

**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 OTH 129/2023  
(Please use this reference in your reply)

16 October 2023

Dear Mr. Durov,

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.

We are independent human rights experts appointed and mandated by the United Nations Human Rights Council to report and advise on human rights issues from a thematic or country-specific perspective. We are part of the special procedures system of the United Nations, which has 59 thematic and country mandates on a broad range of human rights issues. We are sending this letter under the communications procedure of the Special Procedures of the United Nations Human Rights Council to seek clarification on information we have received. Special Procedures mechanisms can intervene directly with Governments and other stakeholders (including companies) on allegations of abuses of human rights that come within their mandates by means of letters, which include urgent appeals, allegation letters, and other communications. The intervention may relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned actors identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action. Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards.

In this connection, we would like to bring to your attention information we have **received concerning the use of Telegram's services as a vehicle for the online defamation and targeting of Ms. Hiba Al-Hajji, a Syrian woman human rights defender.**

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 (NGO) 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 information received:

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

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

It is believed that the online defamation campaign has emanated from radical Islamist groups operating in Idlib, where Equity and Empowerment run most of their work.

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

On 8 August 2023, an influential radical Islamic preacher, who has over 25,000 followers, 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.

Ms. Al-Hajji was able to get most of the threatening messages removed from Facebook.

On or around 7 August 2023, Telegram responded to her reports within the app by removing two posts and closing down one channel, which had sexual content, from at least seven by the same account that targeted her or her NGO. Other channels and postings targeting Ms. Al-Hajji or her NGO on Telegram Messenger have remained.

Without prejudging the accuracy of these allegations, we wish to express deep concern that Telegram’s services appear to have been weaponized by extremist religious and misogynistic figures to spread hate and incitement to violence against Ms. Al-Hajji. International human rights law prohibits the advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. This prohibition has been authoritatively interpreted to include advocacy of gender based violence online and offline. That report specifically quotes Telegram as “having the most misogynistic and abusive content...” (A/78/288, page 18).

We are equally concerned that Telegram Messenger did not respond fully to the reports and requests sent in by Ms. Al-Hajji and removed only two of the many postings in question and shut down only one of seven offending channels.

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

We are also concerned by significant gaps in the Terms of Service of Telegram, as they do not appear to prohibit posts that promote hateful and harmful rhetoric, thereby not encompassing violent and misogynistic threats or character defamation. We would like to draw your attention to the latest report of the Special Rapporteur on freedom of expression on gendered disinformation. In this report, the Special Rapporteur highlights the prevalence of misogynistic and abusive content on Telegram.<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.

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 additional information and/or comments(s) you may have on the above-mentioned allegations. Please provide information as to the steps your company has taken to ensure a safe and enabling environment for all users, and to bring your Terms of Services in line with international human rights law, particularly those described in this letter.
2. Please provide detailed information as to the measures, including human rights due diligence, that your company has taken in line with the United Nations Guiding Principles on Business and Human Rights to identify, prevent, mitigate and account for adverse human rights impacts caused by your company's services, or to which they may have contributed or be directly linked.
3. Please provide information as to the steps your company has taken, or is considering, in publishing transparency reports regarding Telegram's enforcement efforts against harmful users.

We would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your company 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 be informed that a letter on the same subject has also been addressed to the Government of Türkiye.

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<sup>2</sup> A/78/288, page 18

Please accept, Mr. Durov, 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

## Annex

### Reference to international human rights law

The use of Telegram as a platform to disseminate calls to violence, “hate speech”, and discrimination may violate the victims’ rights under of article 3 of the Universal Declaration of Human Rights (UDHR), which guarantees everyone’s right to life, liberty and security of the person. The use of Telegram’s services to post personal information of individuals without their consent is a violation of their human dignity and the right to privacy, protected under article 12 of the UDHR.

By targeting women based on their gender and social or political views, authors of male-presenting profiles perpetuate and exacerbate the consequences of online gender-based violence against women, which prevent women from fully enjoying their human rights and fundamental freedoms without distinction or discrimination based on sex, as required by the UDHR.

Furthermore, in its general recommendation No. 35 (2017) on gender-based violence against women, updating the general recommendation No. 19 (1992), the Committee on the Elimination of Discrimination against Women ([CEDAW/C/GC/35](#)) recommended that the private sector, including businesses and transnational corporations, take all appropriate measures to eliminate all forms of discrimination, including violence against women, and to take responsibility for any forms of violence. It follows that online and social media should be encouraged to create or strengthen mechanisms focusing on the eradication of gender stereotypes, and to end any gender-based violence committed on their platforms.

As indicated in the report of the mandate on violence against women and girls on online violence against women and girls (A/HRC/38/47), it is noted that the obligation to protect victims of online violence against women encompasses the establishment of procedures for the immediate removal of gender-based harmful content through the elimination of the original material or its distribution. Protection also requires immediate judicial action in the form of national court orders and the prompt intervention of Internet intermediaries and, occasionally, may also require extraterritorial cooperation.

Further, we would like to refer to the UN Guiding Principles on Business and Human Rights, which were unanimously endorsed in 2011 by the Human Rights Council in its resolution (A/HRC/RES/17/31) after years of consultation with governments, civil society and the business community. The Guiding Principles have been established as the authoritative global standard for all States and businesses to prevent and address business-related adverse human rights impacts.

Under international human rights law, and the UN Guiding Principles on Business and Human Rights, companies have a responsibility to respect all internationally recognised human rights throughout their activities and operations. In order to identify, prevent, mitigate and account for how they address their human rights impacts, companies are expected to conduct regular and ongoing human rights due diligence in consultation with relevant stakeholders. In this regard, we urge your company to carry out the necessary due diligence and make public the results (guiding principle 21). To fulfil their responsibility to respect human rights, business

enterprises should have in place:

- (a) “A policy commitment to meet their responsibility to respect human rights;
- (b) A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights;
- (c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute” (guiding principle 15).

Furthermore, business enterprises should remedy any actual adverse impact that they cause or to which they contribute. Remedies can take a variety of forms and may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition. Procedures for the provision of remedy should be impartial, protected from corruption and free from political or other attempts to influence the outcome (commentary to guiding principle 25).

In her report on gender justice and freedom of expression (A/76/258), the Special Rapporteur freedom of expression outlined the challenge of the platform’s business models that seeks to maximize user engagement by promoting inflammatory and controversial content. Gender-based hate speech fuelling controversy and moral outrage is an example of this type of content. Content moderation rules may also lead to the amplification and aggravation of sexist and misogynistic speech through confirmation bias with the creation of filter bubbles and echo chambers that perpetuate online toxicity. The Special Rapporteur has called for the adoption of safety tools throughout the technology sector, accompanied by broader commitments to transparency and accountability, changes in a business model based on the extraction of personal data and a greater awareness of gender and human rights (A/76/258).

As the victim is a human rights defender, we deem appropriate to remind you of the important and legitimate role that human rights defenders play and the protection they are entitled to by international law.

We wish to highlight the Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms also known as the Declaration on Human Rights Defenders, and 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.

In addition, in a report to the Human Rights Council, the Special Rapporteur on violence against women and girls, its causes and consequences urged internet intermediaries to uphold human rights principles online and adopt transparent complaint mechanisms as well as provide clear and comprehensive content moderation policy to protect women and girls from online and ICT-facilitated violence (A/HRC/38/47). In the same report, the Special Rapporteur also stressed the need to establish user-friendly and accessible safeguards, such as providing terms of service and reporting tools in local languages.