

Mandates of the Special Rapporteur on violence against women and girls, its causes and consequences; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the human rights of internally displaced persons; the Special Rapporteur on minority issues; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and the Working Group on discrimination against women and girls

Ref.: AL IND 6/2024
(Please use this reference in your reply)

20 September 2024

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on violence against women and girls, its causes and consequences; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the human rights of internally displaced persons; Special Rapporteur on minority issues; Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 50/7, 53/4, 52/4, 50/6, 52/5, 52/36 and 50/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning allegations of rape and insufficient preventive and responsive measures on gender-based violence against women and girls, including access to effective assistance, protection and reparation mechanisms.

The information received points to crisis levels of sexual violence, including gang rape and other forms of sexual violence, that are taking place across India with distinct trends in particular regions. The reported sexual violence perpetrated against women and girls is inseparable from existing frameworks of social, political, and legal discrimination against women and girls on the basis of ethnicity, religion, caste, and other identities. Documented intersecting forms of discrimination, including caste, socio-economic marginalization, and the defiance of gender norms are often cited as factors in these cases and have reportedly prevented the administration of justice and accountability or broader Government efforts to address the problem in a timely or meaningful way, particularly for the diverse and disproportional groups of women and girls affected.

According to the information received:

Between 19 July 2024 and 26 August 2024, 14 cases of rape allegedly took place in India, including in parts of Kolkata and Bengal. Most of the victims are reportedly Dalit women and girls, and the alleged cases implicate around 26 perpetrators.

We wish to highlight the details of a few such incidents.

During the months of July and August 2024, the reported cases of rape and murder of women in Uttar Pradesh, Uttarakhand, Kolkata, Bihar, West Bengal, and Maharashtra include: two men raping a 16 year-old Dalit girl, a man raping and killing a nurse, a 13 year-old Dalit girl raped by her father, a

woman trainee doctor gang raped and murdered at a Government-run hospital, a 14 year-old Dalit girl kidnapped, raped then murdered, due to her refusing a marriage proposal, a Government official raping a six-year-old Dalit girl and performing sexual acts on a goat, however, it is yet to be seen if the perpetrator will be held accountable by the criminal justice system, a woman beaten, stripped naked and dragged by a local member of a political party, a 20 year-old nurse threatened after refusing an unwelcome invitation from a fellow male doctor to his home, a father raping and beating his 16 year-old daughter, a 70 year-old woman raped and killed, and other cases involving sexual abuse of minor girls as young as three and four years old.

Continued lack of accountability for crimes, including those committed in Manipur in 2023

On 4 September 2023, several Special Procedures mandate holders issued a [press release](#) and expressed alarm about reports of serious human rights violations and abuses in the Northeast State of Manipur in India, including alleged acts of sexual violence, extrajudicial killings, home destruction, forced displacement, torture and ill-treatment in the context of the latest rounds of community conflict that erupted in May 2023. It was noted that by mid-August 2023, an estimated 160 persons had reportedly been killed, mostly from the Kuki ethnic community, and over 300 injured. The conflict also reportedly resulted in tens of thousands of people from the communities being displaced, thousands of homes and hundreds of churches being burnt down, as well the destruction of farmland, loss of crops and loss of livelihood. At the time, experts had also raised concern at reports and images of gender-based violence targeting hundreds of women and girls of all ages, and predominantly of the Kuki ethnic minority. The alleged violence includes gang rape, parading women naked in the street, severe beatings causing death, and burning them alive or dead. The Supreme Court has ordered investigations into 17 cases of sexual violence in Manipur. Despite this intervention it appears that little progress has been made— with chargesheets yet to be filed and perpetrators yet to be identified.

Since the press release in September 2023, we have received concerning information that in at least one of these incidents of rape, the police reportedly attempted to portray the rape and killing of a woman as suicide. Furthermore, the Kolkata police are also reported to have violated several procedural requirements, including a delay of 14 hours in recording a First Information Report (FIR), delay in securing the crime scene and collecting evidence, and not registering the death as unnatural until after the postmortem examination was conducted. A number of these rapes were followed by public outrage, country-wide protests and in some cases strikes by public doctors. In some cases, there have been crackdowns on protestors and those that have advocated for justice and accountability.

On 13 August 2024, following widespread public outrage, the Kolkata High Court ordered a transfer of the case from the Kolkata Police to the Central Bureau of Investigation. The Court noted serious lapses on the part of the hospital administration, as well as a lack of progress in the police investigation and possible destruction of evidence. Reports also indicate that the perpetrator had unrestricted access to the hospital building as a result. On 18 August 2024

the Supreme Court of India took up the case and on 20 August 2024 ordered the formation of a national monitor for the safety of doctors in India, aimed at preventing violence, including gender-based violence against medical professionals.

It appears that perpetrators have not been held accountable for the crimes they committed. At the same time, human rights defenders, activists and journalists continue to be harassed for bringing cases of violence to the attention of law enforcement and criticizing the State for failing to provide adequate assistance to victims.

Without prejudging the accuracy of these allegations, we wish to express concern that when crimes occur, they are often not followed by swift and effective investigations, resulting in the lack of accountability. In many cases of sexual violence, non-registration or delayed registration of FIRs, interference with the crime scene and flawed investigations seem to be recurrent and common, especially in cases where the victim belongs to a marginalized community.

Moreover, victims and their families often do not receive the necessary legal, medical, financial and psychological support and continue to be exposed to threats of violence as well as repercussions for reporting the crime and pursuing justice. Some of these threats reportedly come from perpetrators or the police, who put pressure on victims and/or their families to withdraw their case or to settle. We are concerned that the circumstances surrounding the alleged attacks, the identity and behavior of the perpetrators, as well as the widespread nature of such attacks indicate a structural power imbalance, which results in the targeting and harm towards minority and other marginalized groups.

Furthermore, we wish to express our profound concern over the reported crackdown on the protests regarding these rapes and that have erupted in several cities, in which protestors expressed their continued frustrations with effective solutions to stem the tide of this egregious forms of violence against women that continues unabated. We wish to stress that these concerns have already been expressed from several Special Procedures mandates, including in an allegation letter sent on 29 August 2023, which concerned sexual and gender-based violence against Meitei and Kuki ethnic minority women in Manipur (AL IND 9/2023).

The Human Rights Committee and others have called on India in the past to “take more robust measures to guarantee *de jure* and *de facto* equality between men and women” (CCPR/C/IND/CO/4, para 20). The Committee has also stated that comprehensive measures are needed to address the root causes of violence against women and girls as well as human rights defenders, such as changing gender norms and harmful stereotypes (CCPR/C/IND/CO/4). We call on the Government to recognize the gravity of sexual violence in India and to put in place effective and multi-sectoral measures to protect women and girls. Furthermore, we wish to reiterate our grave concern at the lack of sufficient and timely reforms adopted by the Government to prevent and eradicate violence against women and girls and other harmful practices, including prompt investigation of such acts and the prosecution of perpetrators. The penalties imposed must be commensurate with the gravity of the act committed. In this regard, we wish to recall the [statement](#) Special Procedures mandates issued on 7 March 2024, in which experts called on India to adopt effective measures to prevent gender-based discrimination and violence against women and

girls and respond effectively to the needs of survivors of these crimes, noting that such measures must include bringing perpetrators of violence to justice, ending impunity for crimes, and ensuring that women and girls who have been victims have access to reparations. It was emphasized that women and girls must be consulted and involved in all processes that affect their lives.

Furthermore, we wish to reiterate our readiness to offer our expertise, including by conducting country visits, which several of our mandates have requested and are awaiting a response from Your Excellency's Government. The experts remain committed to carrying out official visits and look forward to receiving a favorable response.

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 the measures taken to prevent sexual and gender-based violence against women, including against minority and other marginalized women, as well as to protect human rights defenders.
3. Please indicate any immediate assistance and protection that were provided to women and girls who have been subjected to sexual and gender-based violence, including access to restitution and reparations for victims and their families, such as psychological support.
4. Please indicate the measures adopted to investigate and punish perpetrators of sexual gender-based violence against women.
5. Please provide information on the steps taken to investigate incidents where the victims of sexual and gender-based violence have been killed and the compliance of these investigations with international standards including the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016). Please also indicate the extent to which the investigations were non-discriminatory, adopted a gender perspective and addressed intersectional issues.
6. Please indicate what measures have been adopted to address harmful gender stereotypes and norms regarding the roles and responsibilities of women and men in the family and society.
7. Please clarify what measures have been taken or are envisaged to provide protection and assistance to those displaced in Manipur State including the steps taken to ensure access to justice for victims and

accountability by those responsible for forceful displacement and attacking displaced persons. In addition, please clarify what measures have been taken to enable durable solutions to their displacement.

8. Please indicate measures taken to ensure that members of civil society, human rights defenders and journalists are able to carry out their work in a safe and enabling environment, without any risk of threats, attacks, intimidation of any kind, including those promoting accountability for violence against women.

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 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.

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

Reem Alsalem

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

Morris Tidball-Binz

Special Rapporteur on extrajudicial, summary or arbitrary executions

Mary Lawlor

Special Rapporteur on the situation of human rights defenders

Paula Gaviria

Special Rapporteur on the human rights of internally displaced persons

Nicolas Levrat

Special Rapporteur on minority issues

K.P. Ashwini

Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Laura Nyirinkindi

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

Annex

Reference to international human rights law

In connection with the allegations and concerns, we would like to draw the attention of your Excellency's Government to the applicable international human rights norms and standards relevant.

The right to life

We would like to draw your attention to article 6(1) of the International Covenant on Civil and Political Rights (ICCPR) to which India acceded on 10 April 1979, that provides that every individual has the right to life and that no person shall be arbitrarily deprived of his or her life. We refer to the Human Rights Committee's, [general comment No. 36](#), which notes that the right to life is the supreme right from which no derogation is permitted (CCPR/C/GC/36, para. 2). The right to life constitutes a fundamental right, whose effective protection is the prerequisite for the enjoyment of all other human rights and whose content can be informed and infused by other human rights. General comment No. 36 makes clear that the right to life must be respected and ensured without distinction of any kind, including race. It further states that femicide, which constitutes an extreme form of gender-based violence that is directed against girls and women, is a particularly grave form of assault on the right to life.

We underscore the importance of conducting investigations into all suspected unlawful deaths in line with international standards, particularly the principles on Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions and the Revised United Nations Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (the Minnesota Protocol on the Investigation of a Potentially Unlawful Death (2016)). It is noted that international human rights law applies at all times and in all circumstances, including during war, public emergencies, civil strife, or situations of internal disturbances or armed conflict.

We further refer to the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on femicide which highlighted that, in addition to observing the Minnesota Protocol requirements (investigations must be undertaken by an independent expert body, in a prompt, effective, thorough, impartial and transparent manner), femicide investigations should be non-discriminatory, adopt a gender perspective, and address intersectional issues. All potentially unlawful deaths of women should be investigated as probable femicides.

Prohibition of torture

Articles 7 and 9 of the ICCPR establish the prohibition of torture or to cruel, inhuman or degrading treatment or punishment and the right to security of person. General comment No. 20 of the Human Rights Committee clarifies that article 7 of the ICCPR aims to protect both the dignity and the physical and mental integrity of the individual, and the duty of the State party to afford everyone protection through legislative and other measures as necessary applies even in cases where the perpetrator is acting in a private capacity.

Every human being shall be protected in particular against *inter alia* rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution, and any form of indecent violence, acts of violence intended to spread terror among internally displaced persons, and threats and incitement to commit any of the foregoing acts shall be prohibited (principle 11 of the guiding principles on Internal Displacement).

We wish to highlight that rape and other sexual and gender-based violence committed by agents of the State are considered to constitute an act of torture under article 1 of the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT). Furthermore, in the report on gender perspectives on torture and other cruel, inhuman and degrading treatment or punishment, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment confirms that rape constitutes torture when carried out by, at the instigation of, or with the consent or acquiescence of public officials (A/HRC/31/57).

Articles 2 and 16 of CAT require States parties to prevent occurrences of torture or ill-treatment. Furthermore, articles 7 and 12 require prompt and impartial investigation as well as prosecution wherever there is reasonable ground to believe that an act of torture has been committed.

Protection of children

Article 2(1) of the Convention on the Rights of the Child (CRC), to which India acceded on 11 December 1992, requires States parties to respect and fulfil the rights of each child within their jurisdiction without discrimination of any kind, irrespective of the child's or the parent's or legal guardian's race, color, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. Article 34 of CRC urges States parties to protect the child from all forms of sexual exploitation and sexual abuse, and article 35 provides that States parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Sexual and Gender based discrimination and violence

We would like to refer to the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which India ratified on 9 July 1993, which calls on States parties to refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions act in conformity with this obligation. Article 2 of the Convention also calls on States parties to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise.

We also wish to recall that the Human Rights Committee expressed concern that despite the measures adopted by India to promote gender equality and increase the participation of women in the public and private sector, inequality between men and women, stereotyping, multiple and intersectional forms of discrimination and the societal inferiority of girls and women continue to be structural problems (CCPR/C/IND/CO/4, para. 19). The Committee added that it remains concerned by the endemic violence against women and girls, which is manifested by practices

including marital and gang-rapes, domestic violence, acid attacks and public humiliation involving naked women being paraded through the streets (Ibid.). The Committee also noted that according to its assessment, this violence is exacerbated when directed against women and girls from Indigenous Peoples, ethnic and religious minorities and lower castes; and that it goes largely under-reported (Ibid.).

We would like to recall the CEDAW Committee's general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, which calls on States parties to protect women's rights at all times, advance substantive gender equality before, during and after conflict as well as to provide access to justice for victims of sexual violence (CEDAW/C/GC/30).

In general recommendation No. 35 (2017) on gender-based violence against women, updating the general recommendation No. 19 (1992), the CEDAW Committee clarifies that the due diligence obligation underpins the Convention and that States parties will be held responsible should they fail to take all appropriate measures to prevent, as well as to investigate, prosecute, punish and provide reparations for, acts or omissions by non-State actors that result in gender-based violence against women (CEDAW/C/GC/35).

In addition, article 1 of the United Nations Declaration on the Elimination of Violence against Women adopted by the General Assembly resolution 48/104 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. Article 4 of the Declaration further stipulates that States should implement policies that eliminate violence against women by all appropriate means and without delay.

Furthermore, we would like to refer to the report of the Special Rapporteur on violence against women and girls, its causes and consequences, in which she noted that the current international human rights framework and jurisprudence recognize rape as a human rights violation and a manifestation of gender-based violence against women and girls that could amount to torture (A/HRC/47/26, para. 9). The Special Rapporteur also called on States to provide adequate services and support to victims of rape as well as to address and resolve all structural and institutional factors that result in impunity of perpetrators.

Additionally, we would like to draw your attention to United Nations General Assembly resolution 68/181, which urges States to acknowledge publicly the important and legitimate role of women human rights defenders in the promotion and protection of human rights, democracy, the rule of law and development as an essential component of ensuring their protection, including by publicly condemning violence and discrimination against them (OP7). We invite you to also refer to the Human Rights Council resolution 31/32, in which particular concern is raised about the systemic and structural discrimination and violence against women human rights defenders. States should take all necessary measures to ensure the protection of women human rights defenders and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defense of human rights. This should include the establishment of comprehensive, sustainable and gender-sensitive public policies and programmes that support and protect women defenders. Such policies and programmes should be developed in consultation with women human rights

defenders (OP5, 19 and 20).

The Working Group on discrimination against women and girls recommended States to implement gender-sensitive measures in conflict, crisis, terrorism and national security contexts and warned against depriving women's liberty for the purposes of pursuing Government aims (A/HRC/41/33). In the report on sexual and reproductive health rights, experts noted that women belonging to ethnic and other minority groups have been systematically subjected to a complex spectrum of human rights abuses involving discriminatory and coercive practices, including systemic sexual abuse and reproductive violence (A/HRC/47/38). In the report on the gendered inequalities of poverty, the Working Group noted that these inequalities are exacerbated as a result of conflict and violence, often affecting ethnic minority women and girls (A/HRC/53/39). The Working Group also highlighted that the absence of effective protection against violence not only deprives women living in poverty of their right to personal integrity, but also impedes their right to equal participation in public life, education and employment, and impedes income-earning activities.

Racial discrimination

We would also like to draw your attention to article 2 of the International Convention on the Elimination of all Forms of Racial Discrimination (CERD), which India ratified on 3 December 1968, which calls for States parties to prohibit and eliminate racial discrimination in all its forms, including on the basis of ethnic origin and descent. We further wish to highlight article 5 of CERD, which guarantees a range of civil, political, economic, social and cultural rights, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by Government officials or by any individual group or institution, and the enjoyment of these rights without distinction as to race, descent, color, or national or ethnic origin. The Committee on the Elimination of Racial Discrimination elucidated in general recommendation 29 (2002) clarifies that "descent" includes discrimination against members of communities based on forms of social stratification such as caste and analogous systems of inherited status which nullify or impair their equal enjoyment of human rights. It calls upon States to take measures against any dissemination of ideas of caste superiority and inferiority or which attempt to justify violence, hatred or discrimination against descent-based communities.

International standards relevant to the protection and promotion of the rights of minorities call on States to ensure that persons belonging to minorities can exercise their rights without discrimination and in full equality before the law. In particular, article 1 of the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities refers to the obligation of States to protect the existence and identity of national or ethnic, cultural, religious and linguistic minorities within their territories and to adopt the appropriate measures to achieve this end.

We also wish to highlight article 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), acceded to by India on 10 April 1979, which calls on States parties to provide international assistance and cooperation to ensure the full realization of covenant rights, without discrimination of any kind, including on the grounds of religion or belief, political or other opinion, and national or social origin. Article 11(1) of the ICESCR recognizes the right to an adequate standard of

living, including rights to food, housing and the continuous improvement of living conditions.

Internally displaced persons

Per the guiding principles on Internal Displacement, national authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction (principle 3) without discrimination of any kind, including on the basis of religion or belief or ethnic or social origin (principle 4). Arbitrary displacement is particularly prohibited in instances when it is based on policies of apartheid, “ethnic cleansing”, or similar practices aimed at or resulting in altering the ethnic, religious, or racial composition of the affected population (principle 6). Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty, and security of those affected (principle 8). States are under a particular obligation to protect against the displacement of indigenous people and minorities, inter alia (principle 9). Every human being has the inherent right to life, and internally displaced persons shall be protected in particular against genocide, murder, summary or arbitrary executions, and enforced disappearances including abduction or unacknowledged detention, threatening or resulting in death; threat and incitement to commit any of the foregoing acts are also prohibited (principle 10(1)). Attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities are prohibited in all circumstances and internally displaced persons shall be protected, in particular, against inter alia direct or indiscriminate acts of violence, starvation as a method of combat, and attacks against their camps or settlements (principle 10(2)).

Every human being has the right to dignity and physical, mental, and moral integrity, and shall be protected in particular against inter alia rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution, and any form of indecent violence, acts of violence intended to spread terror among internally displaced persons, and threats and incitement to commit any of the foregoing acts shall be prohibited (principle 11). Every human being has the right to liberty and security of person, and no one shall be subject to arbitrary arrest or detention, and to give effect to this right for internally displaced persons, they shall not be interned in or confined to a camp (principle 12). All internally displaced persons have the right to an adequate standard of living, which at a minimum should include essential food and potable water, basic shelter and housing, appropriate clothing, and essential medical services and sanitation (principle 18) and access to the medical care and attention they require without distinction, with special attention paid to the health needs of women including appropriate counselling for victims of sexual and other abuses (principle 19).

Humanitarian assistance should be provided to internally displaced persons in line with the principles of humanity and impartiality and without discrimination, and the primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities, who should grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced (principle 25). Persons engaged in humanitarian assistance, their transport, and supplies shall be respected and protected and should not be the object of attack or other acts of violence (principle 26). Competent authorities have the primary duty and responsibility to

establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country. Such authorities shall endeavor to facilitate the reintegration of returned or resettled internally displaced persons. (principle 28)

The Working Group on discrimination against women and girls recommended States to implement gender-sensitive measures in conflict, crisis, terrorism and national security contexts and warned against depriving women's liberty for the purposes of pursuing Government aims (A/HRC/41/33).

Furthermore, in the report on gender perspectives on torture and other cruel, inhuman and degrading treatment or punishment, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment confirms that rape constitutes torture when carried out by, at the instigation of, or with the consent or acquiescence of public officials (A/HRC/31/57).

Human rights defenders

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, 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 6, point a), which provides for the right to know, seek, obtain, receive and hold information about all human rights and fundamental freedoms;
- article 9, paragraph 3, point c), which provides for the right to provide legal assistance in defending human rights and fundamental freedoms;
- 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.