



ARTICLE 19

Communications of the UN Special Procedures

An advocacy guide for civil
society organisations

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ARTICLE 19, 2022

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Introduction

Violations of the right to freedom of expression, particularly attacks against journalists and human rights defenders, are on the rise across the globe. In this challenging context, civil society organisations are looking for different ways to protect and promote people's rights. One promising – yet underused – advocacy opportunity is the UN Special Procedures: independent experts who report and advise on human rights from a thematic or country-specific perspective.

As part of their work, the Special Procedures can send communications to governments or other stakeholders (e.g. businesses or intergovernmental organisations) about individual cases of reported human rights violations or problematic laws, policies, or practices. These are letters that request further information and sometimes raise concerns and make recommendations on how to prevent and cease violations, conduct investigations, bring perpetrators to justice, or provide remedies to victims or their families. As such, they are a powerful means of exerting pressure on governments, or other relevant stakeholders, to provide remedy on specific cases, or to reform laws and policies.

This process relies on the expertise and knowledge of civil society. Any civil society organisation can submit detailed information to the Special Procedures to encourage them to make an official communication on a human rights violation in their country. This mechanism can provide authoritative judgments that domestic actors and institutions are not fulfilling their international obligations, which can be used to bolster wider advocacy and campaigns.

By engaging with the communications of the Special Procedures, civil society organisations can help to ensure the scrutiny of – and, ultimately, accountability for – human rights violations. This process has previously led to concrete improvements on the national level.

This guide provides an overview of the Special Procedures and offers practical support for how civil society organisations can engage with them effectively. While it focuses on submitting information related to the right to freedom of expression, especially human rights violations affecting journalists and human rights defenders, its guidance and principles can be applied more widely. We hope it helps more civil society organisations to use this advocacy route, and that it helps to align national practices with international human rights standards.

“ Violations of the right to freedom of expression, particularly attacks against journalists and human rights defenders, are on the rise across the globe. ”

1. The UN Special Procedures



What are the UN Special Procedures?

The UN Special Procedures are independent human rights experts mandated to report and advise on human rights from either a thematic or country-specific perspective. They include Special Rapporteurs, Independent Experts, and Working Groups. While their operational modalities may differ, their functions and responsibilities are very similar.

The Special Procedures' main roles include sending communications to governments, conducting annual thematic studies, undertaking country visits, raising public awareness of human rights violations, providing technical advice and assistance to policymakers, and generally contributing to the development of international human rights standards.

As the right to freedom of expression is such a cross-cutting thematic issue, many more Special Procedures may also be relevant. You can find out more about the work of the Special Procedures, and the full list of thematic and country-specific positions, on the [Office of the UN High Commission for Human Rights \(OHCHR\) website](#).

Some Special Procedures with mandates most relevant for the right to freedom of expression include:

- 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 defenders](#);
- Special Rapporteur on [violence against women, its causes and consequences](#);
- Special Rapporteur on [extrajudicial, summary or arbitrary executions](#); and
- Working Group on [Arbitrary Detention](#).

What are communications?

In this context, communications are formal letters regarding individual cases of reported human rights violations or problematic laws, policies, or practices. The Special Procedures can send communications to governments or other stakeholders, such as intergovernmental organisations or businesses. These letters contain requests for further information, or sometimes recommendations for the relevant stakeholders to prevent and cease violations, conduct investigations, bring perpetrators to justice, or provide remedies to victims or their families. They can take different forms:

- **Urgent appeals:** These are sent when individual cases of human rights violations are time-sensitive with respect to loss of life, life-threatening situations, or imminent or ongoing damage of a grave nature to victims.
- **Allegation letters:** These are sent to communicate information and request clarification regarding individual cases of human rights violations when the situation is less urgent.
- **Legislative communications:** These are sent to request further information or suggest the reform or repeal of laws, policies, or practices that are out of line with international human rights standards.

The government or stakeholder that receives the communication has the opportunity to respond and address any allegations, questions, or recommendations. Their response is made public, alongside the communication itself.

All communications that UN Special Rapporteurs send out, and any responses, can be accessed through the [communications database](#). The database can be filtered by country and theme.

What is civil society's role in communications?

Any individual, civil society organisation, national human rights institution, or intergovernmental body can submit information directly to Special Procedures on cases of human rights violations or problematic laws, policies, or practices.

This information can prompt the Special Procedures to intervene and send their own official communications directly to governments or other stakeholders to raise their concerns, request further information, and suggest recommendations to remedy the situation.

Why send communications?

The Special Procedures' communications can exert influential pressure on public officials to act to reform laws or provide remedy on specific cases. There have been examples of this process having a tangible impact on domestic human rights situations, including through [remediating human rights violations](#) and [reforming laws and policies](#).

The Special Procedures' interventions and recommendations can also be used to bolster national-level advocacy, as they provide authoritative judgments that national actors and institutions are not fulfilling their international obligations.

The Special Procedures offer an advocacy route for any civil society organisation in any country. All civil society organisations, regardless of whether they have UN Economic and Social Council consultative status, can submit information for communications. The Special Procedures can also send communications on human rights violations in any country, regardless of whether that

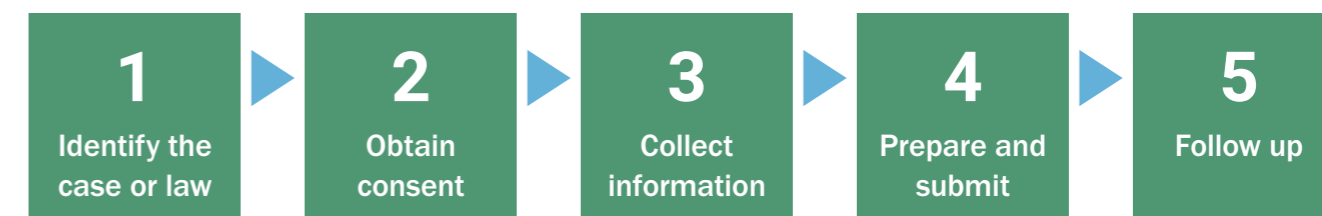
country has signed or ratified any of the core international human rights treaties. This is particularly valuable if your country has not signed or ratified treaties that open up advocacy opportunities on issues related to the right to freedom of expression and the safety of journalists, such as the International Covenant on Civil and Political Rights or the Convention against Torture.

While the Special Procedures offer a potentially effective advocacy route, it is important to note that the communications mechanism is not binding – the experts cannot ensure a response or enforce their recommendations. Furthermore, the Special Procedure receiving information from civil society may not take up the case. They are independent experts, so they may decide to not act on a case if they do not consider it to be part of their wider priorities. They are also volunteers, and often under-resourced, so they do not have the capacity to act on every case. Therefore, submitting information for a communication should sit within and complement existing advocacy strategies.

2. Sending communications



Figure 1: Process for sending communications to the UN Special Procedures



Step 1: Identify the case or law

When identifying an individual case to highlight to the Special Procedures, it is important to be strategic and select a case which is not only timely and important but *emblematic of broader human rights concerns*. The most suitable cases are those that have the strategic potential to illustrate main trends, long-standing problems, and emerging challenges in a particular context, with a view to having an impact beyond the individual case.

To help identify an **individual case**, think through the following questions:

- **How strategically significant is this case?** It is important to select a case that is emblematic of wider human rights violations – one that fits into a larger pattern of national human rights violations.
 - **How timely and useful would the intervention of the Special Procedures be in this particular case?** If there are relevant developments at the national level, such as a case being heard in court, an intervention could prove influential.
 - **Has a violation occurred or re-occurred, or is one imminent?** If there is an immediate risk to life, bodily integrity, or liberty, highlight that the communication should be prioritised as an urgent appeal.
- **Does the case concern particularly egregious human rights violations, such as killings; torture or other cruel, inhumane, or degrading treatment or punishment; physical violence; or arbitrary detention?** The Special Procedures may be more compelled to act on a case concerning more severe violations because of the urgent and imminent need for governments to respond when a person's life or dignity are at risk. However, this is not to say that other forms of human rights violations are not relevant or important. In these cases, it would be important to demonstrate why it is particularly relevant to raise such cases through this mechanism.

- **Has the violation affected an individual differentially due to their gender or other intersectional inequalities, such as their race, ethnicity, age, sexual orientation, gender identity/expression, sex characteristics, or religious beliefs?** The Special Procedures may be more compelled to act where violations also intersect with the right to equality and non-discrimination.
- **Do we have access to credible and reliable sources of information?** These include the testimonies or eyewitness accounts of the victim or secondary victims, as well as published reports (if the case has been reported). Note, however, that you should not rely exclusively on media reports to select a case.
- **Are others already working on the same case or issue and intending to send information to the Special Procedures?** If so, you could submit the information jointly.
- **Are we able to secure consent from the victim(s) of the human rights violations?** As consent is fundamental when engaging with this mechanism, you should seek informed consent in the early stages of the process.
- **Are we able to properly manage the outcomes and follow up after submitting information?** You may be required to provide more information throughout the process, and should think about engaging in further advocacy, such as holding meetings with authorities at the national level.

To identify a **law or policy**, many of the same principles apply as when choosing an individual case, but the following questions may also help:

- **Would the intervention of the Special Procedures come at a particularly strategic time in the development or status of a law or policy?** If a law is in its draft form and has not yet been passed, their intervention may prove influential. If a law has recently been passed, and has been subject to protests or national debate, their intervention may help to support larger campaigns.
- **Does the law or policy include flagrant violations of international human rights law and standards?** If the law is in clear and demonstrable contravention of a State's international obligations, the Special Procedures may be more compelled to act.
- **Has the law or policy been used to crack down on civil society?** Where a law has been shown to have resulted in human rights violations against individuals (such as arbitrary arrests), or demonstrable chilling effects on the work of civil society, this could significantly improve the chances of an intervention.

If you intend to bring the same case, law, or policy to the attention of a regional mechanism (e.g. the African Court on Human and Peoples' Rights, European Court of Human Rights, or Inter-American Court of Human Rights), you should be aware that admissibility issues may arise if it is pending before the UN Special Procedures. As the rules differ between each regional mechanism, it is important to check with the relevant mechanism before you decide to submit to the UN Special Procedures.

Step 2: Obtain consent

If you are submitting information on an **individual case**, it is important to obtain the full and informed consent of the victim(s). Where this is not possible, it is sufficient to obtain consent from their family members or legal representatives. This is necessary even for cases that are in the public domain, given the potential for additional security risks or reprisals arising from Special Procedures' intervention.

If you are submitting information on a **law or policy**, you will need to obtain consent if you mention specific individuals who have been sanctioned or otherwise affected under its provisions.

In particular, consent is required for victims to be named in the communication to the government concerned, as well as in the communications report and communications database, all of which are publicly available. While it is not mandatory to name victims in a communication, opting not to do so limits the ability of the Special Procedures to respond on individual cases.

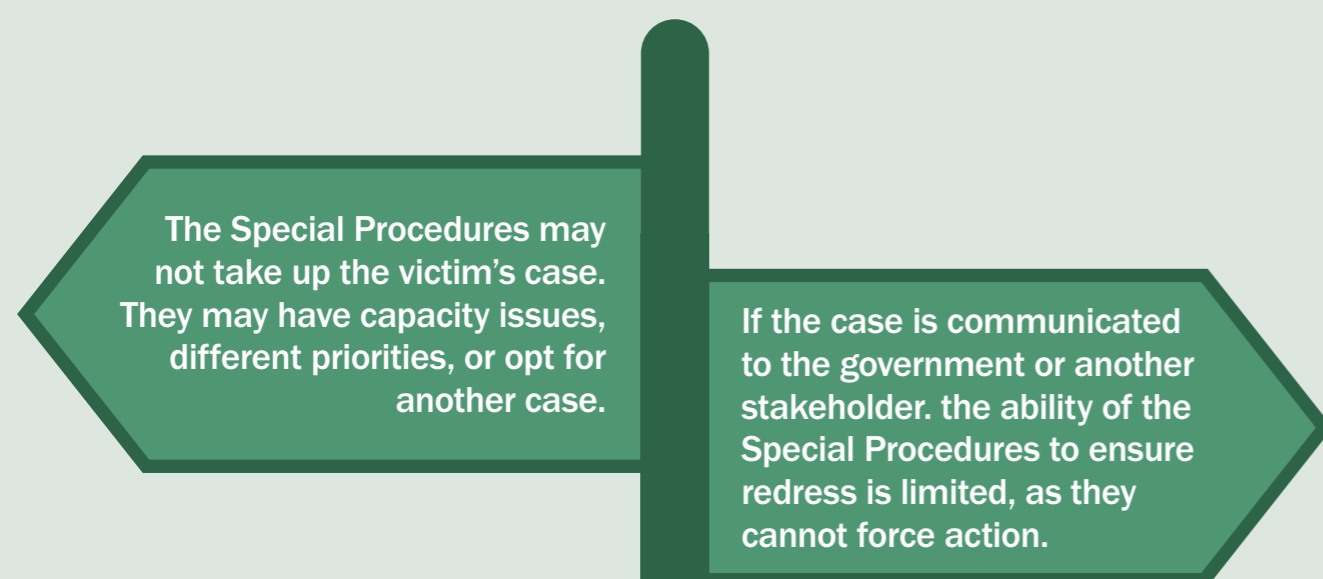
When seeking informed consent:

- Explain any general risk factors that may arise from the communication, including harassment, intimidation, or threats to life or security;
- If a request to protect the identity of the victim is made, inform the victim that this does not mean they are immune from State surveillance, nor from being discovered as the source of information, even if we protect their identity – and that, as a result, reprisals may still occur; and

- Ensure the victim is aware that, if cooperation with the Special Procedures results in reprisals, they can officially report this to reprisals@ohchr.org

You should consider conducting a risk assessment in consultation with the victim or their representatives. This means there should be a strategic discussion about the risks to the individual, as well as the risks to their organisation, from engaging in this process. The risk analysis should consider the issues they work on, the context in which they work, and the intersectional inequalities they experience. It is important to reassess the individual's circumstances at different stages, and to communicate closely with them or their representatives. If, during conversations with the victim or their representatives, you identify a heightened risk of reprisals as a result of engaging with this process, you should consider other advocacy routes.

Another important aspect of obtaining full and informed consent is managing the victim's expectations of the process and its likely outcomes (see Figure 2).

Figure 2: The importance of managing victims' expectations

Step 3: Collect information

The Special Procedures are best-placed to act on a case with complete, clear, and detailed information about the violation, law, or policy. When the information is clear and consistent, they will not need to request clarification or further information before processing it and deciding whether to send a communication.

In terms of **individual cases**, a non-exhaustive checklist is provided below to assist in the process of information collection:

- **Who is the alleged victim?** What are their known affiliations or views? Have they been perceived to express dissent or political opposition in the past? Have they recently been investigating or working on any sensitive topics? Have they received threats in relation to their work – and, if so, have these been reported to and dealt with by the authorities? Does this form part of a pattern of human rights violations against them?
- **Who is the alleged perpetrator?** Are there several perpetrators? Where perpetrators are authorities or individuals acting as public officials, what is the specific identity of the authority (e.g. city police, district police, or paramilitary forces)? If the perpetrator is unknown, have the authorities carried out any investigations to identify them?
- **When (date and time) did the incident occur?**
- **Where did the incident occur?** What city or town did the violation take place? Is the location particularly relevant?
- **What were the full details of the violation?**
For example:
 - *If an individual was arrested or detained:* Was a warrant presented? Were any grounds given? What are the formal charges, and under which law were they framed? Has there been a formal indictment and, if so, when and where did this occur? What stage of proceedings is the case at? How many hearings have taken place, when and where did they take place, and what occurred at each hearing? Are there any fair-trial or due-process concerns with respect to the trial? Was access to a lawyer or family members granted? Where is the individual currently being held? Has an individual been transferred between different detention centres or prisons? What is the individual's current physical and mental health condition?
 - *If an individual disappeared or was killed:* What date was an investigation launched into the disappearance or murder? Where and when was the individual last seen before they disappeared? Are there any concerns regarding the credibility and effectiveness of the investigation? What are the results of the investigation? Have family members or legal representatives made any attempts to request the authorities to follow up the case? If so, who did they contact, when, and what was the response to their inquiries?

- *If an individual's home or office was raided:* Where is the home or office located? Who raided it? Was a warrant presented? Who was present? Was any equipment taken or confiscated? Has an investigation been opened into the raid?
- **What is the legal basis of the case?** What law and specific provisions have been acted on? What are the specific punishments? Has this particular law been broadly used to arrest or detain individuals expressing their right to freedom of expression?
- **Is this case strategically significant?** In other words, is it symptomatic of a larger problem of human rights violations in that particular country?

When collecting information on an individual case, it is important to ensure an intersectional gender approach and be mindful whether the individual has been affected differentially or disproportionately due to their gender or other key intersections. Intersectionalities may include sex, race, ethnicity, nationality, age, sexual orientation, sex characteristics, gender identity/expression, and religious beliefs, among others.

Figure 3: The information-collection process



When collecting information for a submission on a **law or policy**, the same level of detail is required. You may want to think about the following checklist:

- **What law and specific provisions are problematic?** What are the specific punishments, including prison sentences or fines?
- **What stage of the legislative process is the law or policy currently at?** If the law or policy has been passed and is already in force, has it faced any reviews or challenges from the judiciary?
- **Does this law form part of a larger restrictive legislative framework for the right to freedom of expression and related rights?** Does the law work in connection with other laws to unduly restrict space for civil society?
- **Has the law been used to crack down on the right to freedom of expression or related rights and has it led to human rights violations against individuals, such as arbitrary detention?**
- **Is there any evidence of public opinion on the law or policy?** Have there been any protests or national debate? Did the government hold open and transparent consultations with the public when drafting and implementing the law or policy?

If you mention an individual in a submission that focuses on a law or policy, this should be to demonstrate the impact of that law or policy; you do not require the same level of detail as with submitting information on an individual case. However, you will still need to obtain consent for any individual mentioned in your submission ([see Step 2](#)).

When collecting information, it is useful to use secure communications through end-to-end encryption, and to encrypt documents containing sensitive information, thus limiting risk exposure for the victim and their relatives or colleagues. Secure messaging applications include Signal and Wire.

Step 4: Prepare and submit

When you have collected all your information, we recommend preparing your submission in a letter format, as this allows you to present detailed information chronologically and clearly.

You can find two sample submissions in [Annex 1](#).

The structure is flexible, but should be guided by the following framework:

- The submission of information on an **individual case** should begin by narrating the facts of the case chronologically and clearly, including all the detailed information you collected. At this stage, you should assess what information is sensitive and select what can be shared based on the risks, consent, and permanent communication with the victim or their family or legal representatives. **If it is an urgent appeal, this should be made clear in the introduction.**
- The submission of information on a **law or policy** should begin by outlining its full details, including the exact provisions and punishments, and information about the legislative process. It should also include broader information, including the legislative framework the law or policy sits within and whether it has had a tangible impact on the enjoyment of human rights.

- If you have time and the relevant knowledge, whether the information is on an individual case or a specific law or policy, you should then briefly refer to **international human rights standards** that have been violated. This does not need to be too long – the Special Procedures are already experts!

The international legal standards frequently invoked in cases related to the right to freedom of expression are contained in [Annex 4](#).

- End the letter by outlining **recommendations** for the Special Procedures to request from the government (or other stakeholder) concerned. These should be as specific as possible.

Some examples of specific outcomes that you could recommend are provided in [Annex 2](#).

- Include the victim's **consent letter** as an annex to the communication.

A sample consent form is provided in [Annex 3](#).

Ahead of submission, victims (or their family or legal representatives) should give the content final approval.

While there are no word-count requirements, it is not necessary for the communication to be too long. Aim for a detailed yet concise communication of three to five pages. The communication should be in English, French, or Spanish.

You can choose to submit your communication to a single mandate holder or multiple relevant mandate holders. For example, if your communication concerns a journalist who was arrested while covering a protest, you can send it to both the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the rights to freedom of peaceful assembly and of association. Sending the communication to multiple relevant mandate holders may lead to a coordinated, joint response, which may be more impactful.

You may choose to submit information through an [online questionnaire](#). This questionnaire contains text boxes to answer questions related to the case, and allows you to upload your submission and consent form as attached documents.

You can also email your submissions to specific mandate holders. The Office of the UN High Commissioner for Human Rights website has the contact information for Special Procedures holding [thematic mandates](#) and [country-specific mandates](#). If it is an urgent appeal, you should indicate that in the subject line and body of the email.

Step 5: Follow up

After you send information to the Special Procedures, there is no formal follow-up procedure. However, the Special Procedures' team may be in touch with you to ask any follow-up questions, especially if there have been any updates. This means you should continue to monitor the case and be on standby to answer their questions.

You may also think about doing some external communications around the submission of information. However, there is no standard rule here. You are best-placed to understand the national situation, whether external communications to draw attention to the case are likely to help or hinder, and whether they could potentially cause reprisals.

In the past, some civil society organisations have put out press releases or other forms of public statements around particular cases, including outlining that they have sent the case to the Special Procedures. However, given that it is never certain whether the Special Procedures will send a communication to your government, or what this will entail, you may decide it is better to wait until a communication has been confirmed before you engage in more public-facing advocacy.

Annex 1: Sample submissions

Here are two sample submissions to the Special Procedures. The first concerns the arrest and arbitrary detention of a journalist, and the second concerns impunity for online harassment and abuse against a journalist. These are fictional examples, and are intended to demonstrate the structure and level of detail required for a submission. As such, you would need to adapt them for your own purposes.

Example 1: Arrest and arbitrary detention of a journalist

Organisation(s) logo(s)

Date

Dear [name], Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression,

We write to you to raise our concerns regarding the arrest and detention of Mr A, editor and journalist at [newspaper name], which falls within the scope of your mandate pursuant to Human Rights Council resolution 36/6. In this connection, we would like to bring to your attention information we have received from [source], a [civil society organisation/individual] based in [country], concerning the arrest and detention of Mr A.

The consent form of Mr A is attached as Annex 1.

According to the information received:

On 1 January 2021, the Ministry of Information issued instructions to cease circulation and publication of [newspaper name], after the newspaper printed an investigative story critical of the judiciary and the armed forces. Prior to this, [newspaper name] had also carried a series of articles on judicial and governmental corruption. On 2 January 2019, Mr A was arrested together with [name] and [name],¹ subeditors of [newspaper name].

State Security Forces arrested Mr A at his local mosque, located at [street/area], after which he was held in incommunicado detention until 1 February 2021, when he was finally able to inform his family of his arrest and detention via phone call.

It was only at the first hearing of Mr A, which took place on 10 February 2021, that he was granted the right to communicate with his lawyer. At this hearing, he was charged with, inter alia, 'publishing material prejudicial to public security', 'expressing contempt for the judiciary and armed forces', and 'undermining the prestige of the State' under Article 1(a) of the Penal Code. Article 1(a) carries a punishment of up to five years' imprisonment and a fine of up to 5,000 USD. Subsequent hearings were held on Mr A's case on 15 February, 25 February, and 1 March 2021. At the last hearing, the judge ordered that Mr A be held in solitary confinement.

It is worth mentioning that Mr A has been on hunger strike since 1 March 2021 (the date of his last hearing) in protest against the conditions of his detention, which include subjection to psychological and physical torture, as a result of which Mr A has contracted a condition that requires regular treatment and medication.

Since 1 March 2021, no hearings have been conducted or scheduled with respect to Mr A's case, and Mr A has been denied access to his lawyer and family members.

¹ Only mention other parties by name if you have their consent; otherwise, refer to them anonymously, e.g. 'two persons associated with Mr A were also arrested'.

We wish to express our grave concern over the arrest and detention of Mr A, particularly considering that the unlawful treatment was directed against him due to his journalistic work. The arbitrary arrest and wrongful detention of Mr A serve as a barrier to the work of journalists, as well as interfering with the public's right to have access to information, thereby violating Article 19 of the International Covenant on Civil and Political Rights (ICCPR), which [country] acceded to on [date]. Moreover, we would like to express grave concern over the lack of legal basis for Mr A's arrest and detention, which coincided with the shutting down of [newspaper name]. The closure of [newspaper name] and detention of Mr A do not comply with permissible grounds for restricting freedom of expression under international human rights standards.

With regard to the arbitrary arrest, detention, and torture of Mr A, we would like to convey our concern at the chilling effect this has on the exercise of freedom of expression in [country] in general, and on the independence of the media to report on issues of public interest and government accountability.

[Country]'s disregard for international human rights law and standards, specifically in the case concerning the arbitrary arrest and detention of Mr A, require the intervention of the Special Rapporteur, particularly on the following matters, inter alia:

1. To acknowledge [country]'s violations and demand measures aimed at providing redress for Mr A and [newspaper name];
2. To call on [country] to respect international human rights law, particularly its obligations under the ICCPR, with regard to freedom of opinion and expression and respect for life and liberty;
3. To call on [country] to cease its policy of harassing, persecuting, and threatening journalists, and to end its heavy-handed attempts to censor print media;
4. To demand an end to the arbitrary and inhumane detention of Mr A, in line with [country]'s international human rights obligations;
5. To call on [country] to repeal Article 1(a) under the Penal Code; and,
6. To report to the Human Rights Council and to propose recommendations to protect journalists in [country].

Thank you for your attention to this matter.

Yours sincerely,

[Name(s)]

[Organisation(s)]

Example 2: Online harassment and abuse against a journalist

Organisation(s) logo(s)

Date

Dear [name], Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression,

We write to you to bring to your attention information we have received concerning death threats against Ms A, a journalist from [country] and recipient of the Press Freedom Award in 2016. We believe the case falls within the scope of your mandate pursuant to Human Rights Council Resolution 36/6. In this connection, we would like to bring to your attention information we have received from [source], a [civil society organisation/individual] based in [country], concerning the substance of these death threats, which stem from the dissemination of fabricated accusations against Ms A online.

The consent form of Ms A is attached as Annex 1.

According to the information received:

On 1 July 2021, an article Ms A wrote was published in [newspaper name], in which she reported on the misuse of the blasphemy provisions in the Penal Code in [country]. On that same day, Mr X, a prominent national cleric followed by over 500,000 people on social media, posted a video message on his Facebook account in which he disseminated fabricated information regarding Ms A. It is worth mentioning that Ms A has previously been subjected to death threats by religious clerics, not only for her work on the blasphemy provisions in the Penal Code but also because she belongs to the minority community.

Mr X, in the video message posted on his Facebook account, announced that he would kill Ms A for her blasphemous article, and incited the public to support the killing. In his video message, Mr X shared photos of Ms A that had been stolen from her private Facebook account. Shortly after Mr X uploaded the video message, Ms B posted a comment on it, in which she shared Ms A's personal information, including her telephone number, identity card number, and home address.

On 4 July 2021, Ms A filed an online complaint with [country]'s Central Investigation Agency. To date, she is yet to receive a response from the Agency. It merits a mention that Ms A has faced several forms of intimidation and death threats in relation to her journalistic work over the past years, specifically for her position in support of repealing the blasphemy provisions. Similarly, other journalists working on the blasphemy provisions have also faced an increasing range of online threats, bullying, and smear campaigns. We are thus deeply concerned about the safety of Ms A.

In this regard, we would like to refer to the Human Rights Committee's General Comment No. 35, which states that the right to personal security obliges States to take appropriate measures in response to death threats against persons in the public sphere, and more generally to protect individuals from foreseeable threats to life or bodily integrity proceeding from any governmental or private actors. Further, the Human Rights Committee's General Comment No. 31 explicitly sets out the positive obligation on States Parties, such as [country], to ensure the protection of the

rights contained in the International Covenant on Civil and Political Rights (ICCPR) against not only violations by its agents but also acts committed by private persons or entities. A failure to investigate violations of the Covenant and bring perpetrators of such violations to justice could, in and of itself, give rise to a separate breach of the ICCPR.

We would like to express our grave concern at the death threats Ms A has received, which appear to be directly linked to her journalistic activities and the exercise of the right to freedom of expression. We urgently request the intervention of the Special Rapporteur on the following matters, inter alia:

1. To require from [country] a detailed explanation of how its agents are processing Ms A's complaint regarding death threats online;
2. If the aforementioned complaint is not being processed, to inquire what [country]'s legal reasoning is for this clear breach of its human rights obligations under the ICCPR;
3. To demand from [country] an impartial and thorough investigation into the death threats Ms A received;
4. To call on [country] to repeal blasphemy provisions in the Penal Code;
5. To assess the situation of journalists in [country], so as to gauge whether any measures have been taken to ensure journalists are able to carry out their peaceful and legitimate work in a safe and enabling environment, free from any physical or other harassment;
6. To demand that [country] provides protection to Ms A until the investigation into these death threats is concluded; and
7. To report to the Human Rights Council and to propose recommendations to protect journalists in [country].

Thank you for your attention to this matter.

Yours sincerely,

[Name(s)]

[Organisation(s)]

Annex 2: Specific outcomes

The concluding section of the submission should request certain outcomes for the Special Procedures to request from a State to remedy the human rights violation or prevent its recurrence. The recommendations a submitting party requests may differ from the recommendations the Special Procedures opt to make in their letter. Additional illustrations of such outcomes, as requested by Special Procedures, are categorised and provided on the following pages.

Urgent appeal

- **Arrest:** 'Please provide information concerning the legal grounds for the arrest and detention of the aforementioned person and explain how this is compatible with the principles and norms contained in Articles 9, 10, and 19 of the Universal Declaration of Human Rights and Articles 9, 14, and 19 of the International Covenant on Civil and Political Rights.'
- **Detention:** 'Please provide information about the physical and mental condition of [name], in particular in light of their existing health condition.'
- **Threats:**
 - 'Please indicate whether the threats against the aforementioned person have been thoroughly investigated with a view to identifying the perpetrators and bringing them to justice. If so, what are the results of the investigation? If no investigation has been initiated, please explain why.'
 - 'Please indicate what measures have been taken to ensure that journalists and media workers are able to carry out their legitimate work in a safe and enabling environment without fear of threats, acts of intimidation directed against them or their family members, or harassment of any sort.'

Allegation letter

- **Physical attack:** 'Please explain how the lack of investigation into the attack against the aforementioned person is in compliance with [country]'s obligations under international human rights law.'
- **Detention:** 'Please provide information about the conditions of detention of the aforementioned person, including their access to a lawyer, access to information about the case against them, and access to visits by their family.'
- **Legislation:** 'Please provide information about measures taken to bring Article 1(a) of the Penal Code and its enforcement into line with [country]'s obligations under international human rights law, in particular with Article 19(3) of the ICCPR.'

This is a non-exhaustive list of outcomes that you may request while submitting the case to the Special Procedures:

- Report to the Human Rights Council and propose recommendations for the protection of journalists in a particular country;
- Call upon the State concerned to cease its harassment, persecution, arrests, detentions, intimidation, and/or criminal prosecutions of individuals exercising their right to freedom of expression, in line with the State's international human rights obligations under specific treaties/conventions;
- Demand an investigation into attacks against journalists and human rights defenders;

- Ensure safeguards are put in place for fair trial and due process;
- Request an explanation from the concerned State on how its acts or omissions comply with its international obligations;
- Call for the release of journalists or human rights defenders who are detained or serving a sentence on the basis of their work;
- Request the reasons for arrest, specific charges, exact location of where an individual is being kept, etc;
- Request clarification on reasons for detention, place of detention, physical state of the detainee, medical treatment being provided to the detainee, etc; and
- Call for the repeal or amendment of specific provisions or laws that undermine the right to freedom of expression.

Annex 3: Consent form

I, **[name]**,¹ hereby give consent to **[NGO]** acting on my behalf in submitting an official communication to the United Nations (UN) Special Procedures mandate holders.

Kindly indicate:

- I consent for this case, including the name of the victim(s), their personal information, and biographical data relating to this case, to be communicated to the UN Special Procedures.
- I consent for this case, including the name of the victim(s), to be communicated by the UN Special Procedures to the government of **[country]** or others the UN Special Procedures considers relevant, such as intergovernmental organisations, including UN entities, businesses, military, or security companies.
- I consent for the information contained in this case, including the name of the victim(s), to appear in a public report to the UN Human Rights Council and inserted in a public database managed by the UN Special Procedures.
- I certify that **[NGO]** has informed me of possible risks of submitting information to these mechanisms and making the case public, including the name of the victim(s), and I understand and accept responsibility for these consequences. It should be noted that neither the UN Special Procedures nor the UN have the means to ensure the safety of persons on whose behalf they may intervene.
- I consent to **[NGO]** communicating information surrounding this case, including the name of the victim(s), in its advocacy efforts and in communication with its partners at other organisations, to the extent that **[NGO]** sees fit.
- In the event of publication of information concerning this case, I hereby release **[NGO]** of liability for any consequences that may occur.

¹ Insert '(on behalf of **[name of victim/family member on whose behalf you are acting]**)' after your name, if applicable.

(Signature)

(Relation to victim)

(Date)

(Address)

Annex 4: International legal provisions and standards

Some of the most frequently invoked provisions and standards in cases of violations of the right to freedom of expression, particularly attacks against journalists and human rights defenders, include:

- 1) [Universal Declaration of Human Rights](#) (UDHR), specifically Articles 3, 5, 6, 8, 9, 11, 13, 18, 19, and 20;
- 2) [International Covenant on Civil and Political Rights](#) (ICCPR), particularly Articles 6, 7, 9, 10, 12, 14, 16, 17, 19, 20, and 21;
- 3) [UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment](#);
- 4) [UN Declaration on the Protection of all Persons from Enforced Disappearance](#);
- 5) [Human Rights Council Resolution 44/12](#) on freedom of opinion and expression;
- 6) [Human Rights Council Resolution 45/18](#) on the safety of journalists;
- 7) Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, [A/71/373](#), of 6 September 2016; and
- 8) [UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#) (UN Declaration on Human Rights Defenders).

Reference may also be made to General Comments issued by the Human Rights Committee, the monitoring and supervisory body for the implementation of the ICCPR. General Comments issued by the Human Rights Committee, although non-binding, are authoritative interpretations of the provisions of the ICCPR. The most relevant in cases of attacks against journalists include **General Comments No. 34** ([on freedom of opinion and expression](#)), **35** ([on liberty and security of person](#)), **36** ([on the right to life](#)), and **37** ([on peaceful assembly](#)).

The following table provides a summary of commonly invoked human rights standards. Please note that this is a non-exhaustive list, and relates predominantly to cases of violations of the right to freedom of expression, particularly attacks against journalists and human rights defenders.

Type of violation	Relevant sources of legal standards
Arrest	<p>Universal Declaration of Human Rights (UDHR)</p> <ul style="list-style-type: none"> Article 3 (right to life, liberty, and security of person) Article 9 (right not to be subjected to arbitrary arrest, detention, or exile) <p>International Covenant on Civil and Political Rights (ICCPR)</p> <ul style="list-style-type: none"> Article 9(1) (right to liberty and security of person and protection from arbitrary arrest or detention) <p>General Comment No. 35</p> <ul style="list-style-type: none"> Para 17: 'Arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including freedom of opinion and expression' <p>Human Rights Council Resolution 45/18 on the safety of journalists</p> <ul style="list-style-type: none"> OP1: 'Condemns unequivocally all attacks, reprisals and violence against journalists and media workers, such as killings, torture, enforced disappearances, arbitrary arrest and arbitrary detention, expulsion, intimidation, threats and harassment, online and offline, including through attacks on or the forced closure of their offices and media outlets in both conflict and non-conflict situations' OP8: 'Urges the immediate and unconditional release of journalists and media workers who have been arbitrarily arrested or arbitrarily detained, taken hostage or who have become victims of enforced disappearance'
Detention	<p>UDHR</p> <ul style="list-style-type: none"> Article 6 (right to recognition as a person before the law) Article 8 (right to an effective remedy) Article 9 (right not to be subjected to arbitrary arrest, detention, or exile) <p>ICCPR</p> <ul style="list-style-type: none"> Article 9(1) (right to liberty and security of person and protection from arbitrary arrest or detention) Article 10(1) (persons deprived of liberty to be treated with humanity and respect for inherent human dignity) <p>General Comment No. 35</p> <ul style="list-style-type: none"> Para 17: 'Arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including freedom of opinion and expression' Para 17: 'Enforced disappearances violate numerous substantive and procedural provisions of the Covenant and constitute a particularly aggravated form of arbitrary detention'

Type of violation	Relevant sources of legal standards
	<p>Human Rights Council Resolution 45/18 on the safety of journalists</p> <ul style="list-style-type: none"> OP1: 'Condemns unequivocally all attacks, reprisals and violence against journalists and media workers, such as killings, torture, enforced disappearances, arbitrary arrest and arbitrary detention, expulsion, intimidation, threats and harassment, online and offline, including through attacks on or the forced closure of their offices and media outlets in both conflict and non-conflict situations' OP8: 'Urges the immediate and unconditional release of journalists and media workers who have been arbitrarily arrested or arbitrarily detained, taken hostage or who have become victims of enforced disappearance'
Killing	<p>UDHR</p> <ul style="list-style-type: none"> Article 6 (right to recognition as a person before the law) Article 8 (right to an effective remedy) <p>ICCPR</p> <ul style="list-style-type: none"> Article 6(1) (right to life and protection from arbitrary deprivation of life) Article 9(1) (right to liberty and security of person and protection from arbitrary arrest or detention) <p>Human Rights Council Resolution 45/18 on the safety of journalists</p> <ul style="list-style-type: none"> OP1: 'Condemns unequivocally all attacks, reprisals and violence against journalists and media workers, such as killings, torture, enforced disappearances, arbitrary arrest and arbitrary detention, expulsion, intimidation, threats and harassment, online and offline, including through attacks on or the forced closure of their offices and media outlets in both conflict and non-conflict situations'
Right to privacy	<p>UDHR</p> <ul style="list-style-type: none"> Article 12 (protection from arbitrary interference with privacy, family, home or correspondence, and attacks upon honour and reputation) <p>ICCPR</p> <ul style="list-style-type: none"> Article 17 (protection from arbitrary or unlawful interference with privacy, family, home or correspondence, and unlawful attacks on honour and reputation) <p>Human Rights Council Resolution 45/18 on the safety of journalists</p> <ul style="list-style-type: none"> OP8k: 'Calls upon States ... To refrain from interference with the use of technologies such as encryption and anonymity tools, and from employing unlawful or arbitrary surveillance techniques, including through hacking' OP8l: 'Calls upon States ... To ensure that targeted surveillance technologies are only used in accordance with the human rights principles of lawfulness, legitimacy, necessity and proportionality, and that legal mechanisms of redress and effective remedies are available for victims of surveillance-related violations and abuses'

Type of violation	Relevant sources of legal standards
	<p>Human Rights Council Resolution 48/4 on the right to privacy in the digital age</p> <ul style="list-style-type: none"> • OP6b: 'Calls upon all States ... To take measures to end violations and abuses of the right to privacy and to create the conditions to prevent such violations and abuses, including by ensuring that relevant national legislation complies with their obligations under international human rights 'law'
Freedom of opinion and expression	<p>UDHR</p> <ul style="list-style-type: none"> • Article 19 (right to freedom of opinion and expression, including the freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers) <p>ICCPR</p> <ul style="list-style-type: none"> • Article 19 (freedom of opinion and expression, including the 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 one's choice) <p>General Comment No. 34</p> <ul style="list-style-type: none"> • Para 11: 'Article 19(2) includes political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse. It may also include commercial advertising. The scope of paragraph 2 embraces even expression that may be regarded as deeply offensive.' • Para 13: 'A free, uncensored and unhindered press or other media is essential in any society to ensure freedom of opinion and expression and the enjoyment of other Covenant rights. It constitutes one of the cornerstones of a democratic society.' • Para 47: 'States parties should consider the decriminalization of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty.' <p>Human Rights Council Resolution 45/18 on the safety of journalists</p> <ul style="list-style-type: none"> • OP6: 'Stresses the importance of the full respect for the right to seek, receive and impart information, as included in the right to freedom of opinion and expression, and in this regard for the freedom of journalists to have access to information held by public authorities and the right of the general public to receive media output, and that the safety of journalists and media workers is indispensable to ensure these rights' • OP10d: 'Calls upon all States ... To ensure that measures to combat terrorism and preserve national security, public order or health are in compliance with their obligations under international law and do not arbitrarily or unduly hinder the work and safety of journalists, including through arbitrary arrest or detention, or the threat thereof'

Type of violation	Relevant sources of legal standards
	<ul style="list-style-type: none"> • OP10h: 'Calls upon all States ... To ensure that defamation and libel laws are not misused, in particular through excessive criminal sanctions, to illegitimately or arbitrarily censor journalists and interfere with their mission of informing the public, and where necessary to revise and repeal such laws, in compliance with States' obligations under international human rights law' • OP7: 'Urges political leaders, public officials and/or authorities to refrain from denigrating, intimidating or threatening the media, including individual journalists, or using misogynist or any discriminatory language towards women journalists, thereby undermining trust in the credibility of journalists and respect for the importance of independent journalism' <p>Human Rights Council Resolution 44/12 on the freedom of opinion and expression</p> <ul style="list-style-type: none"> • OP8d: 'Calls upon all States ... To enable everyone, including journalists and other media workers, and human rights defenders, to exercise their right to freedom of opinion and expression, including by taking effective measures to ensure their safety, and to protect in law and in practice the confidentiality of journalists' sources, including whistleblowers, in acknowledgement of the essential role of journalists and those who provide them with information in fostering government accountability and an inclusive, democratic and peaceful society' • OP8g: 'Calls upon all States ... To refrain from imposing restrictions that are inconsistent with Article 19 of the International Covenant on Civil and Political Rights, including on the free flow of information and ideas, including through practices such as the use of Internet shutdowns to intentionally and arbitrarily prevent or disrupt access to or the dissemination of information online, the banning or closing of publications or other media and the abuse of administrative measures and censorship, and on access to or use of information and communications technology, inter alia radio, television and the Internet' • OP8f: 'Calls upon all States ... To ensure that any limitations on the right to freedom of expression are only such as are provided by law and are necessary for the respect of the rights and reputations of others, or for the protection of national security or of public order, or of public health, including by ensuring that all measures taken to counter threats related to terrorism, violent extremism and public health are in full compliance with international human rights obligations, including the principles of lawfulness, legitimacy, necessity and proportionality' <p>Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (A/71/373) of 6 September 2016</p> <ul style="list-style-type: none"> • Para 34: 'Punishment for defamation of government officials is widespread and directly interferes with freedom of expression, whether by imposing penalties on expression or dissuading individuals from criticizing officials or government policy' • Para 34: 'Particularly with respect to public figures, national laws should be careful to ensure that any respondent in a defamation case may raise a public interest defence, and even untrue statements made in error and without malice should not be rendered unlawful or subject to penalty'

Type of violation	Relevant sources of legal standards
Freedom of assembly and association	<p>UDHR</p> <ul style="list-style-type: none"> Article 13(1) (right to freedom of movement and residence) Article 20(1) (right to freedom of peaceful assembly and association) <p>ICCPR</p> <ul style="list-style-type: none"> Article 12(1) (freedom of movement and residence) Article 21 (right to peaceful assembly) Article 22 (freedom of association) <p>General Comment No. 37</p> <ul style="list-style-type: none"> Para 30: 'The role of journalists, human rights defenders, election monitors and others involved in monitoring or reporting on assemblies is of particular importance for the full enjoyment of the right of peaceful assembly. Those persons are entitled to protection under the Covenant. They may not be prohibited from, or unduly limited in, exercising these functions, including with respect to monitoring the actions of law enforcement officials. They must not face reprisals or other harassment, and their equipment must not be confiscated or damaged. Even if an assembly is declared unlawful or is dispersed, that does not terminate the right to monitor.'
Enforced or involuntary disappearance	<p>UDHR</p> <ul style="list-style-type: none"> Article 6 (right to recognition as a person before the law) <p>ICCPR</p> <ul style="list-style-type: none"> Article 16 (right to recognition as a person before the law) <p>General Comment No. 35</p> <ul style="list-style-type: none"> Para 17: 'Enforced disappearances violate numerous substantive and procedural provisions of the Covenant and constitute a particularly aggravated form of arbitrary detention' <p>UN Declaration on the Protection of all Persons from Enforced Disappearance</p> <ul style="list-style-type: none"> Article 2 (prohibition to practice, permit, or tolerate enforced disappearance) Article 3 (the obligation to take effective legislative, administrative, judicial, or other measures to prevent and terminate acts of enforced disappearance) Article 7 (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 9 (right to prompt and effective judicial remedy to determine whereabouts or state of health of persons deprived of their liberty) Article 10 (the right to be held in an officially recognized place of detention in conformity with national law and to be brought before a judicial authority promptly after detention, and the obligation to make available accurate information on the detention of persons and their place of detention to their family, counsel, or other persons with a legitimate interest) Article 12 (the obligation to maintain in every place of detention an official up-to-date register of detained persons)

Type of violation	Relevant sources of legal standards
	<p>Human Rights Council Resolution 45/18 on the safety of journalists</p> <ul style="list-style-type: none"> OP1: 'Condemns unequivocally all attacks, reprisals and violence against journalists and media workers, such as killings, torture, enforced disappearances, arbitrary arrest and arbitrary detention, expulsion, intimidation, threats and harassment, online and offline, including through attacks on or the forced closure of their offices and media outlets in both conflict and non-conflict situations' OP8: 'Urges the immediate and unconditional release of journalists and media workers who have been arbitrarily arrested or arbitrarily detained, taken hostage or who have become victims of enforced disappearance'
Torture or other cruel, inhuman, or degrading treatment	<p>UDHR</p> <ul style="list-style-type: none"> Article 5 (protection from torture or other cruel, inhuman, or degrading treatment or punishment) Article 8 (right to an effective remedy) <p>ICCPR</p> <ul style="list-style-type: none"> Article 7 (protection from torture or other cruel, inhuman, or degrading treatment or punishment) Article 10(1) (persons deprived of liberty to be treated with humanity and respect for inherent human dignity) <p>Convention against Torture</p> <ul style="list-style-type: none"> Article 12 (right to a prompt and impartial investigation where there is reasonable ground to believe that an act of torture has been committed) Article 13 (right to have complaint of torture promptly and impartially examined, and to be protected against ill treatment or intimidation) Article 14 (right to redress for acts of torture; right to fair and adequate compensation and means for full rehabilitation) <p>Human Rights Council Resolution 45/18 on the safety of journalists</p> <ul style="list-style-type: none"> OP1: 'Condemns unequivocally all attacks, reprisals and violence against journalists and media workers, such as killings, torture, enforced disappearances, arbitrary arrest and arbitrary detention, expulsion, intimidation, threats and harassment, online and offline, including through attacks on or the forced closure of their offices and media outlets in both conflict and non-conflict situations'
Right to fair trial/ due process	<p>UDHR</p> <ul style="list-style-type: none"> Article 6 (right to recognition as a person before the law) Article 8 (right to an effective remedy) Article 10 (right in full quality to a fair and public hearing by an independent and impartial tribunal, in the determination of rights and obligations, and of any criminal charges) Article 11(1) (presumption of innocence)

Type of violation	Relevant sources of legal standards
	<p>ICCPR</p> <ul style="list-style-type: none"> • Article 14 (equality before courts and tribunals; right to fair and public hearing by a competent, independent, and impartial tribunal established by law; presumption of innocence; trial without delay and with adequate resources; right to appeal) • Article 16 (right to recognition as a person before the law)
Gender-based violence and threats against journalists	<p>Human Rights Council Resolution 45/18 on the safety of journalists</p> <ul style="list-style-type: none"> • OP2: 'Condemns unequivocally the specific attacks on women journalists and media workers in relation to their work, such as gender-based discrimination, including sexual and gender-based violence, threats, intimidation and harassment, online and offline' • OP7: 'Urges political leaders, public officials and/or authorities to refrain from denigrating, intimidating or threatening the media, including individual journalists, or using misogynist or any discriminatory language towards women journalists, thereby undermining trust in the credibility of journalists and respect for the importance of independent journalism' • OP10o: 'Calls upon States ... To take measures to prevent sexual harassment and other forms of sexual and gender-based violence, including threats, threats of rape, intimidation and harassment against women journalists, to encourage the reporting of harassment or violence by providing gender-sensitive investigative procedures, to provide adequate support, remedy, reparations and compensation for victims, including psychological support as part of broader efforts to promote and protect the human rights of women, to eliminate gender inequality and to tackle gender-based stereotypes in society, and to prohibit incitement to hatred against women journalists, online and offline, and other forms of abuse and harassment through relevant policy and legal measures that comply with international human rights law'



ARTICLE 19