

Mandates of the Special Rapporteur on violence against women and girls, its causes and consequences; the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Working Group on discrimination against women and girls

Ref.: AL RUS 6/2023
(Please use this reference in your reply)

18 May 2023

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on violence against women and girls, its causes and consequences; Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 50/7, 51/8, 52/9, 52/4, 52/7 and 50/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the sentencing of Ms. Irina Danilovich, to seven years of prison following her alleged arbitrary detention, and the ill-treatment to which she is being subjected to whilst in detention, all of which are reportedly in connection with her legitimate human rights work and the exercise of freedom of expression.

Ms. **Irina Danilovich** is a woman human rights defender, trade unionist, civic journalist and nurse. She advocates for the rights of health workers through her project "Crimean Medicine Without a Cover", and has highlighted defects within the health system, including in response to the COVID-19 pandemic. She also cooperates with numerous independent media outlets, including "Инцип" and "Crimean Process", which report on court hearings on politically motivated cases in Crimea. Since 24 February 2022, she has also reportedly been critical about Russia's invasion of Ukraine.

The enforced disappearance of Ms. Irina Danilovich was examined by the Working Group on Enforced or Involuntary Disappearances under its humanitarian procedure and transmitted to your Excellency's Government under the Working Group's urgent procedure on 9 May 2022 (G/SO 217/ Russian Federation). The case of Ms. Danilovich was then clarified based on information provided by sources on 11 May 2022. A follow up letter of allegation was submitted to your Excellency's Government on Ms. Danilovich's case in August 2022.

We previously wrote to your Excellency's Government regarding the alleged disbarment, persecution, arrests and detention, searches, criminalisation, conviction, torture, and ill-treatment of other human rights defenders in Crimea¹ on 17 October 2017 (AL RUS 8/2017), 11 July 2018 (AL RUS 14/2018), 18 July 2018 (AL RUS

¹ References to Crimea should be read in accordance with General Assembly Resolution 68/262, in which the General Assembly affirmed its commitment "to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognised borders" (A/RES/68/262, Paragraph 1).

17/2018), 25 July 2018 (AL RUS 16/2018), 10 August 2018 (AL RUS 21/2018), 13 February 2019 (AL RUS 2/2019), 21 January 2020 (AL RUS 10/2019), 29 July 2020 (AL RUS 4/2020), 9 June 2021 (AL RUS 7/2021), 30 November 2021 (AL RUS 12/2021), and 22 April 2022 (AL RUS 5/2022). We acknowledge the replies from your Excellency's Government dated 27 February 2018, 20 July 2018, 3 August 2018, 7 August 2018, 6 March 2019, 31 March 2020, 25 September 2020, 5 August 2021, 26 January 2022, and 8 June 2022. However, in view of the allegations below, we remain concerned about the broader environment human rights defenders are working in the territory of Crimea, and the challenges they face to their legitimate activities.

We also wrote to your Excellency's Government on 5 February 2018 (OL RUS 2/2018) regarding the adoption and subsequent amendments to Federal Law No. 327-FZ dated 25 November 2017 ("Foreign Agent Media Law") and acknowledge your Excellency's Government reply dated 6 April 2018. However, we remain concerned given the allegations below.

According to the updated information received:

On 22 August 2022, the Feodosia City Court in the Republic of Crimea commenced a trial against Ms. Danilovich and held a first preliminary hearing behind closed doors. She was accused of "illegal acquisition, transfer, sale, storage, transportation, or carrying of explosives or explosive devices" as per part 1, article 222.1 of the Criminal Code of the Russian Federation. On the same day, the court reviewed Ms. Danilovich's conditions of pre-trial detention and extended it until 2 February 2023. During her trial, the Court manifestly ignored her allegations of secret detention, torture and other ill-treatment, and admitted evidence acquired by unlawful means.

On 28 December 2022, Ms. Danilovich was sentenced to seven years of prison and fined 50,000 rubles (approximately 900 euros) by the Feodosia City Court. The Court ruled that she had violated the aforementioned article 222.1 (1) of the Criminal Code of the Russian Federation.

The day before she was sentenced the Court held a final hearing on Ms. Danilovich's case. During the hearing, she delivered her final statement during which she noted that she is not the first person in Crimea whom the Russian Federal Security Service has targeted and said that the criminal case against her is a "demonstrative execution" to silence others and instil fear in their souls. On the same day, and before the final hearing took place, Ms. Danilovich required medical attention as she had reportedly experienced a significant deterioration in her health due to a lack of medical attention whilst in pre-trial detention. Although an ambulance was dispatched to the Court house, the medical personnel reportedly refused to take her to the hospital for further examination. During the final hearing, Ms. Danilovich repeatedly reported that she was unable to hear anything, had lost a sense of orientation and did not understand what was happening in the court room.

On 21 March 2023, Ms. Danilovich commenced a dry hunger strike to protest the Russian authorities' failure to provide her with proper medical assistance. On the same day, she fainted while law enforcement officials transported her from Simferopol SIZO-1 to Feodosia City Court in Crimea to finalise the process of reviewing her case file. The procedure precedes the appeal and the transfer to a prison facility. Ms. Danilovich's health is reportedly deteriorating rapidly, and for months she has been complaining of severe, worsening ear pain, but has been denied the medical attention she requires.

During her time in detention, Ms. Danilovich was subjected to torture or other ill-treatment by her captors to force her to "confess" to state treason. Failing to achieve this, they reportedly tampered with her personal belongings where they planted explosives that were used to prosecute and convict her.

Without wishing to prejudge the accuracy of the information received, we wish to express concern about the updated information we have received in relation to the sentencing of Ms. Irina Danilovich to seven years of prison, and her resort to hunger strike in protest of refusal by the authorities to provide her with proper medical care. We wish to reiterate our previous concerns in relation to her alleged arbitrary detention, ill-treatment, criminalisation, home search and seizure of her electronic devices and documents, and her designation as a "foreign agent", all of which appear to be related to her legitimate human rights work and the exercise of freedom of expression.

Should these allegations be confirmed, they would be in contravention of the human rights obligations that your Excellency's Government has signed up to. We wish to reiterate, in particular, the absolute, non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment, set forth in article 5 of the Universal Declaration of Human Rights (UDHR); article 7 of the International Covenant on Civil and Political Rights (ICCPR), ratified by the Russian Federation in 1973; and article 2 of the United Nations Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT), also ratified by the Russian Federation in 1987; as well as the corresponding obligation to investigate allegations of torture promptly and impartially (article 12 CAT); to protect victims from reprisals or intimidation during such investigations (article 13 CAT) and to be afforded adequate compensation, as appropriate, including full rehabilitation as possible (article 14 CAT).

We would also like to remind your Excellency's Government of its obligations under articles 19 and 20 (1) of the Universal Declaration of Human Rights (UDHR), which guarantee the rights of freedom of opinion and expression and the right to freedom of peaceful assembly and association, the International Covenant on Civil and Political Rights (ICCPR), acceded to by the Russian Federation on 16 October 1973, in particular, articles 19 and 22, which guarantee to all persons the rights to freedom of expression and freedom of association, the International Covenant on Economic, Social and Cultural Rights, acceded to by the Russian Federation on 16 October 1973, in particular, article 12 on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), in particular article 7, acceded to by the Russian Federation on 23 January 1981, 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.

We also express our grave concern regarding the continuous intimidation and harassment of human rights defenders in Crimea in connection with their human rights work, in particular, the chilling effect that this has on them, discouraging them from exercising their rights. In line with the previous recommendations of the Human Rights Committee, we remind Your Excellency's Government of the importance of ensuring that national security is not used to unjustifiably or arbitrarily restrict the right to freedom of opinion and expression (CCPR/C/GC/34). We recall that legitimate expression of opinions or thought must not be criminalised and that measures aimed to regulate the existence and work of civil society and human rights defenders must comply with the requirements of proportionality, necessity, and non-discrimination. National security legislation should not be misused against individuals peacefully exercising their rights to freedom of expression, peaceful association, and assembly. These rights are protected under the ICCPR, and the non-violent exercise of these rights cannot be a criminal offense.

We also express our concern about the alleged irregularities in Ms. Danilovich's arrest and the lack of judicial guarantees provided to her during her detention and her subsequent trial, which appear to be incompatible with the right to fair trial and due process. We underline that all individuals, regardless of the severity of the charges brought against them, have a right to due process and fair trial, in compliance with the rule of law. The right to a fair trial is recognized not only in human rights treaties but also within international humanitarian law, international criminal law, counterterrorism conventions and customary international law (see A/63/223). We remind your Excellency's Government that article 14 of the ICCPR, ratified by the Russian Federation, provides, inter alia, for the principle of equality before competent, independent, and impartial courts and tribunals, the presumption of innocence, provision of adequate time and facilities for the preparation of the defence, and the right of accused persons to communicate with counsel of their own choosing.

Furthermore, noting that the Ministry of Justice of the Russian Federation has designated Ms. Danilovich as a "mass media foreign agent" under the Foreign Agent Media Law, we reiterate our concerns expressed in RUS 2/2018 and RUS 2/2022 about the detrimental effect of this designation on human rights defenders, in particular those expressing dissenting views, and the limitations on their rights to freedom of association and freedom of expression in the country, including in their advocacy work.

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 on whether any investigation has been conducted into the allegations of torture or other cruel, inhuman or degrading treatment or punishment reportedly inflicted on Ms. Danilovich, and the steps taken to protect her from any reprisal or intimidation. Please explain whether such investigation was conducted in compliance with international standards, including the Istanbul Protocol (Manual on Effective Investigation and Documentation of Torture and Other cruel, Inhuman or Degrading Treatment or Punishment, 2022 edition) and please specify whether any result has been achieved, particularly in terms of accountability. If no investigation was launched, please explain why.
3. Please provide information on the legal and factual basis for the arrest, detention and sentencing of Ms. Irina Danilovich, on the conditions of her detention and her state of health and explain how these are compatible with your Excellency's Government's international human rights obligations. Please also indicate how this is in compliance with the principle of proportionality, necessity and non-discrimination.
4. Please provide information as to the measures taken to ensure that Ms. Danilovich's fair trial rights and right to legal representation are respected and explain how these measures are compatible with Russia's international human rights obligations.
5. Please indicate what measures are being taken to ensure that Ms. Danilovich has access to adequate health care while in detention.
6. Please indicate what measures have been taken to ensure that human rights defenders in Crimea can exercise their right to freedom of expression and carry out their legitimate work freely and in a safe and enabling environment without acts of intimidation and harassment.

We would appreciate receiving a response within 60 days. Past 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 an allegation letter to the Government, the Working Group on Arbitrary Detention may transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. Such 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.

In accordance with General Assembly Resolution 68/262 on the territorial integrity of Ukraine, and taking into account General Assembly Resolutions 76/179, 75/192, 74/168, 73/263, 72/190, and 71/205 on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, we wish to inform you that a copy of this letter will also be sent to the authorities of Ukraine for their information

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

Reem Alsalem

Special Rapporteur on violence against women and girls, its causes and consequences

Matthew Gillett

Vice-Chair on communications of the Working Group on Arbitrary Detention

Irene Khan

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

Mary Lawlor

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Alice Jill Edwards

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Dorothy Estrada-Tanck

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

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the following human rights standards.

We would like to refer your Excellency's Government to article 19 of the International Covenant on Civil and Political Rights ("ICCPR"), ratified by the Russian Federation on 16 October 1973, which guarantees the right to freedom of opinion and expression. We would like to remind your Excellency's Government that any restrictions to the right to freedom of expression must meet the criteria established by international human rights standards, such as article 19 (3) of the ICCPR. Under these standards, restrictions must be provided for by law and conform to the strict tests of necessity and proportionality. Article 19 (3) may never be invoked to justify the muzzling of any advocacy of human rights (paragraph 23 of the Human Rights Committee's General Comment no. 34). Nor, under any circumstance, can an attack on a person, because of the exercise of his or her freedom of opinion or expression, including such forms of attack as arbitrary arrest, torture, threats to life and killing, be compatible with article 19 (Id.).

We appeal to Your Excellency's Government to take all necessary measures to guarantee to the above-mentioned person the right to be free from any gender-based violence, discrimination and abuse. Towards that end, we would like to draw Your Excellency's attention to the Declaration on the Elimination of Violence against Women, which was adopted by the United Nations General Assembly and states that women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. These rights include, inter alia, (a) the right to life; (b) the right to equality; (c) the right to liberty and security of person; and (d) the right to equal protection under the law (art. 3).

Furthermore, we would like to bring to Your Excellency's Governments attention article 1 of the United Nations Declaration on the Elimination of Violence against Women which provides that the term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

We would furthermore like to refer to articles 6, 7, 9, 14 and 17 of the ICCPR, which guarantee the right to life, the right to liberty and security of person, the right to a fair trial, and the right to privacy. We would like to stress that, in General Comment No. 35 (CCPR/C/GC/35), the Human Rights Committee has stated that arresting or detaining an individual as punishment for the legitimate exercise of the rights guaranteed by the ICCPR, including freedom of opinion and expression, is arbitrary (paragraph 17). This has also been confirmed by the consistent jurisprudence of the Working Group on Arbitrary Detention, which has also reiterated that a deprivation of liberty is arbitrary when it constitutes a violation of international law on the grounds of discrimination based on birth, national, ethnic or social origin, language, religion, economic condition, political or other opinion, gender, sexual orientation, disability,

or any other status, that aims towards or can result in ignoring the equality of human beings. As per the Working Group on Arbitrary Detention, detention on the basis of an individual's status as a human rights defender is discriminatory and therefore arbitrary. Further, the right to challenge the lawfulness of detention before a court, protected under article 9 of the ICCPR is a self-standing human right and a peremptory norm of international law, which applies to all forms of arbitrary deprivation of liberty.

As stated by the Human Rights Committee in its General Comment No. 35, and reiterated by the Working Group on Arbitrary Detention, it is a well-established norm of international law that pre-trial detention should be the exception rather than the rule and should be ordered for the shortest time possible.

We would also like to remind your Excellency's Government that article 14 of the Covenant, as well as principle 9 and guideline 8 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, require that all persons deprived of their liberty have the right to legal assistance by counsel of their choice at any time during their detention, including immediately after their apprehension, and that such access be provided without delay. The denial of access to lawyers of one's choosing violates the right to legal assistance guaranteed under article 14 of the Covenant, articles 10 and 11 (1) of the Universal Declaration of Human Rights, principles 15, 17 and 18 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and rule 61 (1) of the Nelson Mandela Rules.

The right to freedom of expression includes the right to seek, receive, and impart information and ideas of all kinds. As interpreted by the Human Rights Committee in General Comment No. 34 (CCPR/C/GC/34), such information and ideas include commentary on one's own and on public affairs, discussion of human rights, and journalism (paragraph 11). All forms of expression and means of their dissemination are protected (paragraph 12).

Equally, the right not to be subjected to an enforced disappearance is of a non-derogable nature and the prohibition of this crime has attained the status of jus cogens. Pursuant to article 7 of the Declaration on the Protection of All Persons from Enforced Disappearance, no circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearance. Moreover, articles 9-12 establish the guarantees to be afforded to any person deprived of liberty and article 13 of the Declaration sets forth the State's obligation to investigate promptly, thoroughly and impartially any complaints of enforced disappearance. Article 19 of the Declaration requires that victims of acts of enforced disappearance and their families obtain redress and integral reparation for the harm suffered.

We would like to remind your Excellency's Government that enforced disappearance has different impact depending on whom it targets. For instance, according to the Study on enforced or involuntary disappearances and economic, social and cultural rights by the Working Group on Enforced or Involuntary Disappearances (A/HRC/30/38/Add.5), human rights defenders are also targeted to intimidate and prevent others from claiming and exercising their rights. Due to collective character of certain economic, social and cultural rights, the disappearance

of one person may have a negative effect on the larger community. Similarly, the General comment on women affected by enforced disappearances adopted by the Working Group on Enforced or Involuntary Disappearances (A/HRC/WGEID/98/2) stresses, *inter alia*, the differentiated effects of enforced disappearances in women and girls. In particular, States must acknowledge disappeared women, and recognize the particular types of harm they suffer based on their gender, including instances of sexual violence, and the resulting psychological damage and social stigma as well as the disruption of family structures.

We wish to remind your Excellency's Government that according to paragraph 10 of the Human Rights Committee's General Comment No. 31 [80] (CCPR/C/21/Rev.1/Add. 13), States Parties must respect and ensure the rights laid down in the ICCPR to anyone within their power or effective control, even if not situated within their territory. The enjoyment of the ICCPR rights is not limited to citizens of States Parties but must also be available to all individuals, regardless of nationality or statelessness, who may find themselves subject to the jurisdiction of the State Party. This principle also applies to those within the power or effective control of the forces of a State Party acting outside its territory, regardless of the circumstances in which such power or effective control was obtained.

Likewise, we wish to remind your Excellency's Government that according to paragraph 5 of the Committee Against Torture's General Comment No. 2 (CAT/C/GC/2), no exceptional circumstances whatsoever (including a state of war or threat thereof, internal political instability or any other public emergency, any threat of terrorist acts or violent crime, armed conflict, international or non-international) may be invoked by a State Party to justify acts of torture in any territory under its jurisdiction.

According to paragraph 7, the concept of "any territory under its jurisdiction" must be applied to protect any person, citizen or non-citizen without discrimination subject to the *de jure* or *de facto* control of a State Party, and the State's obligation to prevent torture also applies to all persons who act, *de jure* or *de facto*, in the name of, in conjunction with, or at the behest of the State Party.

In Resolution 76/179 and previous resolutions on the situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, the General Assembly urged the Russian Federation to, *inter alia*, "uphold all of its obligations under applicable international law as an occupying Power" and "create and maintain a safe and enabling environment for journalists and media workers and citizen journalists, human rights defenders and defence lawyers to perform their work independently and without undue interference in Crimea" (A/RES/76/179, paragraphs 6 (a), (m)).

Furthermore, we would like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms, adopted on 9 December 1998 (also known as the UN Declaration on Human Rights Defenders). Articles 1 and 2 of the Declaration state that everyone has the right to promote and to strive for the protection and realisation 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.

Likewise, we would like to bring to the attention of your Excellency's Government the following provisions of the UN Declaration on Human Rights Defenders:- Article 6 (a), (b) and (c), which provides for the right to know, seek, obtain, receive, and hold information about all human rights and fundamental freedoms; 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, both in law and in practice, of all human rights and fundamental freedoms and to draw public attention to those matters;

- Article 9 (1), which establishes that in the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights, everyone has the right to benefit from an effective remedy and to be protected in the event of the violation of those rights;
- Article 12 (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 their legitimate exercise of the rights referred to in the Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities, and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, and acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.

We would also like to refer to Human Rights Council Resolution 13/13, which urges States to put an end to and take concrete steps to prevent threats, harassment, violence and attacks by States and non-State actors against all those engaged in the promotion and protection of human rights and fundamental freedoms.

We also recall your Excellency's Government that Human Rights Council resolution 22/6 on the protection of human rights defenders calls upon states to ensure that no one is subject to excessive or indiscriminate use of force, arbitrary arrest or detention, torture or other cruel, inhuman or degrading treatment or punishment, enforced disappearance, abuse of criminal and civil proceedings or threats of such acts. It also urges States to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights.

We wish to emphasise article 7 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), acceded by your Excellency Government on 23 January 1981, which establishes the right of women to participate without discrimination in the political and public life of the country, including participation in non-governmental organisations and associations.

We would like to draw the attention of your Excellency's Government to General Assembly Resolution 68/181, as well as to Human Rights Council Resolution 31/32, in which States expressed particular concern about the 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 integrate a gender perspective in 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 human rights defenders. Such policies and programmes should be developed with the participation of women human rights defenders themselves (OP5, 19 and 20).

As emphasised by the Working Group on Discrimination against Women and Girls in one of its reports (A/HRC/23/50), stigmatisation, harassment and direct attacks are used to silence and discredit women leaders, community workers, human rights defenders and women politicians. Women defenders are often subjected to gender-based violence, such as verbal abuse based on their sex; they may experience intimidation, attacks and may also be killed. Violence against women defenders is sometimes tolerated or perpetrated by state actors.

In a joint statement, the Working Group on Discrimination against Women and Girls stressed that women human rights defenders face unique challenges, driven by profound discrimination against women and stereotypes about their supposedly appropriate role in society. Today's growing fundamentalisms of all kinds, as well as, populism and, authoritarian governments in various parts of the world , further fuel discrimination against women, exacerbating the obstacles faced by 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 misogynist attacks, gender-based violence, lack of protection and access to justice, and lack of resources for women's organisations and support for women defenders' participation in political and public life. (<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20938&LangID=E>).

We would also like to stress the attention to the findings of the Working Group on Discrimination against Women and Girls which highlighted that the measures to combat terrorism and national security measures sometimes profile and target women, in particular those from certain groups, and sometimes even women human rights defenders(A/HRC/41/33). It has further recommended States ensure that measures addressing conflict, crisis, terrorism, and national security incorporate a women's human rights focus and do not instrumentalize women's deprivation of liberty for the purposes of pursuing government aims.

We would like to underline that any restriction on expression or information that a government seeks to justify on grounds of national security and counterterrorism must have the genuine purpose and demonstrable effect of protecting a legitimate national security interest (CCPR/C/GC/34). Counter-terrorism legislation with penal sanctions should not be misused against individuals peacefully exercising their rights to freedom of expression and freedom of peaceful association and assembly. These rights are protected under ICCPR, and non-violent exercise of these rights is not a criminal offence. Counter-terrorism legislation should not be used as an excuse to suppress peaceful minority groups and their members.

We respectfully remind your Excellency's Government of the relevant provisions of the United Nations Security Council resolutions 1373 (2001),

1456(2003), 1624 (2005), 2178 (2014), 2341 (2017), 2354 (2017), 2368 (2017) and 2370 (2017); as well as Human Rights Council resolution 35/34.