

Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; 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; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

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Your Excellency, Ambassador Myint Thu,

We have the honour to address you in our capacities as Special Rapporteur on the rights to freedom of peaceful assembly and of association; Working Group on Arbitrary Detention; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 41/12, 42/22, 45/3, 44/5, 43/4 and 43/20.

In this connection, we would like to bring to your attention information we have received concerning **alleged violations of the right to peaceful assembly, internet shutdowns, indiscriminate attacks and arbitrary detention of journalists, protesters and political figures in the aftermath of the military coup on 1 February 2021.**

According to the information received:

On 1 February 2021, the military of Myanmar staged a coup and took full control over the executive, legislative and judicial branches of the State by force. At the same time the President, State Counsellor and other high ranking members of the civilian government, as well as members of parliament, journalists, artists and activists were detained. On the same day, the military declared a State of Emergency on television, citing electoral fraud in the general election of 8 November 2020. The military dismissed all ministers and installed a new cabinet as well as establishing a State Administrative Council to run the country.

On 8 February 2021 curfews were imposed on at least 90 districts, including many parts of Naypyidaw and all of Yangon under section 144 of the Penal Code. Furthermore, gatherings of more than 5 people have been forbidden in these districts.

Mass protests

From 6 February 2021 peaceful protesters started to gather in different cities around the country, demanding for the liberation of the detained politicians, the reinstatement of the civilian government and for the military to accept the election results of 8 November 2020. On 7 February 2021, 200 protesters were detained in Mandalay and were held until the next day in the the base of the Light Infantry Battalion 119 before being brought before the Township Court

of Patheingyi where they had to sign a pledge that they would not participate in further protests before they were released.

On the same day, shots of live ammunition were fired to disperse peaceful protesters in Myawaddy, Kayin State, during a protest against the military coup.

Mass protest were recorded all over the country on 8 February 2021, with reports of hundreds of thousands of peaceful protesters gathering across the country and around 50,000 in Yangon. Security forces used a water cannon in Naypyidaw, while water cannons, tear gas and truncheons were used in Mandalay in attempts to disperse the crowds after two warning shots were fired.

On 9 February 2021, security forces are reported to have fired rubber bullets and live rounds in Naypyidaw in an attempt to break up protests. Furthermore security forces were reported to have targeted and detained individual demonstrators at the same protest.

On 12 February 2021, an estimated 100,000 people protested in Yangon. On the same day police violently broke up a protest in front of the University in Mawlamyine. Police seem to have shot live rounds to disperse the crowd.

On 15 February 2021, military troops joined police forces to forcefully disperse peaceful protesters in Mandalay, using rubber bullets and sling shots. On 20 February, security forces opened fire on peaceful protesters in Mandalay killing and injuring several protesters. Many cities in Myanmar saw reinforcement of military troops on the streets, heightening the tension further. Moreover, additional military forces were called into Yangon ahead of big rallies that saw more than 100,000 people take to the streets on 17 February 2021.

According to information received, at least 737 people have been detained since the coup, over 300 of which occurred during the second week, including high profile leaders of the civilian government and the *National League for Democracy* party. 52 persons were detained for participating in, supporting or leading a protest and at least one journalist was detained for reporting on protests in Mandalay.

It is reported that in the overwhelming majority of cases, no charges have been announced against the detainees. In some cases, detainees are under house arrest, although they are unable to contact the outside world. In some other cases, the detainees are known to be in the custody of the military in specific bases around the country. However, in more than half of the recorded cases, there is no information about the whereabouts of the detainees, and there has been no official acknowledgement of their detention by the military regime.

Those who remain missing and unaccounted for were detained on different days, mostly on the first day of the coup on 1 February. It is reported that dozens of Union Election Commission officials were detained on 10 February, with additional new detentions every day since 10 February. Some detainees continue to be held incommunicado and many do not seem to have had access

to lawyers or family visits. It is also reported that many activists and human rights defenders have also gone into hiding after the coup as many of their peers were detained by the security forces and they believe that they are now sought for arrest after their homes have been raided by security forces.

On 21 February 2021, the State Administration Council issued the following threatening statement to protesters on video broadcast “It is found that the protesters have raised their incitement towards riot and anarchy mob on the day of 22 February. Protesters are now inciting the people, especially emotional teenagers and youths, to a confrontation path where they will suffer the loss of life.”

Attacks on journalists

On 14 February 2021, several journalists were detained while present at a protest in Myitkyina, Kachin State. There have also been reports of shots being fired during the protest, but it remains unclear if they were rubber bullets or live rounds.

On 19 February 2021, at around 9:00a.m. a Radio Free Asia reporter was shot in the head with a slingshot as he was reporting an incident in Myitkyina Education Degree College with a group of journalists. After arriving at the scene, the reporters were fired on by a soldier from a military truck. The reporter did not sustain life threatening injuries as he was wearing a helmet.

Disruption of internet connectivity, website blocking and restrictions on the use of digital technologies

Internet connectivity dropped to 50% by 8 a.m. local time on 31 January 2021 and was blocked for most of 1 February 2021 after security forces entered telecommunication companies premises and forced them to turn off networks. Internet connectivity was intermittent in the following days, dropping down to 14% on 7 February 2021 when mobile networks were also turned off. However, from 8 February 2021 general access to the internet seems to have been restored to 95% connectivity. All telecom companies were ordered to block Facebook on 4 February 2021 as well as Twitter and Instagram indefinitely on 5 February 2021. Access to Twitter and Instagram has not been restored since and Facebook continues to be blocked periodically. Furthermore, certain Virtual Private Networks (VPNs) have been blocked, beginning on 5 February 2021. Between 14 and 22 February 2021, internet connectivity was disrupted during night time. All these restrictions are being enforced using section 77 of the Telecommunications Law.

Legislative measures

Several legislative measures have either been proposed or adopted since the coup.

Several amendments have been made to the Law Protecting the Privacy and Security of Citizens to effectively remove prohibitions of the invasion of privacy and guarantees of personal liberty revoking three clauses (Section 5, 7 and 8). Individuals may therefore now be detained for more than 24 hours

without a court order. The amendments further remove protections of private residences. Consequently, authorities may enter the private residence of individuals without court order for example to conduct a search, seizure, or arrest. Thirdly, the amendment removes protections to the right to privacy, including the protection against surveillance operations. Fourthly, several of the amendments remove the protection of correspondence.

Provisions in the Ward and Village Tract Administration Law have been reintroduced which had been repealed before. This includes obligations for individuals to inform local authorities of any overnight guests and the departure of such guests. When combined with provisions that allow ward and village tract administrators to enter “places needed to examine for prevalence of law and order and upholding the discipline” (section 13(n)) it represents a significant expansion of search and seizure powers. Violations of these obligations are punishable with fines.

Moreover, several amendments have been made to the Penal Code. There are two amendments made to existing sections of the Penal Code. Section 121 on treason criminalises the use or preparation to use any means to overthrow the the organs of the State. Section 124A on hatred or disaffection now criminalises advocating hatred or the attempt to advocate hatred or contempt, or the excitement or attempt to excite disaffection for the Defence Services or Defence Services personnel. Sections 124C, 124D and 505A are new. Section 124C makes it a criminal offence to intend to hinder Defence Services and law enforcement who are preserving the stability of the State. The offence carries a maximum sentence of 20 years of imprisonment. Section 124D makes any attempt to disrupt or hinder government employees who are carrying out their duties a criminal offence. The offence carries a maximum sentence of 7 years of imprisonment. Section 505A adds several new offences, including the causing or intent to cause fear to the public, the intent to spread false news and the intent to indirectly agitate a criminal offence against a government employee. These offences carry a maximum sentence of 3 years of imprisonment.

The State Administrative Council has drafted and proposed a new Cyber Security Law. The law establishes several oversight bodies under the control of the State Administration Council. These bodies and the Ministry of Defence are given broad powers to create internet and communications related rules, to implement the rules and to monitor compliance. The draft further creates a number of offences and establishes broad obligations for intermediaries. The law would make it illegal to spread “misinformation or disinformation”, “sexually explicit speech”, using false names or pseudonyms on social media accounts, punishable by up to three years imprisonment. Offences under the law are given extraterritorial effect. The obligations for intermediaries include obligations to store user information on servers designated by the authorities and be made accessible to the authorities. It also includes obligations for intermediaries to moderate content. The failure to do so may result in criminal punishment and fines, and the banning of the service. Authorities are given broad powers to access data stored by intermediaries. Lastly, the draft provides for broad powers for authorities to implement internet shutdowns and bans on online services, such as social media or digital communication platforms.

While we do not wish to prejudge the accuracy of these allegations, we wish to express grave concern that violations of fundamental human rights may have occurred during the above-mentioned incidents, in contravention of customary international law relating to the right to life, freedom of opinion and expression, peaceful assembly and the prohibition of arbitrary detention and enforced disappearances.

We express serious concern at the alleged excessive use of force against, and arbitrary detentions of, peaceful protesters, without consideration of the legality, necessity and proportionality of the measures. The exercise of the right to peaceful assembly should not be subject to prior authorization by the authorities, neither should Covid-19 restrictions or other regulations be used as a pretext to keep people from taking part in peaceful assemblies. We further underline that peaceful assemblies should ordinarily be managed without resort to force.

We also express serious concern at the alleged widespread violations of the freedom of expression, including detention of journalists, disruption of internet connectivity, blocking access to websites and the banning VPN services. We further express grave concern at the legislative reforms that have been taken and that are underway. If confirmed, these laws would constitute egregious examples of the use of regulatory power to legitimize human rights violations. The laws risk granting the authorities virtually unrestricted power to commit abuses to the right to freedom of opinion and expression, privacy and liberty with impunity.

The rights to freedom of opinion and expression are preconditions for democracy and for the enjoyment of human rights. Attacks against individuals for the exercise of these rights, including attacks and arbitrary arrest of journalists, are contrary to the requirements under customary international law expressed in UDHR art. 19. Moreover, we wish to highlight that internet connectivity disruption indiscriminately affects the capacity of the broader public to express and organize themselves and fails to meet the test of proportionality under human rights law. The formalization of the power to disrupt internet services and to block access to internet websites in the draft Cybersecurity law are therefore cause for great alarm.

Overall, the adopted and proposed laws manifestly fail to pursue any discernible legitimate purpose, and consistently include vague and broadly worded provisions, contrary to the requirements of legality and legal certainty under international human rights law. On the one hand, the amendments to the Law Protecting the Privacy and Security of Citizens seem to deprive individuals of legal protection against abuse to their rights to privacy and liberty. On the other hand, the amendments to the Penal Code and the draft Cybersecurity law includes a wide range of offences which would unduly restrict the legitimate exercise of the rights to freedom of opinion and expression. Moreover, these laws, and the amendment to the Ward and Village Tract Administration Law, grants the authorities broad powers to arbitrarily violate the rights to privacy and expression.

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 detailed information about the conformity of recent curfews and prohibition of public gatherings of more than 5 people with the the rights enshrined in article 20 UDHR.
3. Please provide detailed information on what measures are being taken, including during training and in the planning and carrying out of police operations, to ensure that the use of force by law enforcement authorities comply with the limits of legality, necessity and proportionality established under applicable international human rights law. Furthermore, please provide information on investigations into the excessive use of force by security forces at protests between 6 and 17 of February 2021.
4. Please provide a detailed description of the circumstances that resulted in the detention of peaceful protesters, and share detailed information about the charges levelled against them and their compliance with international human rights norms and standards, the status of any criminal proceedings, and detailed information as to the location and wellbeing of any persons who remain deprived of their liberty.
5. Please provide detailed information about any measures taken to ensure that family members, legal counsel and medical doctors of all persons deprived of their liberty are informed about their whereabouts and wellbeing, and given unrestricted access to carry out visits without delay.
6. Please provide detailed information as to the measures taken to ensure that no arbitrary restrictions are placed on the exercise of freedom of expression, including the reporting and commenting on the demonstrations.
7. Please provide detailed information as to the legality, necessity and proportionality of internet disruption between 1 and 17 February 2021 in accordance with applicable international human rights law.
8. Please provide detailed information on the measures taken to investigate alleged attacks against journalists, with a view of prosecuting and punishing those responsible and preventing the recurrence of such attacks.
9. Please provide information on the compatibility of the amendments to the Law Protecting the Privacy and Security of Citizens, the Penal Code, the Ward and Village Tract Administration Law and the draft Cybersecurity law with applicable international human rights law.

This communication and any response received 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 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 you to clarify the issue/s in question.

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

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

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

Tae-Ung Baik
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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 your attention to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

Many of the provisions in the Universal Declaration of Human Rights (UDHR) are reflective of customary international law binding upon all States irrespective of their treaty obligations. The right to life, the right not to be subjected to torture and ill-treatment, the right to freedom of opinion and expression, the right to freedom of peaceful assembly and of association, and the prohibition of arbitrary detention, enshrined in articles 3, 9, 19, and 20 of the UDHR, are such provisions.

We would like to highlight the universal human rights not to be deprived arbitrarily of one's liberty, to fair proceedings before an independent and impartial tribunal, and to be treated with humanity and respect for the inherent dignity of the human person. In this regard, provisions under articles 3 and 9 of the UDHR uphold rights to liberty and security of person and the prohibition of arbitrary detention. Furthermore, appropriate procedures need to be followed when executing arrests and the Working Group on Arbitrary Detention has recognized that detention purely for peaceful exercise of rights protected by the deprivation of liberty results from the exercise of the rights or freedoms guaranteed by articles 7, 13, 14, 18, 19, 20 and 21 of the UDHR as arbitrary. As the Working Group on Arbitrary Detention highlighted in its latest report to the Human Rights Council, the right to legal assistance is one of the key safeguards in preventing the arbitrary deprivation of liberty. It applies from the moment of deprivation of liberty and across all settings of detention and is essential to preserve the right of all those deprived of their liberty to challenge the legality of detention, which is a peremptory norm of international law. We also recall the UN Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of His or Her Liberty by Arrest or Detention to Bring Proceedings Before Court, which reiterates that the right to challenge the lawfulness of detention before a court is a selfstanding human right, the absence of which constitutes a human rights violation.

With regard to conditions of detention we wish to recall the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) which provide guidance for specific characteristics and needs for women in prison in particular Rules 10, 11, 12 and 13. We also wish to recall The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) regarding the adequate conditions of detention and the right to contact family, in particular Rules 42 and 58.

Furthermore, we also wish to reiterate the principle enunciated in Human Rights Council Resolution 12/16, which calls on States to refrain from imposing restrictions, including on discussion of government policies and political debate; reporting on human rights, engaging in peaceful demonstrations or political activities, including for peace or democracy; and expression of opinion and dissent, religion or belief, including by persons belonging to minorities or vulnerable groups.

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.¹ Even where the opinions expressed by people are critical of the authorities, they have a positive obligation to foster and ensure an enabling environment in terms of enjoyment of the rights to freedom of expression, peaceful assembly and association, so that citizens are able to exchange, communicate, information and opinions, and contribute to the building of a just society freely and without fear.²

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”.³ 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.⁴ This has been interpreted as an expression of the principle of proportionality.⁵ 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.⁶

Lastly, the authorities have the burden of proof to demonstrate that any restriction is compatible with the requirements under customary international law. While national security in most treaties is recognised as a legitimate aim, it must be limited in its application to those situations in which the interest of the whole nation is at stake.⁷ The authorities must “demonstrate the risk that specific expression poses to a definite interest in national security or public order, that the measure chosen complies with necessity and proportionality and is the least restrictive means to protect the interest, and that any restriction is subject to independent oversight.”⁸

¹ See e.g. Human Rights Committee, General Comment no. 34 (2011) para. 9.

² A/HRC/20/27, para 63.

³ Human Rights Committee, General Comment no. 34 (2011) para 25.

⁴ Compare ICCPR art. 5.

⁵ See General Comment no. 34 (2011) para. 21.

⁶ A/71/373, para. 3.

⁷ A/71/373.

⁸ A/71/373.

Attacks against individuals for exercising their right to freedom of expression invariably fails to meet the requirements for permissible limitations to the freedom of expression, and so too do measures that restrict or penalise criticism of the authorities. With regards to the *moderation of content* online, the UN Special Rapporteur on the freedom of opinion and expression has highlighted that compatible with the requirements for the restrictions to the freedom of expression (A/HRC/38/35). With regards to *restrictions on online anonymity*, the Special Rapporteur has highlighted that anonymity online is protected both by the rights to privacy and freedom of expression. Restrictions, unless justified in accordance with international law, may therefore be unlawful (A/HRC/29/32). With regards to *disinformation and restrictions on fake news*, the Special Rapporteur has highlighted that restrictions on the basis of vague concepts such as “false” information are incompatible with the standard of legality under international law (see 2017 joint declaration on freedom of expression and “fake news”, disinformation and propaganda). With regards to *internet shutdowns* the UN Special Rapporteur on the freedom of opinion has summed up its relationship with obligations under human rights law in the 2020 report to the Human Rights Council (A/HRC/44/49 references omitted. See also A/HRC/35/22, para. 14; A/HRC/35/22, para. 15; A/HRC/41/41, para. 51-52):

“In its resolution 39/6, the [Human Rights Council] condemned unequivocally measures in violation of international human rights law aiming to or that intentionally prevented or disrupted access to or dissemination of information online and offline, which undermined the work of journalists in informing the public, including measures to unlawfully or arbitrarily block or take down media websites, such as denial of service attacks, and called upon all States to cease and refrain from those measures, which caused irreparable harm to efforts at building inclusive and peaceful knowledge societies and democracies.

Similarly, in a joint declaration on freedom of expression and conflict situations, United Nations and regional monitors of freedom of expression and the media declared in 2015 that the “filtering of content on the Internet, using communications ‘kill switches’ (i.e. shutting down entire parts of communications systems) and the physical takeover of broadcasting stations are measures which can never be justified under human rights law”. Governments increasingly resort to shutting down the Internet, often for illegitimate purposes but in all cases having a disproportionate impact on the population. Network shutdowns invariably fail to meet the standard of necessity.

Given the migration of all manner of essential services to online platforms, shutdowns not only restrict expression but also interfere with other fundamental rights.”

Lastly, with regards the relationship between the freedom of expression and surveillance, it is worth noting that the surveillance and other monitoring of user data constitutes a restriction on the right to privacy and may constitute concurrent restrictions on the right to freedom of expression (A/HRC/35/22). In this regard, the Special Rapporteur has previously expressed concerns about reports of threats and intimidation of internet service providers, their employees and their equipment and infrastructure, and has highlighted that all attempts by authorities to gain network access must comply with the three-part test of legality, legitimacy, and necessity and proportionality (*id.*).

Additionally, the importance of the rights to peaceful assembly and of association are rooted in the role they play “as a platform for the exercise of other rights, inter alia the right to freedom of expression, cultural rights and the right to political participation” (A/61/267, para 9). No restrictions may be placed on the right of peaceful assembly and of association unless they comply with the principles of necessity (and exercised with due proportionality and non-discrimination). These interests are limited to interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

In relation to the use of force, the Code of Conduct for Law Enforcement Officials, General Assembly resolution 34/169 of 17 December 1979 and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990), provide an authoritative interpretation of the limits on the conduct of law enforcement forces. Principle 9 provides that intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life. Principles 12, 13 and 14 restrict the use of firearms to situations of violent assemblies and provide that force and firearms may only be used as a last resort when unavoidable and require exercising the utmost restraint. Should lethal force be used, restraint must be exercised at all times and damage and/or injury mitigated, including giving a clear warning of the intent to use force and to provide sufficient time to heed that warning, and providing medical assistance as soon as possible when necessary.

The Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment further indicated that “[a]ny use of force by State agents exceeding what is necessary and proportionate in the circumstances to achieve a lawful purpose is regarded as an attack on human dignity amounting to cruel, inhuman or degrading treatment or punishment, irrespective of whether that excess occurred intentionally or inadvertently” (A/72/178, para.46).

The compilation of practical recommendations for the proper management of assemblies (A/HRC/31/66) recalls that the use of force by law enforcement officials should be exceptional, and assemblies should ordinarily be managed with no resort to force. Any use of force must comply with the principles of necessity and proportionality. These principles apply to the use of all force, including potentially lethal force. Firearms should never be used simply to disperse an assembly; indiscriminate firing into a crowd is always unlawful. States must investigate any allegations of violations in the context of assemblies promptly and effectively through bodies that are independent and impartial. States also have a duty to investigate in circumstances in which a serious risk of deprivation of life was caused by the use of potentially lethal force, even if the risk did not materialize

We would also like to refer to the United Nations Declaration on the Protection of All Persons from Enforced Disappearances, which sets out the necessary protections with respect to the responsibility of the State; in particular that no State shall practice, permit or tolerate enforced disappearances (Article 2), that any person deprived of liberty shall be held in an officially recognized place of detention (Article 10.1) and that an official up-to date register of all persons deprived of their liberty shall be maintained in every place of detention (Article 10.3).

