”.

On 20 August 2020, Ms. Can Thi Theu’s daughter was informed that Hoa Binh police had come to Hanoi looking for her.

As of 26 October 2020, Ms. Can Thi Theu has not been permitted to meet with her family, or a lawyer of her choosing.

Ms. Nguyen Thi Tam

Ms. Nguyen Thi Tam was previously detained from 11 June 2008, until 20 November that same year, on suspicion of “disturbing public order”, article 318 of the Vietnamese Penal Code.

On 24 June 2020 at about .5.00am, Ms. Nguyen Thi Tam was arrested by police whilst shopping, allegedly in connection to her work on the Dong Tam incident. No arrest warrant was presented by the police at the time of her arrest.

At approximately 6.00 a.m. that morning, a group of police in plainclothes and uniform went to Ms. Nguyen Thi Tam’s home and read a search warrant to her family. During the search, the police confiscated the woman human rights defender’s birth certificate, as well as that family registration certificate of her daughter. According to information received from Ms. Nguyen Thi Tam’s family however, the police only listed a camera, a laptop and a carton box in the record of items confiscated. The family refused to sign the itemization record, as they said the police had not listed everything.

Ms. Nguyen Thi Tam is currently being held at Prison Camp No.1 in Hanoi (Hoa Lo), where neither of her two lawyers have been permitted to visit her while she has been detained. Since being detained, Ms. Nguyen Thi Tam has

been unable to avail of acupuncture treatment she regularly receives for ligament pain that she suffers from as a result of a motorcycle injury several years earlier.

Further to coinciding with the arrest of Mr. Trinh Ba Phuong, Mr. Trinh Ba Tu and Ms. Can Thi Theu, the timing of the arrest of Ms. Nguyen Thi Tam is also noteworthy as it came days before she was due to appear in court as part of a law suit against the Ha Dong government regarding a land rights issue. This hearing, due to take place on 7 July 2020, was postponed as a result of her arrest.

On 29 June 2020, state-owned media reported that Ms. Nguyen Thi Tam is charged with breaching article 117 of the 2015 Penal Code for “making, storing, spreading information, materials, items for the purpose of opposing the State”.

Ms. Pham Thi Doan Trang

On 24 February 2018, Ms. Pham Thi Doan Trang was allegedly arbitrarily arrested at her mother’s home in Hanoi by police, who reportedly used force during the arrest and did not produce an arrest warrant. She was held in custody for 10 hours, and questioned about her recently published book, “Chính trị bình dân” (Politics for the Masses). Following this incident, Ms. Pham Thi Doan Trang went into hiding for fear for her safety.

On 8 March 2018, on International Women’s Day, Ms. Pham Thi Doan Trang was arrested again, whilst in hiding, at an unknown location. She was interrogated for nine hours before being released.

On 15 August 2018, the police raided a Café in Ho Chi Minh City during a small concert that Ms. Pham Thi Doan Trang was attending and arrested her and a number of other attendees. During the raid, the police hit Ms. Pham Thi Doan Trang in the stomach and her face. She was then taken to the police station of Ward 7, District 3 where she was interrogated by police, during which the police also beat her. Ms. Pham Thi Doan Trang was brought by police officers in a taxi, allegedly to bring her home, but let out in the middle of the journey, and beaten again by police. The police reportedly beat her with a helmet, which broke into pieces. As a result, Ms. Pham Thi Doan Trang was hospitalised and incurred a concussion, as well as bleeding from her head and disfigurement to her face.

On 14 September 2019, a party that Ms. Pham Thi Doan Trang was attending at a restaurant in Tan Binh District in Ho Chi Minh City was surrounded by public security officers in plainclothes. The officers attempted to abduct Ms. Pham Thi Doan Trang, however she managed to evade their attempts and leave the restaurant in a taxi, with the help of the other attendees at the party. Following this incident, Ms. Pham Thi Doan Trang went into hiding for fear for her personal safety.

On 3 June 2020, investigators and police from the Ministry of Public Security in Hanoi presented themselves at the home of Ms. Pham Thi Doan Trang’s 80-year-old-mother. The officers allegedly intimidated Ms. Pham Thi Doan

Trang's mother, and coerced her into signing a document which alleged that the woman human rights defender had created, stored and distributed anti-state materials." (Article 117 of the Penal Code).

On 6 October 2020, at around 11.30 p.m., Hanoi police, Ho Chi Minh City police, and Ministry of Public Security (MPS) officials raided the apartment Ms. Pham Thi Doan Trang had rented in Ho Chi Minh City. The woman human rights defender was presented with an arrest warrant and brought to an initially undisclosed location in Ho Chi Minh. Her arrest occurred merely hours after the 2020 US-Vietnam Annual Human Rights Dialogue had ended. On 7 October 2020, the charges against Ms. Pham Thi Doan Trang were made public on the website of the Ministry of Public Security. She has been charged with "Propaganda against the State of the Socialist Republic of Vietnam" (article 88 of the 1999 Penal Code), and "Making, storing, disseminating or disseminating information, documents and articles to oppose the state" (article 117 of the 2015 Penal Code).

In the official statement on the website, the Ministry of Public Security stated that the Hanoi Police and Investigation Department of Hanoi had coordinated with a number of units from the Ministry, and the Ho Chi Minh City Police to execute the arrest.

On 8 October 2020, Ms. Pham Thi Doan Trang's family and lawyer were made aware that she is being held at detention centre no.1 in Hanoi, after 48 hours of not knowing of her whereabouts.

As of 26 October 2020, Ms. Pham Thi Doan Trang has not been permitted to meet with her family, or a lawyer of her choosing, since being detained.

Without prejudging the accuracy of the allegations, we would like to express our serious concern regarding the incidents at Dong Tam, and the subsequent stifling of freedom of expression and alleged arbitrary arrest of the above mentioned human rights defenders, for their efforts to document the human rights violations that occurred and the land dispute that preceded this incident. We are troubled by the fact that these arrests and the charges brought against them appear to be an attempt to criminalise their efforts to investigate, document and bring public attention to the alleged human rights violations that occurred during the raid. We are particularly concerned by the criminalization of these human rights defenders under the vaguely worded articles 117 and 88 of the 2015 and 1999 Penal Codes, and the characterization therein of imparting information on alleged human rights violations as "propaganda" and as information that is "against the State". Such a characterization of the legitimate work of human rights defenders is concerning for its repudiation of their role in civil society. While we condemn the violence that took place among a small group of Dong Tam residents, we are deeply concerned that the allegations above ultimately relate to the restriction of the right to opinion and expression, online as well as offline, particularly when such speech is critical of State action or policy.

We are also concerned by the circumstances of the alleged arbitrary arrest and detention of the five defenders, particularly the lack of information regarding their exact whereabouts following the arrest, the seizure of personal documentation such as birth

certificates and family registration certificates, and the deprivation of access to their lawyers and family members.

Furthermore, we also express our concerns about the arrests and attempts in inciting fear towards women human rights defenders performing their advocacy work which threatens them to cease their work. We find such treatment troubling for it contributes to the erosion of the civic space for the civil society, the silencing of women human rights defenders and the obstruction of the important and legitimate human rights work they carry out.

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/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information regarding the steps that were taken to ensure that there was adequate prior consultation with the Dong Tam residents, as well as information regarding the factual and legal basis for the deployment of police officers to Dong Tam on 9 January 2020, and how the trials of those sentenced respected the fair-trial guarantees.
3. Please provide information regarding the factual and legal basis for the arrest of Mr. Trinh Ba Phuong, Mr. Trinh Ba Tu, Ms. Can Thi Theu, Ms. Nguyen Thi Tam and Ms. Pham Doan Trang, the seizure of their personal documents and files, the searches of their homes, and the questioning of their family members.
4. Please provide information regarding the reasoning for the pre-trial detention of the above-mentioned human rights defenders and their access to legal assistance in detention.
5. Please provide information regarding the charges against the above-mentioned human rights defenders, as reported by the state-owned media, and how they are consistent with article 19 of the International Covenant on Civil and Political Rights, and Viet Nam's obligations under international human rights law.
6. Please indicate what measures have been taken to ensure that human rights defenders, including women human rights defenders, in Viet Nam are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

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.

We would like to inform your Excellency's Government that having transmitted an allegation letter to the Government, the Working Group on Arbitrary Detention may transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. Such communications in no way prejudice any opinion the Working Group may render. The Government is required to respond separately to the allegation letter and the regular procedure.

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

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

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion
and expression

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Elizabeth Broderick
Chair-Rapporteur of the Working Group on discrimination against women and girls

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to refer to your Excellency's Government to the international norms and standards applicable to the case. We would like to draw your attention to the International Covenant on Civil and Political Rights (ICCPR), to which Viet Nam acceded on 24 September 1982, in particular, with respect to the right to liberty and persons and freedom from arbitrary arrest or detention, article 9, the right to a fair trial, article 14, as well as the right to freedom of opinion and expression, including therein the freedom to seek, receive and impart information, as provided under article 19.

We would like to recall that the scope of Article 19 ICCPR is broad. The Human Rights Committee has interpreted that it protects, inter alia, political discourse, commentary on one's own and on public affairs, discussion on human rights and journalism (CCPR/C/GC/34 para 11). As indicated by the Committee, "the function of journalists includes not only full-time reporters and analysts, but also bloggers and others who engage in forms of self-publication in print, on the internet or elsewhere" (Id., para. 44) A free, uncensored and unhindered press or other media is essential in any society to ensure freedom of opinion and expression and the enjoyment of other Covenant rights. This entails a corresponding right of the public to receive media output (Id. para. 13). All restrictions must comply with the requirements of necessity and proportionality. However, the penalisation of a journalist solely for being critical of the government or the political social system espoused by the government can never be considered to be a necessary restriction of freedom of expression, CCPR/C/GC/34 para 42.

Moreover, the Committee stated that laws justified by national security can never be invoked to prosecute journalists or human rights defenders for their work, see CCPR/C/GC/34 para 30. Likewise, the arbitrary arrest of individuals because of the exercise of their freedom of expression will under no circumstance be compatible with Article 19, CCPR/C/GC/34 para. 23.

In this context, we also wish to refer to the concluding observations of the Human Rights Committee to Vietnam in relation to its implementation of article 19 of the ICCPR in 2020. The Committee showed concern at the vague and broadly formulated offences in article 117 of the Penal Code, among others, and their use to curtail freedom of opinion and expression (CCPR/C/VNM/CO/3 para. 45a). It also regretted the arbitrary arrest, detention, unfair trials and criminal convictions, including of human right defenders, journalists, bloggers and lawyers, for criticizing State authorities or policies, including online (Id. para. 45d), as well as the severe restrictions on freedom of opinion and expression imposed by the Law on Cybersecurity of 2018 and other regulations curtailing the freedom of expression in cyberspace by prohibiting the provision and use of Internet services to spread information opposing or criticizing the State (Id. para 45c)

Furthermore, we would like to reiterate your Excellency's Government of its obligation under the International Convention on the Elimination of Discrimination against Women (CEDAW) through its ratification on 17 February 1982, in particular Article 7 which provides that States shall take all appropriate measures to eliminate

discrimination against women in the political and public life of the country, including the right to participate in non-governmental organizations and associations concerned with the public and political life of the country.

As stressed by the Working Group on discrimination against women and girls in one of its thematic report to the Human Rights Council (A/HRC/23/50), stigmatization, harassment and outright attacks are used to silence and discredit women who are outspoken as leaders, community workers, human rights defenders and politicians. Women defenders are often the target of gender-specific violence, such as verbal abuse based on their sex, sexual abuse or rape; they may experience intimidation, attacks, death threats and even murder. Violence against women defenders is sometimes condoned or perpetrated by State actors. The Working Group recommended to accelerate efforts to eliminate all forms of violence against women, including through a comprehensive legal framework to combat impunity, in order to fulfil women's human rights and to improve the enabling conditions for women's participation in political and public life.

In its report to the Human Rights Council on Women Deprived of Liberty (A/HRC/41/33), the Working Group stresses that women human rights defenders, perceived as challenging traditional notions of family and gender roles in society, are increasingly at risk of facing criminalization and detention as a result of their legitimate public activism, and are likely to be targets of criminal persecution and imprisonment. It has recommended States to support women's engagement in public and political life, including the work of women human rights' defenders, and eliminate any laws or policy measures designed to criminalize the public roles of women.

We would also like to refer your Excellency's Government to General Assembly Resolution 68/181, adopted on 18 December 2013, on the protection of women human rights defenders. Specifically, we would like to refer to articles 7,9 and 10, whereby States are called upon to, respectively, publicly, acknowledge the important role played by women human rights defenders, take practical steps to prevent threats, harassment and violence against them and to combat impunity for such violations and abuses, and ensure that all legal provisions, administrative measures and policies affecting women human rights defenders are compatible with relevant provisions of international human rights law.

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 freedoms. We would also like to refer in particular to article 6, point (a), which provides for the right to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms; as well as 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.

Moreover, we would like to draw your Excellency's Government's attention to the principles enunciated by Human Rights Council resolution 24/5, and in particular operative paragraph 2, which "reminds States of their obligation to respect and fully protect the [right] of all individuals to... associate freely, online as well as offline... including human rights defenders... seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the [right] to freedom of... association are in accordance with their obligations under international human rights law".