

**Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on violence against women and girls, its causes and consequences**

Ref.: AL TUR 7/2023  
(Please use this reference in your reply)

12 September 2023

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on violence against women and girls, its causes and consequences, pursuant to Human Rights Council resolutions 52/4, 52/9 and 50/7.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the targeting and online defamation of a Syrian woman human rights defender residing in Türkiye.

Ms. Hiba Ezzideen Al-Hajji is a human rights defender and the chief executive officer of Equity and Empowerment, a Türkiye-based non-governmental organisation that supports women's rights and democracy in Syria, including in the north western Syrian governorate of Idlib. Together with Syria-based colleagues, Ms. Al-Hajji promotes gender equality, political empowerment and digital security.

According to the information received:

On 4 July 2023 Ms. Al-Hajji was targeted and threatened with death by unknown accounts on Facebook and Telegram social media platforms, both of which showed many followers. The messages claimed that her work on promoting equality and democracy went against Islamic teachings.

Between 4 and 10 July 2023, the same message appeared on the Facebook page of Equity and Empowerment, the organisation of which she is the chief executive officer. These included threats of rape and sexual slurs, as well as incitements against her and her family.

The online attacks came a day after Ms. Al-Hajji was selected as one of the ten faces of democracy by the European Endowment for Democracy (Ten Faces of EED).<sup>1</sup>

On 12 July 2023, Ms. Al-Hajji received a similar message from an unknown number on her WhatsApp social media platform. Four days later, she received a message saying that she will be stopped. When she questioned the sender as to their identity, they replied that they were based in Idlib. The reply had a picture of knives attached.

Ms. Al-Hajji managed to get most of the threatening messages removed from Facebook. However, Telegram did not respond when she reported this activity

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<sup>1</sup> <https://democracyendowment.eu/eed10/index.html#firstpanel>

in the app and did not remove the posts or shut down the channels. At the time of this communication, it is understood the messages have remained on the platform.

On 16 July 2023, a relative of Ms. Al-Hajji was confronted by a stranger in a public space in Idlib city. The unidentified individual threatened to kill Ms. Al-Hajji or one of her siblings if she did not put an end to her work.

It is believed that the online defamation campaign emanates from radical Islamist groups operating in Idlib, Syria, where Equity and Empowerment carry out most of their work.

On 21 July 2023, an influential Islamic preacher in the countryside around Idlib gave a sermon in which he mentioned Ms. Al-Hajji by name and called for her association to be closed down, by force if necessary. According to Ms. Al-Hajji, many people reportedly understood this to be an edict by an Islamic authority to kill her and members of her organisation.

On 8 August 2023, another influential Islamic preacher posted on Telegram that Equity and Empowerment, and other organisations operating in Idlib, its countryside and northern Aleppo, are aiming to “corrupt women and destroy families” by asking women not to obey their fathers, husbands, or brothers. The preacher called on the regional powers to put an end to this “great evil.” He added a list of ten regional feminist organisations, including Equity and Empowerment.

Without prejudging the accuracy of these allegations, we wish to stress Türkiye’s obligation to protect the human rights of individuals under its jurisdiction, including from threats emanating from regions held by a de facto governing body in north-western Syria. Your Excellency’s Government is one of the guarantors of a cease-fire agreement in Idlib reached with Russia on 5 March 2020.<sup>2</sup> In addition to its obligations under international humanitarian law, the de facto authority in Idlib is responsible for ensuring the human rights of individuals under its effective control, including, but not limited to, the right to life.

Against this backdrop, we wish to express our concern regarding the alleged acts of hate speech, sexual harassment and defamation using online platforms against women human rights defenders, and at the gendered nature of these attacks, and call for effective investigations into these allegations to ensure accountability. We are also deeply concerned at the potential physical danger resulting from the online defamation campaign and its death threats, particularly in regions where radical Islamist groups and preachers enjoy a following. We are particularly concerned about the broader significance and negative implications for the overall freedom of expression, in particular for women, inter alia through the chilling effect on individuals, including journalists, media workers and human rights defenders, who wish to express themselves, demonstrate peacefully, and participate in public and political life.

We would also like to note that the former Special Rapporteur on freedom of religion or belief has firmly rejected the claim that religious beliefs can be used to

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<sup>2</sup> <https://www.un.org/sg/en/content/sg/note-correspondents/2020-03-05/note-correspondents-response-questions-the-russian-turkish-agreement-for-ceasefire-idlib>

justify violence or discrimination against women.<sup>3</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.

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 full details of any protective measure put in place to ensure the physical and psychological security and integrity of Ms. Al-Hajji, and her family.
3. Please provide details of any protective measures put in place to ensure the protection of the members of Equity and Empowerment.
4. Please provide information on how your excellency's Government protects the freedom of expression, including of members of the Syrian diaspora in Turkey.

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.

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

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

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

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

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<sup>3</sup> <https://www.ohchr.org/en/press-releases/2020/03/states-should-not-use-religious-beliefs-justify-women-and-lgbt-rights>

## **Annex**

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

In connection with above alleged facts and concerns, we would like to bring Your Excellency's attention to the following:

In this context, we wish to stress that in accordance with article 6, 9 and 17 of the International Covenant on Civil and Political Rights (ICCPR) to which your Excellency's Government is State party since September 2003, everyone has the inherent right to life, to liberty and the security of person; and no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence nor to unlawful attacks upon his honour or reputation.

In this regard, we also refer you to article 19 of the ICCPR that protects the right to freedom of opinion and expression, and article 21 of the ICCPR, which provides that everyone has the right to freedom of peaceful assembly and association. In the general comment 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of opinion and expression, including inter alia 'political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism', subject only to admissible restrictions as well as the prohibition of propaganda for hatred and incitement to hatred, violence and discrimination.

Restrictions on the right to freedom of expression must be compatible with the requirements set out in article 19 (3), that is, they must be provided by law, pursue a legitimate aim, and be necessary and proportionate. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant. An attack on a person because of the exercise of his or her freedom of opinion or expression, including arbitrary arrest, torture, threats to life and killing, cannot be compatible with article 19. The Human Rights Committee also held that States parties should put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression and that All such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress (GC34 paragraph 23).

We would also like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms.

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 (a), which provides for the right to meet or assemble peacefully;
- article 6 points b) and c), which provides for the right to freely publish, impart or disseminate information and knowledge on all human rights and fundamental freedoms, and to study, discuss and hold opinions on the observance of these rights;
- 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;

Human Rights Resolution 47/23 recognizes the risks that new and emerging digital technologies may have for the protection, promotion and enjoyment of human rights, including but not limited to the right to equality and non-discrimination, the right to freedom of opinion and expression, the rights to freedom of peaceful assembly and freedom of association, the right to an effective remedy and the right to privacy, in accordance with States' obligations under international human rights law.

Further, General Assembly resolution 71/199, recognizes that women were particularly affected by violations of the right to privacy in the digital age, and called upon all States to further develop preventive measures and remedies.

In the report on the situation of women human rights defenders (A/HRC/40/60), the Special Rapporteur on the situation of human rights defenders noted that women continue to face systematic discrimination, marginalisation and repression (paragraph 107). The Special Rapporteur pointed out additional gendered risks and obstacles women human rights defenders face, including public shaming, stigmatisation, attacks on honour and reputation, the threat of violence, including sexual violence, online harassment, violence and attacks (paragraphs 37-39, 42, 45). The Special Rapporteur recommended the States, inter alia, to:

- Protect the rights of women defenders, including by taking a public stand against all State and non-State actors who violate these rights, ceasing all attacks and threats against women defenders and investigating all that occur, ensuring that impunity does not prevail;
- Ensure that women defenders enjoy a safe and enabling environment to exercise their rights, considering their specific and diverse needs;
- Prioritise the protection of women defenders in online spaces and adopt laws, policies and practices that protect their right to privacy and protect them from libel and hate speech.

In the report on online violence against women and girls, the Special Rapporteur on violence against women, its causes and consequences stated that women and girls are subjected to harmful, sexist, misogynistic and violent content and behaviour online (A/HRC/38/47). In the same report, the Special Rapporteur underscored that emerging platforms, information and communication technologies

facilitate new types of gender-based violence, and stressed that such developments should not come at a cost of women's and girls' human rights.