

**Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.**

REFERENCE:  
AL ARE 1/2021

25 January 2021

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, pursuant to Human Rights Council resolutions 43/16, 42/22, 43/4 and 42/16.

In this connection, we would like to bring to the attention of your Excellency's Government concerning the **continued imprisonment and alleged ill-treatment of the human rights defenders Mr Mohamed Abdullah Al-Roken, Mr Ahmed Mansoor and Mr Nasser Bin Ghaith.**

Mr **Mohamed Abdullah Al-Roken** is a human rights defender, lawyer and academic. In his legal work, Mr Al-Roken provided legal assistance to victims of human rights violations and human rights defenders in the United Arab Emirates, most notably some members of the 'UAE 5' and the 'UAE 7' – individuals who were persecuted for their criticism of government policies and their membership of the Reform and Social Guidance Association (Al-Islah), respectively. Mr Al-Roken previously served as president of the UAE's Jurists Association before its dissolution by the authorities in 2011, and was formerly a member of the International Association of Lawyers (UIA) and the International Bar Association. He has also authored books on human rights, international law and counterterrorism, and in 2017 was awarded the Ludovic Trarieux International Human Rights Prize for his legal defence of human rights defenders and political activists.

Mr **Ahmed Mansoor** is a human rights defender, poet and an engineer. He serves on the advisory board of the Gulf Centre for Human Rights (GCHR) and the advisory committee of Human Rights Watch's Middle East and North Africa Division. Mr Mansoor also collaborated extensively with the UN human rights mechanisms to document human rights violations in the United Arab Emirates. In 2015, in recognition of his peaceful defence of the rights of others, he was awarded the Martin Ennals Award for Human Rights Defenders. In April 2011, Mr Mansoor and four other men, known as the 'UAE 5, were arrested on charges of "insulting the heads of State" for their online activism and criticism of the Emirati authorities. The group was represented by Mr Al-Roken and after 8 months of detention, all five men were granted a presidential pardon and released.

Mr **Nasser Bin Ghaith** is a human rights defender and an academic, previously lecturing in economics at the Abu Dhabi branch of the Paris-Sorbonne University before he was allegedly arbitrarily arrested in 2015. Mr Bin Ghaith was one of the five men in the 'UAE 5' case, arrested and imprisoned in 2011 along with Mr Mansoor.

The arrest of Mr Al-Roken was the subject of the joint communication sent by Special Procedures mandate holders to your Excellency's Government on 8 September 2006 (ARE 7/2006). The arrest, detention and trial of human rights defenders, judges and lawyers, including Mr Al-Roken, referred to as the 'UAE 94' case, was the subject of two communications by the Special Procedures mandate holders to your Excellency's Government, ARE 7/2012 and ARE 1/2013, sent on 7 November 2012 and 16 April 2013 respectively. On 31 July 2019, the Special Procedures mandate holders sent a joint communication (ARE 3/2019) to your Excellency's Government concerning the continued detention and alleged ill-treatment of Mr Al-Roken in Al-Razeen prison. We would like to thank your Excellency's Government for the responses received to all of the above-mentioned communications. However, we regret that the response dated 17 October 2019 to ARE 3/2019, was limited to denying the allegations without meaningfully addressing them with verifiable information or further detail to the contrary.

The arrest and detention of 60 defendants in the 'UAE 94' trial, including Mr Al-Roken, was deemed arbitrary in Opinion No. 60/2013 by the Working Group on Arbitrary Detention during its 68<sup>th</sup> session, and the Working Group requested their immediate release and reparation.

The arrest and ill-treatment in prison of Mr Mansoor has been the subject of seven joint communications sent by the Special Procedures mandate holders to your Excellency's Government on 26 April 2011 (ARE 4/2011), 25 November 2011 (ARE 8/2011), 18 April 2012 (ARE 2/2012), 20 June 2013 (ARE 2/2013), 27 March 2017 (ARE 1/2017), 26 October 2017 (ARE 7/2017) and 4 May 2018 (ARE 1/2018). We thank your Excellency's Government for its responses to ARE 1/2017 and ARE 1/2018, but regret that both responses were limited to denying the allegations included therein without providing verifiable information to the contrary. We also regret that a letter sent to your Excellency's Government by a number of Special Procedures mandate holders on 10 March 2020, requesting to visit Mr Mansoor in prison, did not receive a response.

Mr Bin Ghaith was the subject of previous communications sent on 26 April 2011 (ARE 4/2011), 27 September 2011 (ARE 6/2011) and 25 November 2011 (ARE 8/2011), regarding his arrest and prosecution in the case known as 'UAE 5', and again in 27 August 2015 (ARE 3/2015), concerning his arrest on 18 August 2015. He was also the subject of a communication sent on 3 May 2017 (ARE 3/2017), regarding his conviction and sentencing to 10 years' imprisonment under the provisions of the Penal Code, the 2012 Cybercrime Law, and the 2014 Counterterrorism Law. We thank your Excellency's Government for its response to this communication, but regret that the allegations that Mr Bin Ghaith has been held in solitary confinement and subjected to torture and or cruel, inhuman and degrading treatment, were not addressed.

The arrest and detention of Mr Bin Ghaith was deemed arbitrary in Opinion No. 76/2017 by the Working Group on Arbitrary Detention during its 80<sup>th</sup> session, and the Working Group requested his immediate release and reparation.

Mr Mansoor was previously the subject of an opinion issued by the Working Group on Arbitrary Detention, Opinion No. 64/2011, which deemed his detention

between 8 April 2011 and 28 November 2011 to be arbitrary.

According to the information received:

*Concerning Mr Al-Roken*

On 2 July 2013, Mr Al-Roken was sentenced to 10 years' imprisonment by the State Security Chamber of the Federal Supreme Court in Abu Dhabi and banned from practicing as a lawyer. Mr Al-Roken was sentenced along with 64 other defendants in the 'UAE 94' trial on charges of "plotting against the government" for signing an online petition in March 2011 calling for democratic reforms in the country. He was convicted based on self-incriminating confessions allegedly extracted under torture whilst in pre-trial detention. Following his initial arrest on 17 July 2012 by State Security officers, Mr Al-Roken had been held for three months at an unknown location without contact with his family or lawyer.

Mr Al-Roken is currently detained at Al-Razeen prison, where he was transferred on 10 March 2013 within a week of the commencement of his trial and has been detained there since. In Al-Razeen prison, Mr Al Roken has reportedly been periodically detained in solitary confinement without justification, where he has been deprived of access to daylight for periods ranging from one week to one month. The location of the prison in the desert means that prisoners are subjected to extreme temperatures, with reports that prison guards deliberately turn off air conditioning for detainees during periods of high temperatures.

On 11 November 2015, prison authorities reportedly played extremely loud music in Mr Al-Roken's cell for several hours, causing him to lose consciousness. He was then taken to the prison clinic, where he was diagnosed with high blood pressure and was later returned to his cell. Loud music was played in Mr Al-Roken's cell once again the following morning, causing him to experience pain in his ear. The prison clinic diagnosed him with an ear infection, aggravated by the extreme noise.

The cells of Mr Al-Roken and other detainees in Al-Razeen are routinely searched by guards, confiscating personal items including books, papers, pens and food brought by their families. Violent searches also take place during the night, with prison guards physically and verbally assaulting detainees, including Mr Al-Roken.

Since his detention in 2012, Mr Al-Roken has often been denied regular family visits, sometimes for several weeks, phone calls and access to his lawyer. Before family visits take place, Mr Al-Roken is subjected to an invasive body search by prison authorities, despite all visits taking place with a glass screen separating him from his visitors.

Mr Al-Roken's family last visited him in prison in March 2020, and have not been able to visit him since due to COVID-19 measures preventing visits to the facility. In the past two years, the prison authorities are also reported to have threatened prisoners, dissuading them from discussing their detention conditions with their families, and depriving them of access to phone calls for

a month if they are found to do so. Mr Al-Roken's family have also reportedly been harassed by the authorities since he has been detained.

*Concerning Mr Mansoor*

On 20 March 2017, 12 security agents searched the home of Mr Mansoor in Ajman, confiscating laptops and other items, and arrested Mr Mansoor. A search warrant was allegedly not provided by the security agents, and nor was Mr Mansoor informed of the reason for his arrest or any charges against him. Mr Mansoor was then taken to an unknown location where he was held incommunicado for several months. During this time, Mr Mansoor reportedly did not have access to his lawyer or his family, and his whereabouts were unknown.

The first hearing for Mr Mansoor took place on 14 March 2018, where he faced accusations of "circulating false and misleading information on the Internet with a view to spreading hatred and sectarianism", and the second hearing on 11 April 2018. It is unclear whether Mr. Mansoor had legal representation, either by a lawyer of his own choosing or by being assigned legal assistance.

Details of the exact charges against Mr. Mansoor were unknown. However, on 29 May 2018, the State Security Chamber of the Federal Supreme Court sentenced Mr Mansoor to 10 years' imprisonment on reported charges of insulting "the status and prestige of the UAE and its symbols" including its leaders, and of "seeking to damage the relationship of the UAE with its neighbours by publishing false reports and information on social media" under the 2012 Cybercrimes Law. The sentence also reportedly included a fine of one million Dirhams (USD \$272,294.00) and a three-year surveillance period following his release. On 31 December 2018, the Federal Supreme Court upheld the sentence against Mr Mansoor. Since then, Mr Mansoor has reportedly been detained in solitary confinement.

In late 2018, Mr Mansoor was diagnosed with hypertension, for which he has reportedly been denied medication, placing him at risk of heart disease and stroke.

On 17 March 2019, Mr Mansoor went on hunger strike for roughly 30 days to protest his conviction and the conditions to which he has been subjected whilst detained in Al-Sadr prison. He is believed to have ended his hunger strike in response to assurance from authorities that his demands for improved conditions would be addressed.

In September 2019, Mr Mansoor went on hunger strike once again following reported information that he was physically assaulted by prison officers in reprisal for his denunciations of the detention conditions in Al-Sadr.

Mr. Mansoor has reportedly been held in solitary confinement in poor detention conditions, including a small cell measuring 4 square meters with no mattress, and limited or no access to sunlight, shower and potable water, exercise or canteen services.

Prior to the suspension of visits due to the COVID-19 pandemic, the family visits that Mr Mansoor was permitted were reportedly infrequent, receiving his last in-person visit in January 2020. Instead of prison visits, detainees have been permitted to speak on the phone with their families. Mr Mansoor's family last received a phone call from him in April 2020.

### *Concerning Mr Bin Ghaith*

On 18 August 2015, Mr Bin Ghaith was arrested whilst leaving his office in Abu Dhabi, and taken to his house, where 13 plainclothes State Security officers searched his home for four and a half hours and allegedly seized memory sticks as evidence. Following this search, Mr Bin Ghaith was brought to an unknown location and forcibly disappeared for a period of nine months, during which he was allegedly held in solitary confinement and subjected to torture by security officials, such as sleep deprivation and physical assaults.

In May 2016, Mr Bin Ghaith is reported to have been transferred to the maximum-security wing of the Al-Sadr prison in Abu Dhabi, where he continued to be held in solitary confinement.

On 29 March 2017, following a trial which was reportedly marred by a number of fair-trial rights violations such as access to his lawyer and family, and a lack of relevant evidence admitted by the defence, Mr Bin Ghaith was convicted by the Abu Dhabi Federal Appeal Court to 10 years' imprisonment on the basis of provisions of the Penal Code, the 2012 Cybercrime Law, and the 2014 Counterterrorism Law. The conviction relates to posts he had made on social media that criticised Emirati and Egyptian political leaders, their policies and human rights violations in the country, which the prosecution deemed were intended to 'harm the reputation and stature of the State'. Given that the accusations against him concerned Egyptian political leaders, an Egyptian judge was appointed to the panel of judges examining the case before the Federal Court of Appeal in Abu Dhabi. Other charges against Mr Bin Ghaith relate to meetings he held with political activists from other countries in the region, whom the Emirati authorities allege belong to terrorist organizations.

On 17 April 2017, Mr Bin Ghaith issued an open statement from Al-Sadr prison, denouncing his conviction and sentencing and declared he would go on hunger strike to demand his immediate release. Mr Bin Ghaith was reportedly on hunger strike for over 40 days and in response to this act of protest, was transferred by the authorities to Al-Razeen prison.

Since being transferred to Al-Razeen prison, Mr Bin Ghaith has allegedly been held in solitary confinement on a number of occasions, and has been beaten by prison guards and had his family visitation rights restricted. He has allegedly been denied access to medical care, including withholding blood pressure medication and other treatment necessary for his visual impairment, among other health concerns.

Mr Bin Ghaith has undertaken hunger strikes to denounce such conditions and treatment, including a strike for a period of 80 days beginning on 25 February 2018 which he ended due to reported threats from the authorities that his

visitation rights would be suspended if he continued. In October 2018, Mr Bin Ghaith went on hunger strike again for a period of three months to demand his immediate release, following the pardon of other prisoners. In response to these hunger strikes, Mr Bin Ghaith was reportedly beaten and threatened by the Al-Razeen prison authorities.

Since 2018, Mr Bin Ghaith has been denied visits from his family. His health is believed to have deteriorated significantly, with reports that he has lost a concerning amount of weight as a result of the hunger strikes, requires support in order to stand, and has difficulty breathing.

Without prejudging the accuracy of the allegations, we would like to express grave concern regarding the continued and allegedly arbitrary detention of the human rights defenders Mr Al-Roken, Mr Mansoor and Mr Bin Ghaith in the United Arab Emirates. We are concerned about the charges brought against these defenders, the apparent lack of evidence to support them and their conviction on these charges, which appear to have been brought against them in response to exercising their right to freedom of expression online and offline, to denounce human rights violations in the country and criticise political leaders and their policies. We are also concerned by the allegations that fair trial standards were breached during the trials of these individuals. The criminalisation of human rights defenders in reprisal for their legitimate and peaceful efforts to advocate for the rights of others in the UAE is concerning not only for the detrimental impact on the lives of those individuals and their families, but for the chilling effect it creates on civic space in the country. We are concerned that such an approach is intended to discourage others from exercising their fundamental freedoms, and defending the right of others to do so too.

We are also concerned by the alleged ill-treatment of the above mentioned human rights defenders in the Al-Razeen and Al-Sadr prisons and the conditions they are subjected to. We wish to express serious concern regarding the reported placement of Mr Al-Roken and Mr Bin Ghaith in solitary confinement for extended time periods and without justification, and the alleged detention of Mr Mansoor in solitary confinement since 2018, which because of the impact that it may have on the physical and psychological integrity of these individuals may amount to cruel, inhuman or degrading treatment or torture. Serious concern is also expressed regarding the allegations indicating during Mr Al-Roken and Mr Mansoor's detention, they may have been subjected to physical and psychological torture and ill-treatment.

The reported detention conditions that the above-mentioned human rights defenders are subjected to is also cause for concern, including but not limited to the denial of appropriate medical care or medication, the denial of basic items such as a mattress and access to water, invasive body searches and searches of their cells, and physical assaults and threats by prison authorities. Reports that their efforts to protest these conditions are met with retaliation by prison authorities would likewise constitute a violation of their human rights. Furthermore, we wish to express our concern regarding allegations that the above mentioned human rights defenders have been deprived of regular contact with their families and lawyers, either through in-person visits or by phone call, allegedly prior to and since COVID-19 restrictions were implemented in Al-Razeen and Al-Sadr prisons.

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 concerning the factual and legal basis for the arrest, detention and conviction of Mr Al-Roken, Mr Mansoor and Mr Bin Gaith, and explain how these are compatible with international human rights norms and standards, including Articles 3, 9 and 10 of the Universal Declaration of Human Rights.
3. Please provide information as to the basis for the regular and prolonged placement of Mr. Al-Roken, Mr Mansoor and Mr Bin Ghaith in solitary confinement, including whether any safeguards, such as independent review and authorisation by a competent authority, are in place.
4. Please provide detailed information on measures taken to ensure the physical and psychological integrity of Mr. Al-Roken, Mr Mansoor and Mr Bin Ghaith and what efforts have been made to ensure effective access to all necessary medical assistance, including medication, while in detention. In particular, please inform about the measures taken to ensure Mr Bin Ghaith's access to the necessary medication for blood pressure, visual impairment and his other health conditions.
5. Please provide information as to the allegations that Mr. Al-Roken, Mr Mansoor and Mr Bin Ghaith have been prevented from engaging in contact with their families and legal representatives, and explain how this is in compliance with international human rights standards, including article 10 of the Universal Declaration of Human Rights.
6. Please provide information on what measures have been taken to ensure the respect for the human rights of detainees during the COVID-19 pandemic.
7. Please provide the details, and where available the results, of any investigation, and judicial or other inquiries carried out in relation to reported allegations of torture and/or cruel, inhuman or degrading treatment as well as reports of breaches of fair trial standards. If no inquiries have taken place, or if they have been inconclusive, please explain why.
8. Please indicate what measures have been taken to ensure that human rights defenders and lawyers in the United Arab Emirates are able to carry out their peaceful and legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. 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 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 letters 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.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

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

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

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

Tlaleng Mofokeng  
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health



## **Annex**

### **Reference to international human rights law**

In connection with above alleged facts and concerns, we would like to take this opportunity to draw your attention to relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

We would like to refer to articles 3, 5, 9, 10 and 19 of the Universal Declaration of Human Rights (UDHR), which establish the right to liberty and security of the person, absolute prohibition of torture and of arbitrary detention, as well as the rights to fair trial and freedom of opinion and expression. These rights are similarly established under articles 5, 8, 12, 14, 20 and 32 of the Arab Charter on Human Rights, which your Excellency's Government ratified on 15 January 2008.

Furthermore, we would like to remind your Excellency's Government of the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment as codified in articles 2 and 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), to which the UAE acceded on 19 July 2012.

UDHR article 19 states that "everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers". The rights to opinion and expression are reflected also in global and regional human rights treaties, and are considered reflective of customary international law. While the freedom of expression may be subject to certain limitations, the freedom of opinion is absolute. Even where the opinions expressed by people are critical of the State, it has a positive obligation to foster and ensure an enabling environment in terms of enjoyment of the right to freedom of expression, so that citizens are able to exchange, communicate, information and opinions, and contribute to the building of a just society freely and without fear.

The conditions for permissible restrictions are reflected in the UDHR and in numerous regional and global human rights treaties:

Firstly, as expressed in UDHR art. 29, as well as in global and regional human rights treaties, any restriction must be "determined by law". Practice by international monitoring bodies have not only a requirement on the form, but also the quality of the law. Thus, for example, the Human Rights Committee has expressed that laws must be "formulated with sufficient precision to enable an individual to regulate his or her conduct accordingly and it must be made accessible to the public. A law may not confer unfettered discretion for the restriction of freedom of expression on those charged with its execution". With respect of criminal laws, the requirement of clarity is higher, see UDHR article 11.

Secondly, any restriction must pursue a legitimate objective. The UDHR in article 29 limits those objectives strictly ("solely for the purpose of") to the "respect for the rights and freedoms of others and to meet just requirements of morality, public order and general welfare in a democratic society".

Thirdly, restrictions must be necessary and proportionate. The UDHR art. 30 prohibits the use of overbroad restrictions which would destroy the essence of the right itself. This has been interpreted as an expression of the principle of proportionality. The requirement further entails that the measure must be the least intrusive measure necessary amongst those which might achieve their protective function in order to protect a specified legitimate objective.

Fourthly, with regards to the solitary confinement, we would like to refer to the report by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/66/268), in which it is stated that the use of prolonged solitary confinement in itself runs afoul of the absolute prohibition of torture and other ill-treatment. Moreover, due to the prisoner's lack of communication, and the lack of witnesses, solitary confinement enhances the risk of other acts of torture or ill-treatment. We would also like to recall paragraph 6 of General Comment No. 20 of the Human Rights Committee (adopted at the 44<sup>th</sup> session of the Human Rights Committee, 1992), which states that prolonged solitary confinement of the detained or imprisoned person, may amount to acts prohibited by article 7 of the ICCPR.

Lastly, States have the burden of proof to demonstrate that any restriction is compatible with the requirements under customary international law.

As the Working Group on Arbitrary Detention has adopted opinions on behalf of all three human rights defenders (No. 76/2017 in relation to Mr Bin Ghaith, No. 60/2013 in relation to Mr Al-Roken, and also No. 64/2011 in relation to a prior arrest and detention of Mr Mansoor, we appeal to your Excellency's Government to take all necessary measures to guarantee their right not to be deprived arbitrarily of their liberty and to fair proceedings before an independent and impartial tribunal, in accordance with articles 9 and 10 of the UDHR. We also wish to refer to principle 9 of the United Nations Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of Their Liberty to Bring Proceedings Before a Court (A/HRC/30/37), whereby "all persons deprived of their liberty shall have the right to legal assistance by counsel of their choice, at any time during their detention, including immediately after the moment of apprehension. Upon apprehension, all persons shall be promptly informed of this right."

We would further like to recall that international human rights law and standards require States to treat all persons under any form of detention or imprisonment with humanity and with respect for the inherent dignity of the human person (article 20, Arab Charter on Human Rights; Principle 1, Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and General Assembly resolution 43/173 of 9 December 1988). More specifically, Rule 43 of the updated United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules, 2015) prohibits the use of prolonged solitary confinement under any circumstances.

With regard to the health situation of Mr Al-Roken, Mr Mansoor and Mr. Bin Ghaith, and their access to adequate health care in detention, we refer to the Basic Principles for the Treatment of Prisoners, adopted by General Assembly resolution 45/111, underlining that prisoners should have access to the health services available in the country without discrimination on the grounds of their legal situation (Principle 9). In addition, the Mandela Rules, adopted unanimously by the UN General Assembly (A/RES/70/175), recognize that the provision of health care for prisoners is

a State responsibility, free of charge without discrimination and should pay special attention to those with special health care needs (Rules 24 and 25). With respect to allegations about a possible hunger strike, we would like to underline that the best way to try to end a hunger strike is to address the underlying human rights violations that are the basis of the protest. Authorities have a duty to look for solutions to situations created by a hunger strike, including through good faith dialogue about the grievances, always respecting the wishes of individuals.

We would also like to refer to 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 articles 1 and 2 which state that "everyone has the right individually or in association with others, 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, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice". Article 6 (b) and c) of the Declaration provides that everyone has the right to freely publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms, and to study, discuss, form and hold opinions on the observance of these rights. Article 12, paragraphs 2 and 3, provide that the State shall take all necessary measures to ensure the protection by the competent authorities 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.