

**Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the right to privacy and the Special Rapporteur on violence against women and girls, its causes and consequences**

Ref.: UA UZB 2/2024  
(Please use this reference in your reply)

1 July 2024

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the right to privacy and Special Rapporteur on violence against women and girls, its causes and consequences, pursuant to Human Rights Council resolutions 52/4, 55/3 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 alleged ongoing threats and insults against a woman human rights defender Ms. Klara Sakharova and her family, as well as alleged surveillance of her.

Ms. **Klara Sakharova** is a woman human rights defender defending the rights of prisoners and victims of torture in Uzbekistan.

According to the information received:

Since 25 May 2024, Ms. Klara Sakharova has been receiving anonymous messages on Telegram (at the number [REDACTED]) from an account with the nickname "LONDON". These messages contain obscene insults directed at her and her family. She also received a message saying "we will talk very soon", along with alleged death threats and rape threats against her and her family.

On 27 May 2024, Ms. Sakharova appealed to the Minister of Internal Affairs, the Chairman of the National Security Service, and the Prosecutor of the Republic of Uzbekistan, asking to investigate and bring the person responsible to justice, as well as to ensure the safety of her and her family. According to the information received, no criminal case has been opened, no investigation initiated, and no protection provided.

Additionally, since approximately 25 May 2024, Ms. Sakharova has allegedly been followed by a white Chevrolet Nexia-3 with license plate number [REDACTED]. The car followed her in the city of Tashkent, first along Shota Rustaveli Street in the Yakkasaray district, then down the road leading to the National Security Service, and finally to her home. Ms. Klara Sakharova and her colleague allegedly used this route to visit the applicants whose rights they were defending. The surveillance was allegedly particularly active on 27 and 29 May 2024, as well as 11-13 June 2024.

Since 27 May 2024, Ms. Klara Sakharova's phone number [REDACTED] has allegedly been tapped.

We express grave concern over the threats and insults directed at Ms. Klara Sakharova and her family, as well as the alleged lack of investigation and protection for them. We are also concerned by the alleged surveillance of Ms. Klara Sakharova, which may be related to these threats or her legitimate human rights work.

While we do not wish to prejudge the accuracy of these allegations, we call the attention of your Excellency's Government to article 6 of the International Covenant on Civil and Political Rights (ICCPR), acceded to by Uzbekistan on 28 September 1995, which guarantees the right to life.

As interpreted by the Human Rights Committee in General Comment No. 36 (CCPR/C/GC/36), States parties must respect the right to life and have the duty to refrain from engaging in conduct resulting in arbitrary deprivation of life (paragraph 7). States parties must also ensure the right to life and exercise due diligence to protect the lives of individuals against deprivations caused by persons or entities, whose conduct is not attributable to the State (Id.). The obligation of States parties to respect and ensure the right to life extends to reasonably foreseeable threats and life-threatening situations that can result in loss of life (Id.). States parties may be in violation of article 6 even if such threats and situations do not result in loss of life (Id.).

Importantly, the duty to protect the right to life requires States parties to take special measures of protection towards persons in situation of vulnerability whose lives have been placed at particular risk because of specific threats or pre-existing patterns of violence, including human rights defenders (paragraph 23). States parties must respond urgently and effectively in order to protect individuals who find themselves under a specific threat, by adopting special measures such as the assignment of around-the-clock police protection, the issuance of protection and restraining orders against potential aggressors and, in exceptional cases, and only with the free and informed consent of the threatened individual, protective custody (Id.).

Investigations into alleged violations of article 6 must always be independent, impartial, prompt, thorough, effective, credible, and transparent. Where it is found that a violation has taken place, there must be full reparation provided, including adequate compensation, rehabilitation, and satisfaction in view of the particular circumstances of the case (paragraph 28).

The Human Rights Committee emphasized that States parties must take the necessary measures to respond to death threats and to provide adequate protection to human rights defenders, including the creation and maintenance of a safe and enabling environment for defending human rights (paragraph 53).

We would also like to remind your Excellency's Government of its obligations under article 17 of the ICCPR, according to which everyone has the right not to be subjected to arbitrary or unlawful interference with their privacy, family, home, or correspondence, as well as to unlawful attacks on their honor and reputation, and the right to the protection of the law against such interference or attacks.

As emphasized by the Human Rights Committee in General Comment No. 16 (CCPR/C/GC/16), this right is required to be guaranteed against all such interferences and attacks whether they emanate from State authorities or from natural or legal persons (paragraph 1). The obligations imposed by this article require the State to

adopt legislative and other measures to give effect to the prohibition against such interferences and attacks as well as to the protection of this right (Id.). States parties are under a duty themselves not to engage in interferences inconsistent with article 17 of the ICCPR and to provide the legislative framework prohibiting such acts by natural or legal persons (paragraph 9). States are under an obligation to provide adequate legislation affording protection to personal honor and reputation (paragraph 11). Provision must also be made for everyone effectively to be able to protect himself against any unlawful attacks that do occur and to have an effective remedy against those responsible (Id.).

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 Recognized 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 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.

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 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; and
- 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.

In the report on women human rights defenders (A/HRC/40/60), the Special Rapporteur on the situation of human rights defenders highlighted additional gendered risks and obstacles they face, including attacks on honor and reputation, attacks against family members and loved ones, the threat of violence, including sexual violence, and online harassment, violence, and attacks (paragraphs 37-38, 41-42, 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

(paragraph 108 (a)); ensure that women defenders enjoy a safe and enabling environment to exercise their rights, considering their specific and diverse needs (paragraph 108 (b)); prioritize 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 (paragraph 108 (d)); assess protection practices for women defenders against the seven principles underpinning good protection practices and examine ways of strengthening those practices (paragraph 108 (h)).

In the report on the death threats and killings of human rights defenders (A/HRC/46/35), the Special Rapporteur on the situation of human rights defenders emphasized that many killings are preceded by a threat (paragraph 14). She also noted that women human rights defenders are often attacked with gendered threats, some of which have a highly defamatory nature (paragraphs 65-66). The Special Rapporteur stressed that States can and should intervene to prevent killings by responding more effectively to threats against human rights defenders; such interventions include taking action to stop vilification and threats aimed at defenders, which make them more vulnerable to attacks (paragraph 103). The States should, *inter alia*: protect and enhance existing human rights defender protection mechanisms, and ensure that they are gender-sensitive (paragraph 104 (d)); ensure that State officials issue regular and public recognition of the value of the work of human rights defenders and publicly denounce threats against them (paragraph 104 (b)); and support existing efforts to increase accountability for killings and other attacks on defenders (paragraph 104 (g)).

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned persons in compliance with international instruments.

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 full details of any protective measures put in place to ensure the physical and psychological security and integrity of Ms. Klara Sakharova and her family.
2. Please provide the details, and where available the results, of any investigation, which may have been carried out in relation to the allegations of the threats and insults directed at Ms. Klara Sakharova and her family. If no investigation has taken place, or if it has been inconclusive, please explain why and how this is compatible with your Excellency's Government international human rights obligations.
3. Please provide information about the factual and legal basis for the physical and electronic surveillance of Ms. Klara Sakharova and explain how these actions are compatible with your Excellency's Government's international human rights obligations. If the surveillance does not originate from the Government, please provide details and, where available, the results of any investigation or other legal proceedings conducted in relation to it.

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 responsible of the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

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.

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

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Ana Brian Nougrères  
Special Rapporteur on the right to privacy

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