

**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; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Special Rapporteur on minority issues; the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on violence against women, its causes and consequences and the Working Group on discrimination against women and girls**

REFERENCE:  
AL ISR 6/2021

3 August 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; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Special Rapporteur on minority issues; Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Special Rapporteur on violence against women, its causes and consequences and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 43/16, 42/22, 43/4, 41/12, 42/16, 43/14, 43/8, 1993/2A, 43/20, 41/17 and 41/6.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received regarding the **arrests, judicial harassment, criminalisation and threats against human rights defenders in the Occupied Palestinian Territory and Israel.**

**Mr. Farid Al-Atrash** is a human rights defender and lawyer at the Independent Commission for Human Rights (ICHR), a prominent national human rights institution in the State of Palestine, which protects, promotes and defends human rights. He is currently the director of the ICHR's office in the southern West Bank.

**Mr. Salah Hammouri** is Palestinian-French human rights defender and lawyer at Addameer Prisoner Support and Human Rights Association. The human rights defender was born in Jerusalem and has resided and worked there since 1985. His previous human rights work also includes advocacy for victims of human rights violations in the Occupied Palestinian territories.

**Ms. Muna Al-Kurd** and her brother **Mr. Mohammed Al-Kurd** are human rights defenders, whose family home is one of several homes acquired by Palestinian families in 1956 in the Sheikh Jarrah neighbourhood of Jerusalem, and who face

imminent risk of being evicted after Israeli settler organisations filed court cases against them in Israeli courts. Both human rights defenders campaign and peacefully protested against the Israeli presence and the issue of forced displacement in the Sheikh Jarrah neighbourhood of Jerusalem. They recently launched a Twitter campaign with the hashtag #SaveSheikhJarrah, which has since gone viral, in order to draw the world's attention toward the forced expulsion of Palestinians from their homes in the area.

**Mr. Zuhair Al Rajabi** is a human rights defender and head of the Batn al-Hawa neighbourhood committee in Silwan village, who is also active in promoting and defending the Palestinian minority facing the risk of forced evictions in this area.

**Ms. Shatha Odeh** is a woman human rights defender and director of the Health Work Committee, an organisation that provides health services to Palestinians, in particular women and children, living in remote areas of the West Bank. **Ms. Juana Ruiz Sánchez** is a woman human rights defender and former project coordinator for the Health Work Committee, and **Mr. Tayseer Abu Sharbak** is a human rights defender and the organisation's accountant.

We would like to draw your attention to a statement issued on 9 July 2021 by the UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, Michael Lynk, in which he called on the international community to designate the creation of Israeli settlements as a war crime under the Rome Statute of the International Criminal Court. We would also like to remind your Excellency's Government that special procedures' mandate holders raised the allegations of the arbitrary detention and threat of residency revocation of Mr. Hammouri in a communication ISR 8/2020, sent on 14 October 2020. We regret that at the time of writing, no response was received from your Excellency's Government regarding these allegations. Mr. Hammouri was also the subject of opinion No. 34/2018 of the Working Group on Arbitrary Detention, where the Working Group deemed his administrative detention at the time to be arbitrary.

According to information received:

*The case of Mr. Farid Al-Atrash*

On 4 July 2021, at approximately 01:00AM, upon returning from Ramallah to Bethlehem, Mr. Al-Atrash was arrested by Israeli occupation forces at the Israeli Container checkpoint east of Bethlehem city. It has been reported that no warrant was presented upon his arrest.

After his arrest, Mr. Al-Atrash's health condition deteriorated due to personal health issues and he was transferred to Hadassah Hospital. Later that day, he was sent to Atarot detention centre and then to Ofer prison. The human rights defender was given access to his lawyer and permitted to call family members. One of his family members was allowed to attend his trial.

The first hearing of Mr. Al-Atrash's trial took place on 7 July 2021, where the authorities cited that the reason for the human rights defender's arrest was linked to his participation in a peaceful demonstration against the Israeli Occupation and the war on Gaza on 15 June 2021 in an area called Rachel's Tomb in

Bethlehem. The demonstration began peacefully but later became violent. Several human rights defenders and reports confirm that Mr. Al-Atrash's participation was peaceful throughout the demonstration. Mr. Al-Atrash was released on bail from Ofer prison on 12 July 2021. The human rights defender had to pay a large bond upon his release and had to pledge that he will not participate in demonstrations. The human rights defender is currently awaiting trial, which has not yet been scheduled.

Mr. Al-Atrash has previously been targeted and detained for his human rights work. On 26 February 2016, he was arrested by Israeli occupation forces and given a two months suspended sentence after he participated in a peaceful protest in Hebron.

#### *The case of Mr. Salah Hammouri*

As cited above, in the previous communication, allegations were raised regarding multiple incidents of arbitrary arrests, judicial harassment and targeting of Mr. Salah Hammouri as a result of his human rights work in the Occupied Palestinian Territory since 2005. Concern was also raised in relation to the Israeli authorities' intention to withdraw his permanent residency permit in Jerusalem. In September 2020, the former Minister of the Interior justified this move by stating that Mr. Hammouri had "breached allegiance" to Israel. On 13 October 2020 the Minister of the Interior approved a 30-day extension to Mr. Hammouri to challenge the residency revocation through a written submission and later through an oral hearing which took place on 16 December 2021, during which the Minister of the Interior justified his intentions to revoke Mr. Hammouri's residency by citing previous court cases against the human rights defender.

On 30 June 2021, the Israeli Minister of the Interior Ayelet Shaked announced the adoption of the recommendations to revoke the permanent residency of Mr. Hammouri confirming her intentions to proceed with the process. The revocation of the human rights defender's residency must be approved by the Israeli Attorney General as well as Israeli Prime Minister of Justice. Mr. Hammouri and his lawyers have not been formally notified of this most recent process against the human rights defender. They learned about it from a Tweet published on the Minister of the Interior's Twitter page. If implemented, the human rights defender will be permanently expelled from his country of origin. As the residency revocation order has not been officially signed, Mr. Hammouri is waiting for an official notice from the Minister of the Interior.

#### *The cases of Ms. Muna Al-Kurd, Mr. Mohammed Al-Kurd and Mr. Zuhair Al Rajabi*

On 6 June 2021, Israeli forces arrested prominent Palestinian woman human rights defender Ms. Al-Kurd during a violent raid on the Al-Kurd family home in the Skeikh Jarrah neighbourhood in East Jerusalem. No warrant was presented for the search or the subsequent arrests. Ms. Al-Kurd's twin brother and human rights defender Mr. Al-Kurd was summoned by the police and turned himself in hours later. The human rights defenders were released after

several hours of interrogation. It has been reported that both defenders were denied access to their lawyer during these interrogations. The siblings are at risk of being charged in relation to their organising of a peaceful demonstration against the forced displacements in their neighbourhood.

We note that Ms. Al-Kurd was one of the speakers at the 30<sup>th</sup> special session of the Human Rights Council on the grave human rights situation in the Occupied Palestinian Territory, including East Jerusalem which took place on 27 May 2021.<sup>1</sup> During this session, Ms. Al-Kurd spoke about the history of Sheikh Jarrah, and raised concerns about the escalation of violence there and the human rights violations being committed against the Palestinian residents of Sheikh Jarrah in the context of the ongoing settlement conflict.

Mr. Al-Rajabi has been at the forefront of organising demonstrations to show solidarity and raise awareness about the forcible transfers in the Batan Al-Hawa neighbourhood in Silwan. On 5 June 2021, Mr. Al Rajabi and his son were arrested and remanded in custody for 24 hours after they peacefully resisted the ongoing forced expulsions and displacement in the neighbourhood of Silwan. It has been reported that arrest warrants were presented by the police.

It has been also reported that Mr. Al Rajabi may be charged with “participating in an illegal activity”, “hindering the police” and “public disorder”, however the Public Prosecution is yet to indict him. Mr. Al-Rajabi has been frequently subjected to alleged arbitrary arrests and house raids as a result of his peaceful human rights activities.

*The cases of Mr. Tayseer Abu Sharbak, Ms. Juana Ruiz Sánchez and Ms. Shatha Odeh*

Since March 2021, the Israeli authorities have been targeting the Health Work Committee and its members as part of a wider crackdown on human rights organisations in the Occupied Palestinian Territory.

On 8 March 2021, Mr. Sharbak was arrested, without a warrant, for his association and work as a human rights defender with the Health Work Committee. After he was arrested, he was taken to Ashkelon detention centre for interrogation. It has been reported that during this time, the human rights defender was subjected to difficult prison conditions, long hours of interrogations and alleged ill-treatment. He is currently detained in Ofer prison awaiting trial and faces the charge of “participating in the activities of an illegal organisation” as well as terrorism related charges. It has been reported that the human rights defender was given access to his own legal counsel but has since been restricted. His family have had limited visiting rights to him due to COVID-19 restrictions. His next hearing will take place on 19 July 2021.

On 13 April 2021, Ms. Sánchez was also detained, without a warrant, as a result of her human rights work with the Health Work Committee. On 14 April 2021, Ms. Sánchez was brought to Hasharon prison in Israel that has no women’s

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<sup>1</sup> 1<sup>st</sup> Meeting- 30<sup>th</sup> Special Session of the Human Rights Council, 27 May 2021, at <https://media.un.org/en/asset/k1i/k1ig7zatio>

section and spent 12 days in isolation. On 6 May 2021, Ofer Military Public Prosecutor formally accused Ms. Sánchez of the following charges: “being part of the board or directors of an illegal organisation”, “participating in the activities of an illegal organisation”, “receiving and introducing money into the Palestinian territories” and “receiving money for false purpose”.

On 13 May 2021, Ms. Sánchez was transferred to Damoun women’s prison where she remains at the time of writing. Ms. Sánchez was only given access to personal items such as medication and her glasses after 3 weeks in detention. It has also been reported that Ms. Sánchez has had limited access to her family and lawyer, and was kept in solitary confinement for 20 days in Al-Damoun prison. The woman human rights defender was only allowed to see her lawyer for the first time on 2 June, the day the first hearing of her trial was due to take place. However, her lawyer requested that the date be changed in order to give him adequate time to offer legal counsel to his client. Her trial is scheduled to take place on 10 August 2021.

On 7 July 2021, approximately 15 Israeli soldiers raided the home of Ms. Odeh and detained the woman human rights defender without presenting an arrest warrant. The soldiers confiscated Ms. Odeh’s mobile phone and car, assets assigned to her by the Health Work Committee. Upon her arrest, Ms. Odeh was first taken to Ofer prison, where there is no female section, and later transferred to Hasharon prison, where there is no specific female section, where she was kept alone in a small isolated cell. The woman human rights defender has numerous chronic health conditions which requires regular medication and attention. Ms. Odeh’s lawyer informed the family that the Israeli prison authorities denied the woman human rights defenders request to have underclothing and access to her daily medication.

Immediately after her arrest, Ms. Odeh was also denied access to her lawyer and her family until 8 July 2021, when the first hearing was scheduled to take place but was rescheduled until 14 July 2021, so that she could prepare her case with her lawyer. Only two family members were allowed to attend the hearing on 14 July. Furthermore, the hearing was carried out in Hebrew, a language that Ms. Odeh can neither speak nor understand. Ms. Odeh’s lawyer brought clothes to Hasharon prison on 14 July, however the authorities did not give them to Ms. Odeh, claiming they needed to disinfect them first.

On 19 July, the third hearing of Ms. Odeh’s case took place. The Prosecution requested a further 8 days to prepare the list of charges and the military judge extended her detention until 26 July 2021. It was reported that Ms. Odeh’s health continues to deteriorate and she attended the hearing in the same clothes she was arrested in 12 days earlier. During the hearing, Ms. Odeh’s lawyer requested that the judge recommend the Israeli prison authorities to allow her access to the change of clothes provided by her family, and to transfer the woman human rights defender to Damoun Female Prison in Haifa.

On 26 July 2021, the fourth hearing of Ms. Odeh’s case took place, during which the Prosecution presented five charges against her. Ms. Odeh was charged with “holding a position in an unlawful association”, “presence in a public event on

14 May 2019”, “receiving and bringing funds illegally into the area”, “receiving funds and support fraudulently” and “the fraudulent use of documents”. The Prosecution requested the extension of Ms. Odeh’s detention until the end of legal proceedings, the next hearing for which is scheduled for 17 August 2021. During the hearing it was also decided that the list of charges against Ms. Odeh would be translated from Hebrew to Arabic, in preparation for the next hearing.

On 27 July 2021, Mr. Odeh was transferred to Damoun Female Prison. A lawyer who visited Ms. Odeh on 25 July 2021 confirmed to her family that she had received the clothes they had sent.

On 9 June 2021, Israeli soldiers raided the headquarters of the Health Work Committee in Ramallah and ordered the organization to close for at least 6 months on the basis of “security reasons”. Several items were confiscated during the raid, amongst them were computers and confidential documents. The building was also damaged during the raid.

We would like to express our utmost concern about the targeting of Palestinian human rights defenders outlined in the cases above, which appear to be directly related to their legitimate and peaceful work defending the human rights of their communities, including the human right to adequate housing of Palestinians. Concern is expressed that the alleged arbitrary arrests of Palestinian human rights defenders and raids conducted on their homes without a warrant form part of a wider crackdown by Israeli authorities against human rights defenders in the Occupied Palestinian Territory, and is being used as a tool by the Israeli authorities to hinder their peaceful human rights work in the country.

In particular, we are concerned about the alleged arbitrary arrest of Mr. Al-Atrash, which appears to be in direct response to his work as a prominent human rights defender with the ICHR. Furthermore, the reasoning for his arrest relates to his exercise of his rights to freedom of expression and peaceful assembly and, if charged, would be a direct violation of international human rights law, including article 21 of the ICCPR.

The attempts to revoke the permanent residency of Mr. Hammouri are concerning, and appear to form part of a wider strategy of targeting, arrests, and judicial harassment against human rights defenders by the Israeli authorities in response to the forcibly transfer of Palestinians in the Sheikh Jarrah and Silwan neighbourhoods of Jerusalem. In particular, we are concerned about the arrest and interrogation against Ms. Al-Kurd, Mr. Al-Kurd and Mr. Al Rajabi who are at the forefront of defending their communities against forced displacement by the Israeli authorities. We note with concern that the arrest of Ms. Al-Kurd came shortly after her participation in the 30<sup>th</sup> special session of the Human Rights Council. We are also concerned that the process of forcible evictions in these neighbourhoods highlights Israel’s institutionalised oppression against Palestinians in the Occupied Palestinian Territory. The attempts to silence the dissenting voices who speak out against human rights violations in the Occupied Palestine Territory and Israel, in particular against forced displacement, is extremely concerning and will have a negative effect on the ability of human rights defenders in the area to carry out their work, for fear of retaliation.

Finally, we are very concerned at the targeting of Palestinian human rights defenders and members of the Health Work Committee, who appear to have been

detained as a result of their human rights work in the West Bank. We are also concerned that Ms. Sánchez had been detained and Ms. Odeh is currently detained in Hasharon prison, located in Israel, which is a direct breach of the Fourth Geneva Convention, which prohibits the transferring of prisoners outside their territory. The alleged ill-treatment of Ms. Sánchez, Mr. Sharbak and Ms. Odeh, and the alleged restrictions placed on their access to lawyers and family is concerning. The deteriorating health condition of Ms. Odeh is also of grave concern, especially in light of allegations of her access to vital medical care and unsanitary prison conditions. In particular, we are concerned about the potential exposure of the women human rights defenders to sexual assault and abuse in their current and previous places of detention and the deprivation of their right to health, including their sexual and reproductive health rights.

We are issuing this appeal in order to safeguard the rights of the above individuals from irreparable harm and without prejudicing any eventual legal determination. It is relief *pendente lite*.<sup>2</sup>

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.

Moreover, 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. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters, when relevant to the case under consideration:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations
2. Please provide the factual and legal basis for the arrest of human rights defender Mr. Farid Al-Atrash, and explain how this is compatible with international law. Please provide information on the current health condition of Mr. Al-Atrash and whether he has been provided with the adequate healthcare required while he remains in detention.
3. Please explain the reasoning behind the intended revocation of Mr. Salah Hammouri's permanent residency in the Occupied Palestinian Territory, and how this is in line with international human rights law.
4. Please explain the factual and legal basis for the arrests of Ms. Muna Al-Kurd and her brother Mr. Mohammed Al-Kurd, and why they were denied access to their lawyer during their interrogation.
5. Please outline the reasoning behind the arrest of Mr. Zuhair Al Rajabi, and how this corresponds with international human rights standard law.
6. Please give the factual and legal basis for the arrests of Ms. Shatha Odeh, Ms. Juana Ruiz Sánchez and Mr. Tayseer Abu Sharbak. Please provide

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<sup>2</sup> Article 41 ICJ Statute 'Interim Protection': Part III, Section D (Incidental Proceedings), Subsection 1.

information on the various violations of due process, including restrictions placed on access to legal counsel, visitation of family members and right to a fair trial, in particular in the cases of Ms. Odeh and Ms. Sánchez.

7. Please provide information on the factual reasons and legal basis for the raids conducted in the Al-Kurd family home in the Skeikh Jarrah neighbourhood in East Jerusalem, as well as in the home of Ms. Odeh.
8. Please explain why Ms. Shatha Odeh has been allegedly denied access to her necessary medication while in detention, and was not permitted to change her clothes for several days after her arrest. Please also explain why Ms. Odeh's trial took place in Hebrew and how her right to a fair trial was guaranteed despite the language barrier.
9. Please indicate what measures have been taken to ensure that human rights defenders in Israel and the Occupied Palestinian Territory 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.

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 after having transmitted a joint communication 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 letters in no way prejudice any opinion the Working Group may render. The Government is required to respond separately to the joint communication and the regular procedure.

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

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Miriam Estrada-Castillo  
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



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

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

Balakrishnan Rajagopal  
Special Rapporteur on adequate housing as a component of the right to an adequate  
standard of living, and on the right to non-discrimination in this context

Fernand de Varennes  
Special Rapporteur on minority issues

Michael Lynk  
Special Rapporteur on the situation of human rights in the Palestinian territory  
occupied since 1967

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

Dubravka Šimonovic  
Special Rapporteur on violence against women, its causes and consequences

Melissa Upreti  
Chair-Rapporteur of the Working Group on discrimination against women and girls

## **Annex**

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

In connection with the above-mentioned concerns, we would like to refer to the International Covenant on Civil and Political Rights (ICCPR), ratified by Israel on 3 October 1991. The continuing threats, intimidation and harassment of Palestinian human rights defenders who are outspoken against the Israeli occupying forces is of particular concern and is not compatible with international human rights law. We would like to refer your Excellency's Government to General Comment No. 35 of the Human Rights Committee, which has found that arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the ICCPR is arbitrary, including freedom of opinion and expression (article 19), freedom of assembly (article 21), and freedom of association (article 22).

In particular, we would like to refer to article 9 of the ICCPR, which states that everyone has the right to liberty and security of person, and that no one shall be arbitrarily arrested or detained. Upon arrest, an individual has the right to be promptly informed of the reasons for his or her arrest and be brought promptly before a judge or released.

We take this opportunity to remind you that the forced displacement of the Palestinians in the Occupied Territory is a violation of international human rights law, in particular of the article 53 of the Fourth Geneva Convention related to the protection of civilians in time of war. The presence of the Israeli settlements in the Occupied Palestinian Territory is a violation of both the Fourth Geneva Convention 1949 and the Rome Statute 1998, which prohibit the practice of settler implantation. Forced evictions also contravene the following United Nations Security Council Resolutions 1971/298 and 2234/2016.

In relation to the policy of revoking residency, we would like to remind you that this practice violates article 64 of the Fourth Geneva Convention, which sets of the Occupying Power has limited legislative control over the occupied territory and may not extend its own legislation on the occupied population. According to Article 68(3) of the Fourth Geneva Convention, it is direct violation of international law of an Occupying Power to demand allegiance from an occupied population.

We also recall that according to Article 21 of the ICCPR, "The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others." The 'provided by law' requirement means that any restriction 'must be made accessible to the public' and 'formulated with sufficient precision to enable an individual to regulate his or her conduct accordingly' (CCPR/C/GC/34). Moreover, it 'must not confer unfettered discretion for the restriction of freedom of expression on those charged with its execution'. The requirement of necessity implies an assessment of the proportionality of restrictions, with the aim of ensuring that restrictions 'target a specific objective and do not unduly intrude upon the rights of targeted persons. The ensuing interference with third parties' rights must also be limited

and justified in the interest supported by the intrusion. Finally, the restriction must be ‘the least intrusive instrument among those which might achieve the desired result’.

We would also like to remind your Excellency’s Government of its obligations under Articles 11 and 12 of the International Covenant on Economic, Social and Cultural rights (ICESCR), ratified by Israel on 3 October 1991, in relation to the rights to adequate housing and the right to health, which guarantees the right of all people to the highest attainable standard of physical and mental health, and States Party obligation to refrain from denying or limiting equal access for all persons, including prisoners or detainees, to health services (see Committee on Economic, Social and Cultural Rights, General Comment 14, para 34).

In its General Comment No. 4, the Committee on Economic, Social and Cultural Rights clarified that the right to housing should be seen as the right to live in security, peace and dignity. It indicates that the right to housing includes, among others, legal security of tenure guaranteeing legal protection against forced evictions, harassment and other threats. States parties should consequently take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection in genuine consultation with affected persons and groups. We would also draw your attention to the report of the Special Rapporteur on the right to adequate housing on Covid-19 and the right to adequate housing (A/75/148) and the “COVID-19 Guidance Note: Prohibition of evictions” by the former Special Rapporteur on the right to housing, which both call for a moratorium on all evictions during the pandemic.

This Covenant guarantees all individuals, including prisoners and detainees, the right to the highest attainable standard of physical and mental health. In addition, we would like to underline the Basic Principles for the Treatment of Prisoners, adopted by the General Assembly in resolution 45/111, according to which prisoners should have access to health services available in the country without discrimination on the grounds of their legal situation (Principle 9). We also recall that States have a duty to protect the health of prisoners and detainees, in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners, (reviewed on 17 December 2015 and renamed the “Mandela Rules”), in particular Rule 24 that establishes that the provision of health care for prisoners is a State responsibility, Rule 27(1), which provides that all prisons shall ensure prompt access to medical attention in urgent cases; and Rule 11 (a) that provides that different categories of prisoners should be kept in separate institutions or parts of institutions, which encompasses the separation between men and women.

We would like to also underline the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) adopted by the General Assembly in resolution 65/229, which complement the UN Standards Minimum Rules for the Treatment of Prisoners, providing guidance for specific characteristics and needs for women in prison, in particular Rule 2 establishing that newly arrived women prisoners should be allowed access to legal advice, in a language that they understand.

We would like to reiterate to your Excellency’s Government’s obligations through the ratification of the International Covenant on Discrimination against Women (CEDAW) in 1991, 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 reports 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.

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 a joint declaration, the Working Group on discrimination against women and girls emphasised that women human rights defenders face unique challenges, driven by deep-rooted discrimination against women and stereotypes about their appropriate role in society. Today's rising fundamentalisms of all kinds and political populism, as well as unchecked authoritarian rule and uncontrolled greed for profit-making further fuel discrimination against women, intensifying the obstacles facing women human rights defenders. In addition to the risks of threats, attacks and violence faced by all human rights defenders, women human rights defenders are exposed to specific risks, such as misogynistic attacks, gender-based violence (including sexual violence), lack of protection and access to justice as well as lack of resources.

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

We would like to remind you that the legitimate role of human rights defenders is recognised by international law and referred 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 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.

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

- article 5 (b), which provides for the right to form, join and participate in non-governmental organizations, associations or groups;
- article 6 point a), which provides for the right to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms;
- article 11 which provides that everyone has the right, individually or in association with others, to the lawful exercise of their profession;
- article 12, paragraphs 2 and 3, which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the Declaration;

We would like to draw your attention to General Assembly resolution 68/181 as well as Human Rights Council resolution 31/32, in which States expressed particular concern about systemic and structural discrimination and violence faced by women human rights defenders. States should take all necessary measures to ensure the protection of women human rights defenders and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights. This should include the establishment of comprehensive, sustainable and gender-sensitive public policies and programmes that support and protect women defenders. Such policies and programmes should be developed with the participation of women defenders themselves.

Finally, we wish to refer to the 1992 United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted in General Assembly resolution 47/135, which refers to the obligation of States to protect the existence and the identity of minorities within their territories and to adopt measures to that end (article 1) as well as to adopt the required measures to ensure that persons belonging to minorities can exercise their human rights without discrimination (article 4).