

Mandates of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; the Special Rapporteur on the right to privacy; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Working Group on discrimination against women and girls

Ref.: AL IRN 13/2025
(Please use this reference in your reply)

22 August 2025

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; Special Rapporteur on the right to privacy; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 58/14, 53/4, 52/9, 50/17, 55/19, 55/3, 52/7 and 59/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **alleged escalation since June 2025 of the targeting and harassment by the Islamic Republic of Iran of BBC News Persian staff outside Iran and their family members inside Iran, in some cases including death threats.**

Concerns were raised by several Special Procedures mandate holders about alleged violations against BBC News Persian Service staff in [IRN 7/2024](#) sent on 24 April 2024. We acknowledge your Excellency's Government's [reply](#) of 2 August 2024 and welcome the statement that some sanctions have been lifted. However, we are concerned that the reply also made serious unsubstantiated accusations against BBC News Persian, did not respond directly to most of the concerns raised about the treatment of staff and their families, including ten journalists sentenced to prison in absentia, and sought to justify sanctions due to the alleged publication of "false news and reversal of facts" and "violating neutrality".

In communications IRN 12/2025 sent on 13 August 2025 and [IRN 10/2024](#) sent on 23 May 2024, concerns were also raised about the targeting of Iran International, its journalists and personnel. We acknowledge your Excellency's Government's [reply](#) of 12 August 2024. Concerns about these cases were also raised by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran in her report to the Human Rights Council in March 2025 (A/HRC/58/62, para. 46). Concerns about threats and harassment against staff working for various overseas-based Persian language news outlets were also raised in communications [IRN 10/2022](#) sent on 26 May 2022; [IRN 4/2020](#) sent on 5 March 2020; [IRN 17/2019](#) sent on 18 December

2019; [IRN 29/2017](#) sent on 24 October 2017; and [IRN 4/2017](#) sent on 27 January 2017. While we acknowledge your Excellency's Government's replies to IRN 10/2022 and IRN 17/2019,¹ we regret that, to date, we have not received responses to the other three communications. These issues were also raised by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran in reports to the Human Rights Council, including in 2019 (A/HRC/40/67), 2022 (A/HRC/49/75) and 2023 (A/HRC/52/67) and in reports to the General Assembly in 2019 (A/74/188) and 2021 (A/76/160); in a report on journalists in exile by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression in 2024 (A/HRC/56/53); and by the United Nations Fact-Finding Mission on the Islamic Republic of Iran in 2024 (A/HRC/55/67, paras. 83-84) and 2025 (A/HRC/58/63, para. 110). We further highlight that the targeting of Persian language journalists abroad and their families in Iran was included in the 2019, 2020 and 2024 Secretary-General's reports on reprisals (A/HRC/42/30, A/HRC/45/36 and A/HRC/57/60), as well as in the Secretary-General's report on the situation of human rights in the Islamic Republic of Iran in 2020 (A/75/287).

According to the information received:

BBC News Persian is an acclaimed online, radio and television media service available to 100 million Persian speakers in Iran, Afghanistan and Tajikistan. The Iranian authorities reportedly began targeting BBC News Persian's journalists and their family members in Iran after the service launched satellite television broadcasting in 2009 and in the context of reporting on elections in that year. Intimidation escalated in 2017, with false allegations of national security offences, supporting terrorism, inciting violence, propagating hate speech and perpetrating human rights abuses, and the freezing of the assets of 152 individuals, mainly current or former BBC News Persian staff.

Intimidation of family members in Iran has reportedly included detention, questioning, threats that jobs or pensions will be lost, and confiscation of passports and travel bans. In addition, Iran targets BBC News Persian journalists outside Iran, including through surveillance, harassment, threats (including death threats), and the spread of fake and defamatory news stories designed to undermine the reputations of the journalists (particularly women) and their families. Most affected staff are dual nationals of Australia, Canada, France, Germany, the United Kingdom, and the United States.

The targeting of BBC News Persian has reportedly escalated markedly since June 2025, apparently in connection with reporting on hostilities between Israel and Iran. At least eight BBC News Persian staff have reportedly had family members in Iran targeted by the Iranian authorities, including through threats of kidnapping, and fear of reprisals may be preventing other family members from reporting incidents. Threats to BBC News Persian journalists in London have also increased.

¹ Reply to IRN 10/2022 received on 28 July 2022:
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37044>
Reply to IRN 2019 received on 18 July 2020:
<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35176>

Recent threats to staff in the UK

Threats to BBC News Persian staff in London have reportedly increased, including threats of death and kidnapping. UK Counter Terrorism Police have warned BBC News Persian staff and urged them to remain vigilant. In some cases, police officers have conducted investigations and provided security advice. At least one staff member has reported suspicious activity near their home, prompting police intervention. BBC News Persian staff are reportedly experiencing high levels of anxiety, particularly following the recent arrests of three alleged Iranian spies charged with planning to inflict serious violence on UK-based journalists working for Iran International, and allegations by the UK Government that Iran plans to kidnap or kill UK-based individuals, including media personnel, have increased since 2022. One staff member was advised by the UK authorities that travel outside the UK was risky and that they should not travel to countries near Iran as they could be kidnapped or killed.

In July 2025, the UK Parliament's Intelligence and Security Committee reported² an escalation in physical threats from Iran against BBC News Persian in the last 12-18 months. The report found that Iran poses "one of the highest kidnap and assassination state threats to the UK" and that "[m]onitoring and silencing UK-based opponents of the Iranian regime is one of Iran's primary tactical objectives in relation to the UK". BBC News Persian and other Iranian media organizations were identified as "prominent targets" since Iran reportedly views them as undermining the Iranian Government. The report indicated that there is a high risk of physical attacks due to Iran's use of "assassination as an instrument of state policy" and Iran's "higher risk appetite" for physical attacks. The report confirmed there had been "at least 15 attempts at murder or kidnap against British nationals or UK-based individuals since the beginning of 2022." The report also queried the sufficiency of protective actions by the UK authorities.

Recent targeting of family members returning to Iran

Family members of BBC News Persian staff have reportedly been stopped upon re-entering Iran and questioned about their relatives' media work. The authorities have frequently pressured family members to facilitate direct communication with BBC News Persian staff members, such as by using the relative's phone or by obtaining personal contact details. They have also pressured family members to deliver messages urging their relative in London to (1) cease working for the BBC, or (2) cooperate with the Iranian authorities, including by informing on BBC News Persian.

The Iranian authorities have pressured family members to take these steps by offering inducements (such as payment and security for their BBC News Persian relative and family members to return to Iran safely, despite active criminal investigations against BBC News Persian) or by making threats (such as to

² <https://isc.independent.gov.uk/wp-content/uploads/2025/07/Intelligence-and-Security-Committee-of-Parliament-Iran.pdf>.

frame family members and their children for alleged crimes that would result in their arrest or detention, ban families from travelling outside Iran or freeze their assets). In many cases, the family members are instructed to attend subsequent questioning and report back on efforts to deliver the messages to their relatives in London. In some instances, multiple members of the same family have been summoned, arbitrarily detained and subjected to inhuman and degrading treatment. In some cases, the passports of family members have been confiscated.

Iranian authorities have allegedly shared detailed private information with family members about the activities and relationships of their BBC News Persian staff relatives, suggesting that they are subject to significant illegal surveillance in the UK, including monitoring of telephones. Family members in Iran have also been told that their phones are monitored, leading them to fear reprisals if they report intimidation to others.

The frequency and intensity of the recent targeting of family members is a significant escalation in the campaign against BBC News Persian. In addition, previous harassment was mainly limited to high-profile journalists in the UK, whereas the recent incidents have spread not only to their immediate family members in Iran but also to the families in Iran of the partners of BBC News Persian staff, former employees, and the families of freelancers and others working with but not employed by BBC News Persian.

Family members questioned and detained in Iran

Family members in Iran of BBC News Persian staff abroad have reportedly been arbitrarily detained (including for 24 hours or more), interrogated, threatened, physically assaulted and subjected to inhuman and degrading treatment. Threats have been made to fabricate criminal charges against them to enable their detention, and threats have also been made to their children. Family members have also been called in for questioning, including separate questioning of members of the same family which has heightened their anxiety.

Other developments

In response to an alleged broader pattern of escalating threats by Iranian intelligence services in their territories “to kill, kidnap, and harass people [including journalists] ... in clear violation of our sovereignty”, a joint statement by fourteen States was issued on 31 July 2025 condemning such acts.³

In March 2025 the UK authorities placed Iran on the enhanced tier of its impending Foreign Influence Registration Scheme, which requires anyone who is directed by Iran to conduct activities in the UK, including criminal proxies, to register this activity or face 5 years’ imprisonment. The UK will also provide enhanced police training on state threats and continue providing protective security advice and support to individuals and organizations at risk, including Persian language media organizations and their employees.

³ [Statement on state threats from Iranian intelligence services, 31 July 2025.](#)

While we do not wish to prejudge the accuracy of these allegations, if the allegations prove to be true, they may constitute violations of the right to life (International Covenant on Civil and Political Rights (ICCPR), ratified by Iran on 24 June 1975, article 6); the right to security of person, including bodily and mental integrity (ICCPR, article 9); freedom from cruel, inhuman or degrading treatment or punishment (ICCPR, article 7); freedom of expression (ICCPR, article 19); freedom of association (ICCPR, article 22); the right to work (International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by Iran on 24 June 1975, article 6); and freedom from unlawful attacks on one's honour and reputation (ICCPR, article 17). The unjustified surveillance of staff and their family members would violate the right to privacy (ICCPR, article 17) and the arbitrary confiscation of the passports of family members would violate the right to freedom of movement (ICCPR, article 12). We are further concerned that the threatened imposition of counter-terrorism sanctions would infringe the requirement of legality (ICCPR, article 15); due process and judicial protection (ICCPR, article 14); and freedom from arbitrary or unlawful interference in privacy, the home and the family (ICCPR, article 17).

Right to life and security of person and freedom from torture and/or other cruel, inhuman or degrading treatment or punishment

We are particularly alarmed by the alleged threats of violence or death against the journalists and their families, which violate their fundamental rights to life (ICCPR, article 6) and to security of person (ICCPR, article 9 (1)), including physical and psychological integrity. The obligation to refrain from arbitrarily depriving a person of their life applies to all activities “having a direct and reasonably foreseeable impact on the right to life of individuals outside their territory” (general comment No. 36, para. 22). The intentional taking of life is permissible only if it is strictly necessary to protect life from an imminent threat (para. 12). A State that kills a journalist in another country, where there is no basis in self-defence, commits an arbitrary deprivation of life and an extrajudicial killing. The State is internationally responsible for such killing whether it is committed directly by State officials, or by private actors instructed, directed or controlled by the State.⁴

The right to security of person under article 9 of the ICCPR protects individuals against intentional infliction of bodily or mental injury even if it is not life-threatening (general comment No. 35, para. 55), again whether an attack is committed by state officials or carried out by other actors on behalf of the State and including where the State acts extraterritorially. We add that threats to life, particularly prolonged and repeated, can cause mental suffering sufficiently severe to constitute inhuman or degrading treatment, in violation of article 7 of the ICCPR (A/HRC/43/49, para. 48).⁵ Threats targeting women journalists, including sexualized violence and harassment, may amount to gender-based violence and other human rights violations.

⁴ International Law Commission, Responsibility of States for Internationally Wrongful Acts 2001, article 8.

⁵ See also *Oganezov v Armenia*, Application No. 7137/12, 72961/12, European Court of Human Rights, Judgment, 17 May 2022, para. 80; *Al-Saadoon and Mufdhi v United Kingdom*, Application No. 61498/08, European Court of Human Rights, Judgment, 2 March 2010, para. 137; *Urrutia v Guatemala*, Inter-American Court of Human Rights, Judgment, 27 November 2023, para. 92.

The right to life obliges States to prevent and suppress threats to life or bodily integrity from any government or private actor, including against patterns of violence or intimidation against journalists, and to redress unjustifiable use of force by law enforcement (general comment No. 35, para. 9). We highlight that the right to life requires States to investigate potentially unlawful deprivations of life and, where appropriate, prosecute the perpetrators (general comment No. 36, para. 27).

Freedoms of opinion and expression, peaceful assembly and association and the media

We express our grave concern at the continuing, systematic attacks by the Iranian authorities on BBC News Persian, its staff and family members, including threats of death or violence, harassment and intimidation, online threats, and counter-terrorism sanctions. This campaign appears not to be taken to protect a legitimate purpose but to be aimed at preventing them from continuing their legitimate journalistic activities, including criticism of the Iranian Government, and at impairing the legitimate exercise of their right to freedom of expression in the performance of their professional duties. We are further concerned that such attacks may have a “chilling effect” on the work of other journalists in Iran and elsewhere reporting on the country and may deter them from reporting on issues of public interest. These practices also deprive the public, both in Iran and around the world, from receiving information in the public interest, curtailing their right of access to information. The above-mentioned actions appear to constitute an attempt to silence and censor critical reporting.

We appeal to your Excellency’s Government to take all measures to guarantee the right to freedom of opinion and expression, as provided in article 19 of the ICCPR. This right entails that everyone shall have the right to hold opinions without interference as well as that everyone shall have the right to freedom of expression, including freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of their choice. This right includes not only the exchange of information that is favorable, but also that which may shock or offend, and protects the freedom of the press as one of its core elements.

The Human Rights Committee has stated that as journalists are frequently subjected to threats, intimidation and attacks because of their activities, all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted (general comment No. 34). As underlined by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, an attack against journalists is not only a violation of their right to impart information, but also undermines the right of individuals and society at large to seek and receive information under article 19 of the ICCPR. An attack against a journalist is therefore an attack against the principles of transparency and accountability, as well as the right to hold opinions and to participate in public debates, which are essential for democracy (A/HRC/20/17). We urge your Excellency’s Government to refrain from committing, co-opting or condoning acts of transnational repression, online and offline, and to ensure that all such acts are investigated and promptly, fully and effectively prosecuted.

We note that attacks on freedom of expression and the media contributes to the hostile environment in Iran not only for the exercise of freedom of opinion and

expression, but consequently also for the exercise in Iran of the rights to peaceful assembly and association, protected under articles 21 and 22 of the ICCPR, respectively.

Obligation to protect human rights defenders and journalists

We wish to stress that the obligation to respect and to ensure respect of the human rights of journalists, media professionals and all human rights defenders rests on the State. It encompasses a positive duty of States to ensure that persons are protected from any act that would impair the enjoyment of their rights, including by taking effective measures or exercising due diligence to prevent any harm caused by private persons or entities (see e.g. A/HRC/17/27, para. 66 and A/HRC/29/25/Add.1). In this regard, we also note that the obligation to protect is particularly important in the case of threats and attacks made against journalists by non-State actors. Journalists exercising freedom of expression in the public interest are protected as human rights defenders (UN Declaration on Human Rights Defenders 1998).

Right to privacy

We are concerned that the arbitrary physical and electronic surveillance of BBC News Persian journalists in London, and surveillance of family members in Iran, constitute a violation of their right to privacy under article 17 of the ICCPR. Surveillance is prohibited except where it is authorized by law, non-arbitrary and necessary and proportionate in pursuit of a legitimate aim; it must not constitute harassment (general comment No. 16, para. 8).

Freedom of movement

We are concerned that the arbitrary and punitive confiscation of the passports of family members, on account of the alleged activities of their relatives abroad, would violate the right to freedom of movement under article 12 of the ICCPR, which includes the right to freely leave one's own country (article 12(2)) and not to be arbitrarily deprived of the right to enter one's own country (article 12(4)).

Counter-terrorism sanctions

We are concerned about threats to impose sanctions on BBC News Persian personnel or their family members in Iran. In this respect we reiterate our concerns expressed in communication IRN 10/2024 that such measures are based on vague and overbroad criteria and would violate freedoms of expression and the media and association and assembly, the right to privacy, the home and family life, the right to reputation, and the right to leave or re-enter one's own country.

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 any comment you may have on the above-mentioned allegations.
2. Please indicate what measures will be taken by your Excellency's Government to ensure that BBC News Persian, its personnel and other journalists reporting on the Islamic Republic of Iran are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of violence, intimidation or harassment of any sort, both inside and outside of the Islamic Republic of Iran, in line with international standards on the rights to freedom of opinion and expression, association, peaceful assembly and the media, the right to privacy and the right to work.
3. Please provide information on measures taken to (a) protect the rights to life and security, including physical and mental integrity, and the right not to be subjected to torture and/or other cruel inhuman or degrading treatment or punishment, of BBC News Persian staff, their family members and/or friends, as raised in this and previous communications, (b) investigate all allegations in accordance with international standards,⁶ (c) prosecute alleged perpetrators, and (d) provide remedies and reparation to the victims. If no steps have been taken, explain why.
4. Please clarify that no financial or travel sanctions, including through passport confiscations impeding the right to freedom of movement, will be imposed on BBC News Persian personnel or their families. Please indicate what steps will be taken to immediately lift sanctions on media personnel or their families.
5. Please explain what administrative, legislative and judicial measures have been, or will be, taken to ensure that the violations detailed in this communication are investigated and do not reoccur.
6. Please provide information on protections for women journalists and human rights defenders, including against gender-based violence and reprisals, in accordance with international human rights law.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. 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

⁶ Including the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016) and the Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002).

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 to clarify the issues in question.

Please be informed that a copy of this letter has been sent to the Governments of Australia, Canada, France, Germany, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

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

Ben Saul

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Morris Tidball-Binz

Special Rapporteur on extrajudicial, summary or arbitrary executions

Irene Khan

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

Gina Romero

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Mai Sato

Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

Ana Brian Nougrères

Special Rapporteur on the right to privacy

Alice Jill Edwards

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Claudia Flores

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

Annex

Reference to international human rights law

In connection with the above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to relevant international norms and standards, as well as authoritative guidance on their interpretation.

Right to life

Article 6 of the ICCPR guarantees the right to life and provides that no one can be arbitrarily deprived of their life. The right to life obliges States to prevent and suppress threats to life or bodily integrity from any government or private actor, including against patterns of violence or intimidation against journalists, and to redress unjustifiable use of force by law enforcement (general comment No. 35, para. 9). Paragraph 4 of the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, adopted by the Economic and Social Council resolution 1989/65, specifies that States must provide "effective protection through judicial or other means to individuals and groups who are in danger of extra-legal, arbitrary or summary executions, including those who receive death threats".

The right to life requires States to investigate potentially unlawful deprivations of life and, where appropriate, prosecute the perpetrators (general comment No. 36, para. 27). Investigations must always be independent, impartial, prompt, thorough, effective, and transparent (para. 28) and must be undertaken in accordance with relevant international standards, including the Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016). Investigations must also be aimed at ensuring that those responsible are brought to justice, at promoting accountability and preventing impunity, at avoiding denial of and at drawing necessary lessons for revising practices and policies with a view to avoiding repeated violations, and at ensuring the responsibility of superior officials with regard to violations committed by their subordinates (general comment No. 36, para. 27). Where a violation is found, full reparation must be provided, including adequate compensation, rehabilitation and satisfaction, and steps must be taken to prevent re-occurrence.

Prohibition on torture and cruel, inhuman or degrading treatment or punishment

Article 7 of the ICCPR absolutely prohibits torture and/or other cruel, inhuman or degrading treatment or punishment. Attached to the prohibition on torture and other cruel, inhuman or degrading treatment or punishment are obligations to criminalize and investigate all acts of torture or other cruel, inhuman or degrading treatment or punishment, to prosecute suspects, to punish those responsible and to provide remedies to victims (A/HRC/52/30).⁷ Victims must be protected from reprisals or intimidation during investigations, and have an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible.⁸

⁷ For a full explanation on the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment and the related States' obligations to criminalize, investigate and prosecute crimes of torture and other ill-treatment, see A/77/502 and A/HRC/52/30.

⁸ See further *ibid.*

Right to liberty and security of the person

Article 9(1) of the ICCPR guarantees the right to freedom from arbitrary detention and establishes that no one shall be deprived of their liberty except on such grounds and in accordance with such procedure as established by law. Any detention due to the peaceful exercise of rights, including the rights to freedom of expression, freedom of assembly and freedom of association, is arbitrary.⁹ In addition, the Working Group on Arbitrary Detention has found that an arrest or detention solely based on the individual's family ties may be arbitrary in so far as it lacks any legal basis and discriminates on the basis of birth and family ties.

Freedom of expression and opinion

Article 19 of the ICCPR guarantees the right to freedom of opinion and expression. This right entails that “everyone shall have the right to hold opinions without interference” and that “everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” This right includes not only the exchange of information that is favorable, but also that which may shock or offend. The right to freedom of expression may be restricted only if the restriction is provided by law and necessary and proportionate to protect a legitimate objective, as established under article 19(3) of the ICCPR.

In general comment No. 34, the Human Rights Committee stated that under no circumstance can an attack on a person because of the exercise of the person's freedom of opinion or expression be compatible with article 19. The Committee noted that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression. Furthermore, it stated that as journalists are frequently subjected to threats, intimidation and attacks because of their activities, all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted (CCPR/C/GC/34). As underlined by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, an attack against journalists is not only a violation of their right to impart information, but also undermines the right of individuals and society at large to seek and receive information under article 19 of the ICCPR. An attack against a journalist is therefore an attack against the principles of transparency and accountability, as well as the right to hold opinions and to participate in public debates, which are essential for democracy (A/HRC/20/17).

Also relevant are paragraphs 75(a) to (i) of the report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (A/HRC/40/52) on the impact of terrorism measures on civic spaces and human rights defenders.

⁹ CCPR/C/G/35, para. 17.

Freedom of peaceful assembly and association

Article 21 of the ICCPR guarantees the right to freedom of peaceful assembly: “The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law, and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.”

Article 22 of the ICCPR protects the right to freedom of association with others. States not only have a negative obligation to abstain from unduly interfering with the rights of peaceful assembly and of association but also have a positive obligation to facilitate and protect these rights in accordance with international human rights standards (A/HRC/17/27, para. 66 and A/HRC/29/25/Add.1). Freedom of association is closely linked to the rights to freedom of expression and to peaceful assembly and is of fundamental importance to the functioning of democratic societies. These rights can only be restricted in very specific circumstances, where the restrictions serve a legitimate public purpose as recognized by international standards and are necessary and proportionate for achieving that purpose.

Right to privacy

Article 17 of the ICCPR provides that “1) No one shall be subjected to arbitrary or unlawful interference with [their] privacy, family, home or correspondence, nor to unlawful attacks on [their] honour and reputation and 2) Everyone has the right to the protection of the law against such interference or attacks.” Article 17 of the ICCPR also includes the right to the protection of personal data. In general comment No. 16, the Human Rights Committee noted that ordinarily “[s]urveillance, whether electronic or otherwise, interceptions of telephonic, telegraphic and other forms of communication, wire-tapping and recording of conversations should be prohibited” (para. 8). In addition, the Human Rights Committee emphasized the duty of States “not to engage in interferences inconsistent with article 17 of the Covenant and to provide the legislative framework prohibiting such acts by natural or legal persons” (para. 9). Any interference with the right protected under article 17 must be strictly necessary and proportionate in pursuit of a legitimate aim.

Freedom of movement

Article 12 of the ICCPR guarantees the right to freedom of movement. Article 12(1) guarantees the right of everyone lawfully within the territory of a State to liberty of movement and freedom to choose their residence within that territory. Article 12(4) provides that no one can be arbitrarily deprived of the right to enter their own country. The Human Rights Committee has affirmed that “[l]iberty of movement is an indispensable condition for the free development of a person” (general comment No. 27, para. 1).

Right to work

Article 6 of the ICESCR protects the right to work, which includes the right of everyone to have the opportunity to gain a living by work which is freely chosen or

accepted. States must take appropriate steps to safeguard this right. In its general comment No. 18, the Committee on Economic, Social and Cultural Rights noted that the right to work includes the right not to be forced in any way to exercise or engage in employment as well as the right not to be unfairly deprived of employment (para. 6). The Committee emphasized the obligation of States to guarantee that the right to work is exercised without discrimination of any kind and to take steps towards the full realization of that right (para. 19).

Human rights defenders

We 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, 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. In addition,

- article 6(a) provides for the right, individually and in association with others, to “know, seek, obtain, receive and hold information about all human rights and fundamental freedoms”;
- article 6(b) provides for the right “to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms”; and
- article 12(2)-(3) 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.

Under articles 7, 9 and 10 of General Assembly resolution 68/181 (2013) on the protection of women human rights defenders, States are called upon to, respectively, publicly acknowledge the important role played by women human rights defenders; take practical steps to prevent threats, harassment and violence against them and to combat impunity for such violations and abuses; and ensure that all legal provisions, administrative measures and policies affecting women human rights defenders are compatible with relevant provisions of international human rights law.

In the reports of the Working Group on Discrimination of Women and Girls on the elimination of discrimination against women in political and public life (e.g. A/HRC/23/50), it has been emphasized that harassment and direct attacks have been used to silence and discredit women who make their voices heard, including as human rights defenders. Women defenders are often subjected to acts of gender-based violence, such as verbal abuse, sexual abuse or rape, intimidation, assault, death threats, and murder, including where condoned or committed by State agents. The Working Group has recommended that States accelerate measures to eliminate all forms of

violence against women, including through a comprehensive legal framework to combat impunity, in order to realize women's human rights and promote their participation in political and public life.

Respect for human rights while countering terrorism

Although no universal treaty generally defines “terrorism”, States should ensure that counter-terrorism legislation is limited to criminalizing conduct which is properly and precisely defined on the basis of the international counter-terrorism instruments, the General Assembly’s Declaration on Measures to Eliminate International Terrorism (1994), and Security Council resolution 1566 (2004). Based on these authoritative sources, the model definition of terrorism advanced by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism provides clear, “best practice” guidance, by identifying conduct that is genuinely terrorist in nature and precisely defining the elements.

The principle of legal certainty under article 15(1) of the ICCPR requires that criminal laws be sufficiently precise so that it is clear what types of behaviour and conduct constitute a criminal offence and the legal consequences of committing such an offence. This principle recognizes and seeks to prevent ill-defined and/or overly broad laws which are open to arbitrary application and abuse, to target civil society on political or other unjustified grounds.¹⁰

The many resolutions of the United Nations General Assembly, Security Council and Human Rights Council reaffirm that any measures taken to combat terrorism and violent extremism must comply with the obligations of States under international law, in particular international human rights law, refugee law and international humanitarian law.¹¹ Counter-terrorism measures must conform to fundamental requirements of legality, proportionality, necessity and non-discrimination. The wholesale adoption of security and counter-terrorism regulations without due regard for these principles can have exceptionally deleterious effects on the protection of fundamental rights, particularly for minorities, historically marginalized communities, and civil society.

Moreover, States must ensure that measures to combat terrorism and preserve national security do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights.¹² Any restriction on expression or information that a government seeks to justify on grounds of national security and counter-terrorism must have the genuine purpose and demonstrable effect of protecting a legitimate national security interest (general comment No. 34).

¹⁰ A/70/371, para. 46(b).

¹¹ Security Council resolutions 1373 (2001), 1456 (2003), 1566 (2004), 1624 (2005), 2178 (2014), 2242 (2015), 2341 (2017), 2354 (2017), 2368 (2017), 2370 (2017), 2395 (2017) and 2396 (2017); Human Rights Council resolution 35/34; and General Assembly resolutions 49/60, 51/210, 72/123 and 72/180, among others.

¹² See A/HRC/RES/22/6, para. 10(a).