

Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Ref.: AL CHN 12/2024
(Please use this reference in your reply)

11 September 2024

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; Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, pursuant to Human Rights Council resolutions 52/4, 51/8, 54/14, 52/9 and 51/21.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **alleged arbitrary detention of human rights defenders Ji Xiaolong and Chen Pinlin**.

Mr. Ji Xiaolong is a human rights defender and online blogger, writing about human rights issues and democracy. He has been imprisoned previously 2015 in connection with his human rights advocacy, spending 15 days in administrative detention on the charges of "picking quarrels and provoking trouble" for online articles he had written in relation to democracy and constitutionalism.

Mr. Chen Pinlin is a human rights defender and online blogger.

Special Procedures mandate holders have previously communicated concerns to your Excellency's Government regarding the indictment and detention of human rights defenders and journalists for their reporting on the COVID-19 pandemic and the Government's corresponding policies and response. We raised such concerns in communications sent on 4 May 2020 ([AL CHN 8/2020](#)) and 15 November 2021 ([UA CHN 12/2021](#)). We thank your Excellency's Government for its response to AL CHN 8/2020, received on 10 July 2020, but regret that no reply was received for UA CHN 12/2021 in relation to the grave health condition of woman human rights defender Zhang Zhan, who was notably also charged with "picking quarrels and provoking trouble".

According to the information received:

Concerning Mr. Ji Xiaolong

In 2018, following a speech given by the President of the People's Republic of China, Xi Jinping, in which he spoke about improving public toilet facilities, Mr. Ji Xiaolong began his "toilet revolution" campaign whereby he would write slogans criticizing the President and the Chinese Communist Party (CCP) in public toilets.

In July 2018, Mr. Ji Xiaolong was detained in relation to his toilet revolution campaign. From 25 August – 30 September 2018 he was held in ‘Residential Surveillance at a Designated Location’ (RSDL).

In January 2019, Mr. Ji Xiaolong was tried and convicted of “picking quarrels and provoking trouble” and sentenced to 3.5 years in prison. Whilst imprisoned in Shanghai Baimaoling Prison he was reportedly subjected to torture and ill-treatment.

On 9 February 2022, Mr. Ji Xiaolong was released from prison upon completion of his sentence. Following his release, Mr. Ji Xiaolong began to post online about the Shanghai Government’s COVID-19 lockdown measures.

On 2 April 2022, Mr. Ji Xiaolong posted a ‘citizen’s petition’ on WeChat and X, which called on the Government to end its restrictive pandemic regulations. As a result of the petition, his WeChat account was blocked.

On 4 April 2022, Mr. Ji Xiaolong released an open letter to “All Public Officials” on his X account, where he had 32,000 followers. The following day, he gave an interview to a foreign media outlet in which he discussed his online criticism of the Government’s pandemic response.

On 30 April 2022, Mr. Ji Xiaolong was briefly detained at Meiyuan New Village Police Station on suspicion of “picking quarrels and provoking trouble”. The police confiscated his phone, ID card and passport, none of which have been returned to him or his family since. He was released on bail the following day.

Following this initial questioning, Mr. Ji Xiaolong continued to post online, and was detained by police officers and national security officers for questioning on 29 May, 4 June and 23 August 2022.

On 29 August 2022, Mr. Ji Xiaolong posted an open letter on X in which he criticized the Secretary of the CCP at the time, Li Qiang, calling on him to step down and take accountability for the “humanitarian disaster” of the COVID-19 lockdown measures the Government had imposed. The letter also criticized President Xi Jinping for his amendment of the constitution and intent to rule for life. He also mentioned in the letter that the police had not allowed him to travel back to his hometown to care for his elderly parents and obtain his social insurance card. Mr. Ji Xiaolong created the open letter as a non-fungible token (NFT), so that it could not be censored and would always exist online.

On the afternoon of 31 August 2022, Mr. Ji Xiaolong was detained by police at his home and taken to Meiyuan New Village Police Station of the Pudong Branch of the Shanghai Public Security Bureau, where he was placed in criminal detention on charges of “picking quarrels and provoking trouble”. The police reportedly did not show an arrest warrant.

On 2 September 2022, Mr. Ji Xiaolong's partner was verbally informed that he had been criminally detained, and two days later his parents received a written criminal detention notice at their home in Jiangsu Province.

On 17 September 2022, Mr. Ji Xiaolong spoke to his lawyer for the first time since being detained, via video call. During the call he told his lawyer that he was suffering from gum disease and untreated dental issues, that the cells were crowded and that he was not receiving his family's packages to him, allegedly due to pandemic measures.

On 23 September 2022, Ji Xiaolong was formally arrested, according to a written notice received by his parents on 27 September 2022. On 23 September 2022, Mr. Ji Xiaolong was formally arrested, according to a written notice received by his parents on 27 September 2022.

On 30 September 2022, Mr. Ji Xiaolong was granted another video call with his lawyer, during which he told him that he was only granted one hot shower a week and that his dental issues remained untreated.

On 1 November 2022, Mr. Ji Xiaolong was granted his first in-person meeting with his lawyer, after being detained for over two months. During the meeting, he told his lawyer that the cell he was in which was designed to accommodate 25 people was holding more than 60. As a result, they could not sleep in a normal position. His toothache had also become severe, yet his requests for treatment were reportedly ignored.

On 11 January 2023, Mr. Ji Xiaolong met with his lawyer, and told him that the investigation related to the charges against him was reportedly focused on the comments he had made online relating to the COVID-19 pandemic measures, which the police were treating as spreading rumours and insulting national leaders in relation to his comments about Secretary Li Qiang and President Xi Jinping.

On 17 March 2023, Mr. Ji Xiaolong was indicted by the Shanghai Pudong New District Procuratorate. The statement announcing his indictment accused him of publishing or forwarding "a large number of false information that seriously damaged the country's image" and that he did so when out on bail. The statement did not mention the COVID-19 pandemic or specify which information was 'false'.

On 26 April 2023, Mr. Ji Xiaolong's lawyer visited him in detention and learned that he still had not received dental treatment and that the conditions in the detention centre were very difficult. His lawyer was denied permission to read the case files, contrary to article 40 of the Criminal Procedure Law which allows lawyers to read, copy and reproduce case files once the case has been transferred to the procuratorate for review, as Mr. Ji Xiaolong's case had been.

On 21 June 2023, Mr. Ji Xiaolong's trial began before the Shanghai Pudong New District People's Court. It was only that morning that Mr. Ji Xiaolong was informed that the trial would be starting that day, contrary to article 187 of the Criminal Procedure which stipulates that trial summons should be sent at least three days prior to the start date. The detention centre reportedly

prevented Mr. Ji Xiaolong from bringing the defence materials he had prepared with him to the court. He reportedly complained to the judge regarding these two issues, however the judge did not respond. His lawyers requested that the court exclude unlawfully obtained evidence, including statements taken from Mr. Ji Xiaolong and his partner, as they were reportedly done so under duress and subjected to ill-treatment. The court obliged and these statements were excluded from the trial. Mr. Ji Xiaolong's appearance had drastically changed since being detained, as he was extremely thin and his hair had turned partially white.

On 27 October 2023, Mr. Ji Xiaolong was convicted of 'picking quarrels and provoking trouble' and sentenced to 4 and a half years in prison. In its judgement the court stated that Mr. Ji Xiaolong "spread a large amount of false information on overseas social networks, instigated trouble and confused the public", yet did not specify which information or content it deemed false. The court also reportedly claimed that Mr. Ji Xiaolong was a 'repeat offender' due to his previous convictions, justifying his sentence.

On 17 March 2024, the appeal hearing for Mr. Ji Xiaolong's case took place at Shanghai No.1 Intermediate People's Court. During the hearing, Mr. Ji Xiaolong read out a statement in which he recalled that since being detained he had not been provided with glasses, books or dental treatment, and that his arrest was in connection with his public appeals to Government officials to reverse restrictive pandemic measures, and his open letter to Li Qiang. The judge reportedly interrupted his statement, and the hearing ended without a new hearing being announced.

On 17 April 2024, the Shanghai No.1 Intermediate People's Court ruled against Mr. Ji Xiaolong's appeal and upheld his sentence.

In early June 2024, Mr. Ji Xiaolong was transferred to Shanghai New Prison. By mid-July 2024, his family's application to visit him was yet to be approved.

Concerning Chen Pinlin

On 26 November 2022, Chen Pinlin attended and filmed a protest on Urumqi Middle Road in Shanghai, in response to a fire two days prior in Urumqi City, Xinjiang during which several residents died as they had been unable to escape due to lockdown measures. Many residents had gathered on Urumqi Middle Road and chanted slogans for President Xi Jinping to resign, with some being detained by the authorities. This protest would be one of the first in the wider 'White Paper Protests' or 'White Paper Movement' (also referred to as the 'A4 Revolution') that began in response to the fire in Urumqi City.

On 27 November 2023, on the first anniversary of the 'White Paper Protests', Mr. Chen Pinlin released a documentary on YouTube titled 'Urumqi Middle Road' which included both his own footage of the fires and footage he had received from others attending the protest. He also posted and promoted the documentary on X, Reddit and Instagram.

Close to midnight on 28 November 2023, police officers arrived at the home of Mr. Chen Pinlin and summoned him with a legal notice and search warrant. An individual who witnessed the arrest reported that the police cautioned them against speaking publicly about the arrest and that they were just taking Mr. Chen Pinlin away for questioning, and speaking publicly would harm his case. This individual notified Mr. Chen Pinlin's family. It is not clear whether they received a written arrest notice.

Mr. Chen Pinlin's family were unable to find a lawyer willing to represent him until mid-December 2023, reportedly due to the sensitive nature of his case. On 27 December he met with this lawyer for the first time, however the lawyer relocated abroad shortly after, therefore no longer representing Chen Pinlin. On 27 December 2023 he met with this lawyer for the first time, however the lawyer relocated abroad shortly after, therefore no longer representing Chen Pinlin.

On 5 January 2024, Mr. Chen Pinlin was formally arrested on charges of "picking quarrels and provoking trouble".

On 8 February 2024, Mr. Chen Pinlin met with his newly appointed lawyer for the first time, as the previous lawyer had relocated abroad. The meetings he has had with his lawyer have reportedly been monitored by the police.

On 18 February 2024, Mr. Chen Pinlin's case was transferred to the procuratorate's office for prosecution.

On 3 April 2024, Mr. Chen Pinlin was indicted by Shanghai Baoshan District Procuratorate. The indictment states the reason for his arrest as shooting the footage of and producing the documentary about the Urumqi Middle Road protest and sharing it on social media platforms for economic benefits. It alleged that the content of the documentary was false, and Mr. Chen Pinlin had knowingly spread fabricated information, therefore disrupting public order, and included insulting remarks about national leaders, damaging the country's image and endangering national interests.

On 7 June 2024, Mr. Chen Pinlin's trial was due to start. However, it was postponed by the court, allegedly due to requiring more time to prepare. As of today, the rescheduled yet is yet to be communicated to Mr. Chen Pinlin.

Without prejudging the accuracy of the allegations, we wish to express our concern regarding the allegedly arbitrary detention, conviction and sentencing of Mr. Ji Xiaolong and Mr. Chen Pinlin on charges of 'picking quarrels and provoking trouble' (article 293, Criminal Law) in relation to exercising their right to freedom of expression as part of their peaceful and legitimate human rights work. It would appear that in both Mr. Ji Xiaolong and Mr. Chen Pinlin's cases their criticism of the Government and its policies, particularly those related to the COVID-19 pandemic, are the source of the charges against them, in violation of their human rights to freedom of expression, which provides for critical or dissenting opinions of Government activities, and therefore in contravention of China's human rights obligations under international law. The use of vaguely worded provisions such as "picking quarrels and provoking trouble" and their persistent use against human rights defenders to unduly criminalize their legitimate activities and exercising of their

freedom of expression, is cause for serious concern, as has been communicated by Special Procedures mandate holders to your Excellency's Government on a number of occasions in recent years (UA [CHN 12/2021](#), AL CHN [4/2021](#), AL [CHN 11/2020](#), AL CHN [22/2019](#), AL CHN [15/2019](#), AL [CHN 14/2019](#)). As highlighted by the former UN Special Rapporteur on freedom of opinion and expression in his report to the Human Rights Council on disease pandemics, whilst restriction of the right may be permitted if it is aimed at protecting public health, as per article 19(3) of the ICCPR, such a restriction must still meet the basic conditions of legality and necessity.¹

We also wish to express concern in relation to the previous detention in RSDL and alleged torture and ill-treatment inflicted on Mr. Ji Xiaolong. Special Procedures mandate holders have repeatedly expressed their concerns regarding the use of RSDL to your Excellency's Government and its incompatibility with international human rights law (AL [CHN 1/2024](#), AL CHN [5/2023](#), AL [CHN 10/2022](#), AL [CHN 8/2022](#), AL [CHN 2/2022](#), OL [CHN 15/2018](#)). Such concerns have highlighted that the conditions of detention entailed in RSDL are tantamount to incommunicado detention, placing those detained at a heightened risk of torture and other inhuman and degrading treatment and enforced disappearance, whilst also denying the right to a fair trial, the right not to be arbitrarily deprived of their liberty and their right to counsel and family visits. Furthermore, if the allegations of torture and inhuman or degrading treatment are established, this would be contrary to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment, a *jus cogens* norm in international law from which no derogation is permitted.

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 as to the factual and legal basis for the arrest, detention and charging of Mr. Ji Xiaolong with “picking quarrels and provoking trouble” and how it is compatible with China’s obligations under international human rights law.
3. Please provide information as to the factual and legal basis for the arrest, detention and charging of Mr. Chen Pinlin with “picking quarrels and provoking trouble” and how it is compatible with China’s obligations under international human rights law.
4. Please provide information regarding the detention of Mr. Ji Xiaolong in Residential Surveillance at a Designated Location (RSDL).

¹ [A/HRC/44/49](#) §13

5. Please provide information regarding the allegations that Mr. Ji Xiaolong was subjected to torture and inhuman or degrading treatment whilst imprisoned from 2019 – 2022.
6. Please provide information on the current state of health of Mr. Ji Xiaolong and the healthcare provided to him, including access to dental care provided to him whilst in prison.
7. Please provide information as to the factual and legal basis for the confiscation and withholding of Mr. Ji Xiaolong's passport, ID and his phone.
8. Please provide information about measures taken to ensure that human rights defenders are able to carry out their legitimate activities in a safe and enabling environment, without fear of repercussions reprisals, as well as to safeguard their right to freedom of expression including in relation to criticism of the authorities.
9. Please provide information as to the postponement of Mr. Chen Pinlin's trial in June 2024.
10. Please explain what measures are taken to ensure that human rights defenders can perform their work in conditions of safety and free from fear of reprisals, as well as the measures there are to safeguard their right to freedom of expression, including criticism against the authorities, their policies or decisions.

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 prevent any irreparable harm to the life and personal integrity of Mr. Ji Xiaolong and Mr. Chen Pinlin, 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 the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the allegation letter and the regular procedure.

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

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Ganna Yudkivska
Vice-Chair on Communications of the Working Group on Arbitrary Detention

Aua Baldé
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion
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Tlaleng Mofokeng
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable
standard of physical and mental health

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 Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), signed by China on 5 October 1998. While China is yet to ratify the ICCPR, as a signatory to the ICCPR, China has an obligation to refrain from any acts which would defeat the object and purpose of the Covenant prior to its entry into force (article 18 of the 1969 Vienna Convention on the Law of Treaties).

We would like to draw the attention of your Excellency's Government to articles 5, 9 and 19 of the UDHR, as well as articles 7, 9, 10 and 19 of the ICCPR read alone or in conjunction with article 2.3, which guarantee the right to life, the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, the right to liberty and security of person those deprived of their liberty are treated with humanity and respect for the inherent dignity of the human person, the right to a fair trial, and the right to freedom of opinion and expression.

Torture and cruel, inhuman or degrading treatment or punishment are prohibited under article 5 of the UDHR and article 7 of the ICCPR. Whilst China has not ratified the ICCPR, we wish to reiterate that the absolute and non-derogable prohibition of torture and other cruel, inhuman or degrading treatment or punishment is an *erga omnes* and *jus cogens* norm, as expressed as a principle of customary international law.

Furthermore, torture and cruel, inhuman or degrading treatment or punishment are prohibited in articles 1, 2 and 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), ratified by China on 4 October 1988. Accordingly, pursuant article 2 of the CAT, China has undertaken to ensure to take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.

We would like to refer to article 19 of the UDHR, which guarantees the right to freedom of opinion and expression. The rights to freedom of opinion and expression are further expressed in all global and regional human rights treaties on civil and political rights, confirmed in declarations and resolutions, and is considered reflective of customary international law. As expressed in UDHR article 19, "this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".

The conditions for permissible restrictions too are reflected in the UDHR and in numerous regional and global human rights treaties:

First, any restriction must pursue a legitimate objective. The UDHR in article 29, for example, limits those objectives strictly ("solely for the purpose of") to the "respect for the rights and freedoms of others and to meet just requirements of morality, public order and general welfare in a democratic society". Secondly, as expressed in UDHR art. 29, as well as in global and regional human rights treaties, any restriction must be "determined by law". Practice by international monitoring bodies have not only a requirement on the form, but also the quality of the law. Thus,

for example, the Human Rights Committee has expressed that laws must be “formulated with sufficient precision to enable an individual to regulate his or her conduct accordingly and it must be made accessible to the public. A law may not confer unfettered discretion for the restriction of freedom of expression on those charged with its execution”. With respect of criminal laws, the requirement of clarity is even more strict, see UDHR art. 11. Third, restrictions must be necessary and proportionate. The UDHR art. 30, for example, prohibits the use of overbroad restrictions which would destroy the essence of the right itself. This has been interpreted as an expression of the principle of proportionality. The requirement further entails that the measure must be the least intrusive measure necessary amongst those which might achieve their protective function in order to protect a specified legitimate objective. Lastly, States have the burden of proof to demonstrate that any restriction is compatible with the requirements under customary international law.

The right to freedom of expression is a precondition for democracy, the enjoyment of other human rights and for the accountability of authorities. It follows that the systematic use of criminal law to silent dissent would be incompatible with the human rights obligations of the State.

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 article 6 paragraph (b), which guarantees the right to freely publish, impart or disseminate views, information and knowledge on human rights and fundamental freedoms; and article 6 paragraph (c), which guarantees the right to study, discuss, form and hold opinions on the observance, both in law and practice, of all human rights and fundamental freedoms and to draw attention to these matters. We would also like to make explicit reference to article 9 of the Declaration, and its third clause in particular, which in its paragraph (c) states that everyone has the right, individually and association with others, to offer and provide professionally qualified legal assistance or other relevant advice and assistance in defending human rights and fundamental freedoms. Finally, we would like to reference article 11 of the Declaration, which states that everyone has the right, individually and in association with others, to the lawful exercise of his or her occupation or profession.

We would like to further refer your Excellency’s Government to articles 12 and 2.2 of the ICESCR, which establish that an obligation to respect the right to health by, *inter alia*, refraining from denying or limiting equal access for all persons, including prisoners or detainees to preventive, curative and palliative health services (Committee on Economic, Social and Cultural Rights (CESCR), general comment No. 14, para. 34).

In this regard, the Committee on Economic, Social and Cultural Rights (CESCR) adopted general comment No. 14. This general comment describes the normative content of article 12 of ICESCR and the legal obligations undertaken by the The CESCR interprets the right to health as “an inclusive with extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food [and] nutrition” among others (CESCR, general comment No. 14, para. 11). In this connection, we would also like to refer your Excellency’s

Government to The Basic Principles for the Treatment of Prisoners, adopted and proclaimed by General Assembly resolution 45/111, according to which “Prisoners shall have access to the health services available in the country without discrimination on the grounds of their legal situation” (Basic Principles for the Treatment of Prisoners principle 9).

Finally, we wish to reiterate our concern for the heightened risk of enforced disappearance of individuals placed under the RSDL. In this context, we wish to draw the attention of Your Excellency's Government to the 1992 United Nations Declaration on the Protection of All Persons from Enforced Disappearance², which establishes that no State shall commit, authorize or tolerate acts leading to enforced disappearance. This prohibition has also acquired the status of *jus cogens*.

The Declaration stipulates that 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 disappearances (article 7), and that the right to a prompt and effective judicial remedy must be guaranteed as a means of determining the whereabouts or state of health of persons deprived of their liberty and identifying the authority ordering or carrying out the deprivation of liberty is required to prevent enforced disappearances under all circumstances (article 9). The Declaration further sets out the necessary protection relating to the rights to be held in an officially recognized place of detention, and to be brought before a judicial authority promptly after detention; to accurate information on the detention of persons and their place of detention being made available to their family, counsel or other persons with a legitimate interest; and to the maintenance in every place of detention of official up-to-date registers of all detained persons (articles 10 and 12).

In this connection, in its General Comment on article 10 of the Declaration, the Working Group on enforced or involuntary disappearances stipulated that any deprivation of liberty must be done in an officially recognized place of detention and that in no circumstances State interest may be invoked to justify or legitimize secret or unofficial places of detention. Furthermore, in its General Comment on the right to recognition as a person before the law in the context of enforced disappearances,³ the Working Group observed enforced disappearances also entail violations of the rights of other persons, including the next-of-kin and others connected to the disappeared persons. In this regard, whenever the legal personality of the disappeared person is denied at the domestic level, the humanitarian mandate implemented by the Working Group should be understood as an international guarantee of this right. Additionally, in its study on enforced disappearances and economic, social and cultural rights,⁴ the Working Group also addressed the impact of enforced disappearances on the victims and the larger community. Due to the collective character of certain economic, social and cultural rights, violations stemming from enforced disappearances not only impact the rights of activists and human rights defenders, but also the rights of others engaged in related religious activities and of the larger community who relied on the disappeared person to represent and fight for their rights. Lastly, in its study on new technologies and enforced disappearances, the Working Group regretted the increasing number of communications referring to enforced disappearances allegedly perpetrated to “silence” someone active on social media and urged to ensure that

² [Declaration on the Protection of all Persons from Enforced Disappearance | OHCHR](#)

³ [A/HRC/19/58/Rev.1 \(undocs.org\)](#)

⁴ [A/HRC/30/38/Add.5 \(undocs.org\)](#)

legislation on cybersecurity is not speciously applied to curb dissent.⁵

⁵ <https://undocs.org/en/A/HRC/54/22/Add.5>