



## **IBAHRI Freedom of Expression Bulletin**

**For release: 28 July 2020**

On 17 July 2020, the IBAHRI released the following statement reiterating the increasing importance of the mandate of the Special Rapporteurs in the promotion of human rights, particularly the right to freedom of expression in light of the growing challenges presented by the Covid-19 pandemic:

The [International Bar Association's Human Rights Institute](#) (IBAHRI) welcomes the appointment of Irene Khan, the first female mandate holder for the role of United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, and Jamesina Essie L. King to the position of African Commission on Human and Peoples' Rights Special Rapporteur on Freedom of Expression and Access to Information. The role of Special Rapporteur is indispensable in the protection and promotion of freedom of expression, a fundamental human right enshrined in the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights, in addition to other regional human rights instruments.

Today, the persecution of those who exercise their freedom of expression is growing at an alarming rate, both in frequency and intensity. Around the world, we are noticing concerning trends including journalists and media workers who are targeted for their reporting, peaceful protestors met with growing levels of violence at the hands of law enforcement, serious interference with the independence of lawyers, activists and government dissidents being subjected to judicial persecution, as well as intentional and arbitrary use of internet shutdowns, and slow downs, to prevent access to information. Growing efforts to silence those who speak truth to power have been exacerbated by the Covid-19 pandemic, as more and more states are adopting new laws purporting to deal with the dissemination of disinformation/misinformation or to protect national/international security interests measures that contravene international human rights standards and impede upon free expression.

The mandate of the Special Rapporteurs is now more important than ever, as it is their role to identify trends and emerging issues in order to deliver essential guidance in light of the growing challenges presented by the Covid-19 pandemic and we are committed to working with them to promote and protect the freedom of expression globally. States must also strengthen and support the work of the Special Rapporteurs, confirming their commitment to human rights and, in particular, the protection of the freedom of expression.

In this regard, the IBAHRI condemns the decision by Azerbaijan and Tajikistan to block the renewal of the mandate of the OSCE Representative on Freedom of the Media (RFOM), Mr Harlem Désir. The RFOM mandate is to support states in their compliance of the OSCE principles on free expression and media freedom, and therefore provide a swift response to serious non-compliance by OSCE member states. From 18 July 2020, the OSCE is without a mandate-holder at a time when threats to freedom of expression are exacerbated. We join other international organisations in urging the two countries to uphold their international commitments and pledge support towards the renewal of the RFOM mandate.

### **1. National security and emergency measures**

Since the outset of the Covid-19 pandemic, several states have chosen to resort to emergency measures to allow for the issuing of new extraordinary measures. Although a state of emergency may be justified in the context of a pandemic, it is risky to extend a government's powers beyond the constitutional standard, as it becomes difficult to review all measures taken and to ensure that the government relinquishes its newly-extended powers at the end of the crisis.

### **2. Privacy and surveillance**

As the spread of the virus relies heavily on the public's behaviour and on how well informed people are regarding the virus' transmission and its effects, some states have taken it into their hands to monitor and closely control people's movements, even at the cost of their privacy. Many states have demonstrated how technological surveillance is being used in this context and also how worrying such measures are when they are not strictly defined and limited.

### **3. Safety of journalists**

During this pandemic, the personal safety of journalists and media workers, especially those reporting from the frontlines of this global crisis with accurate and reliable information for the public, is paramount. There are very real concerns about the physical safety of journalists, and the considerable psychological stress of reporting on the outbreak.<sup>1</sup> Across the globe, we are seeing journalists being threatened and punished for speaking out about the extent of the situation in their countries.

### **4. Free speech**

Some countries have sought to restrain freedom of speech, as they consider that alternative reporting on the current state of affairs constitutes a counter-productive discourse, and is therefore an obstacle in their response to the crisis. This is a worrying trend that could result in a detrimental unawareness of the real implications of the pandemic. By silencing non-official voices, states not only hinder the global response to the virus, but also sap democratic stability by favouring opacity over transparency.

### **5. Digital rights and internet shutdowns**

It is clear that the internet has played a key role in fighting the spread of coronavirus, as it facilitates the exchange of information about the virus around the globe as well as the international coordination of efforts against the virus. Consequently, restricting access to the internet in general, or to certain websites such as social media platforms, participates in obscuring the reality of this global pandemic, which is tantamount to preventing the public from accessing relevant scientific facts.

---

<sup>1</sup> UNESCO, 'UNESCO stresses importance of safety of journalists amid COVID-19 pandemic', 27 March 2020 <https://en.unesco.org/news/unesco-stresses-importance-safety-journalists-amid-covid-19-pandemic>

## 1. National security and emergency measures

A state of emergency usually involves a devolution of power to the executive organs of the state, with little or no legislative review, as justified by the urgency of the situation. It enables a government to take measures, which, for a limited amount of time, may restrain individual liberties or hinder government accountability in order for it to swiftly and adequately respond to a crisis. A state of emergency is an extraordinary status as it allows the state to interfere with individual rights, and there is always the risk that a state may take advantage of this and use its extended powers for purposes less commendable than that of containing the virus.

### Philippines

Nine applications have been filed before the Supreme Court of the Philippines against the new Anti-Terrorism Act as of 18 July 2020, the date when the law went into effect. The new piece of legislation was backed by President Rodrigo Duterte and, as stated in previous issues of this bulletin, replaces the 2007 law which imposed penalties on law enforcement personnel if they wrongfully detained terror suspects. The new regime under the Anti-Terrorism Act 2020 ('ATA') does not penalise law enforcement personnel in the same manner, grants wide surveillance powers to the State, and suspends *habeas corpus* by permitting terror suspects to be detained for up to 24 days without charge. According to human rights lawyers, the Filipino constitution requires that people in detention be charged within three days of their arrest.<sup>2</sup>

Government representatives have sought to reassure those within and outside the Philippines that the ATA was merely adopted to safeguard freedoms and combat Islamist and Communist insurgents operating within the country. The law itself also states that it does not purport to punish advocacy, dissent, industrial action and other forms of activism so long as they do not constitute 'a serious risk to public safety'. Nevertheless, human rights groups have warned that the current administration may use the law to persecute political opponents. Added to this are concerns over the fact that, in the past, human rights groups and social activists have been labelled communist bodies, and resultantly subjected to arbitrary arrests, detentions not accompanied by criminal charges, torture, enforced disappearances and extra-judicial killings by security forces.<sup>3</sup> The ATA thus represents a further threat to their ability to function independently and without interference. The IBAHRI has previously noted serious concerns regarding the ongoing threats to freedom of expression in the Philippines, with legal actions brought against journalists who are critical of the government, like Maria Ressa (of Rappler)<sup>4</sup> as well as actions to shut down media outlets, including the country's largest broadcaster, ABS-CBN, which was removed from the air earlier this year.

---

<sup>2</sup> NPR, 'Why Rights Groups Worry About The Philippines' New Anti-Terrorism Law', 21 July 2020 [www.npr.org/2020/07/21/893019057/why-rights-groups-worry-about-the-philippines-new-anti-terrorism-law](http://www.npr.org/2020/07/21/893019057/why-rights-groups-worry-about-the-philippines-new-anti-terrorism-law);  
Crux, 'Bishops: New Philippines anti-terrorism act 'eerily similar' to Hong Kong security law', 21 July 2020 [www.cruxnow.com/church-in-asia/2020/07/bishops-new-philippines-anti-terrorism-act-eerily-similar-to-hong-kong-security-law](http://www.cruxnow.com/church-in-asia/2020/07/bishops-new-philippines-anti-terrorism-act-eerily-similar-to-hong-kong-security-law)

<sup>3</sup> Crux, n.3

<sup>4</sup> IBAHRI, 'IBAHRI condemns conviction of Philippines' distinguished journalists', 17 June 2020, [www.ibanet.org/Article/NewDetail.aspx?ArticleUid=95D84311-1C05-458E-9EBA-73A2E8678D8E](http://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=95D84311-1C05-458E-9EBA-73A2E8678D8E)

The ATA has been adopted at a time when many states, including the Philippines, are responding to the Covid-19 pandemic – in the Philippines, multiple arrests have been made of people violating lockdown restrictions. The Duterte administration has come under fire for repressive tactics, including draconian measures against substance abusers. The National Union of People’s Lawyers is one of the petitioners challenging the ATA before the Supreme Court on the grounds that it is too broad and ‘criminalises intent’. An especially problematic offence created by the new law is incitement to commit terrorism, which defines incitement as including ‘speeches, writings, proclamations, emblems, banners, and other representations tending to the same end’, and imposes sentences of up to 12 years imprisonment. According to human rights lawyer Neri Colmenares, the ATA effectively ‘chills’ freedom of expression, freedom of association and freedom of the press.<sup>5</sup> The President of the National Union of People’s Lawyers has beseeched the government to defer enforcement of the law until the petitions are resolved by the Court.

Some have likened the new anti-terrorism law to the recently promulgated Hong Kong National Security Act in that both create environments hostile to the freedom of expression. The principal sponsor of the Anti-Terrorism Act, Panfilo Lacson, who is also a former police chief, has guaranteed that the purpose of the law will not be undermined in its implementation. Nevertheless, Lacson has apparently placed the obligation of proper implantation on the public, stating that it is the public which was to ‘go after terrorists and not anyone else’.<sup>6</sup> The IBAHRI will continue to monitor developments as it cannot be ignored that the Filipino government has used the Covid-19 crisis to crack down on detractors in politics and the media. The ATA will further facilitate the violation of fundamental human rights and freedoms, like the freedoms of expression and association, which are enshrined in pivotal international human rights instruments including the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights.

## Turkey

On 21 July 2020, the leading Justice and Development Party (AKP) proposed a new draft bill to the Turkish parliament with the aim of strengthening state control of social media platforms,<sup>7</sup> as well as the data concerning those who use engage in use of the platforms in the country. Earlier this month, President Recep Tayyip Erdoğan, who has greatly concentrated powers into his own hands during 17 years in office, pledged to bring social media platforms under control following a series of tweets that allegedly insulted his daughter and son-in-law after they announced the birth of their fourth child on Twitter. At least 11 people were detained for questioning over the tweets.<sup>8</sup> The draft bill would effectively block sites such as Facebook, Twitter and YouTube unless they comply with strict new regulations.<sup>9</sup> The draft said it would require social media companies with more than one million users in Turkey to store those users’ data in the country, and open

---

<sup>5</sup> NPR, n.3

<sup>6</sup> Arab News, “Philippines tries to allay fears as new anti-terror law takes effect”, 18 July 2020  
[www.arabnews.com/node/1706661/world](http://www.arabnews.com/node/1706661/world)

<sup>7</sup> Committee to Protect Journalists, ‘Turkey proposes social media law, threatening press freedom’, 23 July 2020,  
<https://cpi.org/2020/07/turkey-proposes-social-media-law-threatening-press-freedom>

<sup>8</sup> Al Jazeera, ‘Turkey: Ruling party moves to tighten grip on social media giants’, 21 July 2020,  
[www.aljazeera.com/ajimpact/turkey-ruling-party-moves-tighten-grip-social-media-giants-200721141442734.html](http://www.aljazeera.com/ajimpact/turkey-ruling-party-moves-tighten-grip-social-media-giants-200721141442734.html)

<sup>9</sup> The Guardian, ‘Turkish MPs to vote on bill that could block Facebook and Twitter’, 24 July 2020,  
[www.theguardian.com/world/2020/jul/24/turkish-mps-vote-bill-could-block-facebook-twitter](http://www.theguardian.com/world/2020/jul/24/turkish-mps-vote-bill-could-block-facebook-twitter)

offices staffed with local representatives. The text has yet to be finalised and reviewed in parliament, and the timeline for a vote on the bill is unclear. The draft also said that the companies will be required to remove content that violates “‘personal rights’ and the ‘privacy of personal life’ from their sites within 48 hours of receiving a court order. The current draft bill also states that search engines could also be required to remove links to such content.<sup>10</sup>

Article 19 have reported on how heavily pro-government outlets dominate the Turkish media landscape, noting how more than one hundred media outlets have been shut down since the 2016 coup attempt. The remaining few independent media outlets are often threatened with closure, intimidation and fines. Hundreds of journalists are facing investigations and trials, while at least 93 journalists and media workers are still in prison mostly over terrorism-related charges or convictions.<sup>11</sup> In January 2020, the government lifted a more-than-two-year ban on Wikipedia after Turkey's top court declared it unconstitutional. Turkey halted access to the online encyclopaedia after it refused to remove content the government deemed offensive. The Turkish government has also banned YouTube and Twitter in the past.<sup>12</sup> The IBAHRI remains concerned at the contents of the bill which aims to control and further restrict rights to free expression, which should be protected online and offline without fear of persecution, and calls on Turkey to reject this bill and consider that any such bill will require compliance with international human rights standards.

## United States

Security experts, policy experts, civil society organisations including the American Civil Liberties Union (ACLU), Human Rights Watch, technology companies and trade associations have expressed concern over the Lawful Access to Encrypted Data Act, S4051 (LAED) in an open letter to the Senate Committee on the Judiciary. The bill was introduced on 23 June 2020 and has been described as intended to improve ‘the ability of law enforcement agencies to access encrypted data, and for other purposes’. However, the open letter describes the bill as a threat to public and national security.<sup>13</sup>

In section 601, the LAED Act states the use of ‘warrant-proof encryption in everyday devices, platforms and systems’ facilitates criminal activities, including child sexual abuse, terrorism, and drugs trafficking, that are shielded from the eyes of law enforcement. This type of encryption prevents the government from properly investigating and prosecuting public safety and national security threats, when law enforcement personnel have warrants or court orders to that effect. In section 603, the Act states the Attorney-General shall establish a prize competition encouraging research into providing law enforcement with access to encrypted data ‘pursuant to legal process’.<sup>14</sup>

---

<sup>10</sup> Committee to Protect Journalists, n.8

<sup>11</sup> Article 19, ‘Turkey: Alarming plans to further crackdown on social media’, 03 July 2020, [www.article19.org/resources/turkey-alarming-plans-to-further-crackdown-on-social-media](http://www.article19.org/resources/turkey-alarming-plans-to-further-crackdown-on-social-media)

<sup>12</sup> Al Jazeera, n.9

<sup>13</sup> Global Encryption Coalition, ‘Internet Society Open Letter Against Lawful Access to Encrypted Data Act’, 07 July 2020, [www.globalencryption.org/open-letter-against-laed-act](http://www.globalencryption.org/open-letter-against-laed-act)

<sup>14</sup> Congress.Gov, Lawful Access to Encrypted Data Act, S 4051, [www.congress.gov/bill/116th-congress/senate-bill/4051/text](http://www.congress.gov/bill/116th-congress/senate-bill/4051/text)

The LAED Act includes amendments to Chapter 205 on Searches and Seizures in Title 18 of the United States Code (Crimes and Criminal Procedure).<sup>15</sup> For example, the LAED Act inserts section 3119, which authorises courts to approach device manufacturers, operating system providers, providers of remote computing services or other similarly competent persons to give information or assistance necessary to access information stored on an electronic device in support of a search warrant of the device that is based on probable cause. The entities providing such assistance to the authorities ‘may not be held civilly liable to any party for any action taken that is reasonably necessary to comply with the order’’. Section 201 of the Act also amends section 2518(4) by removing the obligation of minimal interference with the services provided to a suspect when their wire, oral or electronic communication is intercepted and imposing an obligation of non-disclosure by those providing the assistance, which includes isolating information authorised for interception, decrypting or decoding information or making it otherwise intelligible where possible, and delivering all intercepted communication ‘securely, reliably, and concurrently with their transmission’.

The IBAHRI joins with critics of the LAED Act, who remain concerned with the fact that the bill broadly modifies the legal framework for search warrants and surveillance that companies would be required to ‘build encryption backdoors’ and maintain them, either by default or in line with technical assistance obligations to law enforcement bodies;<sup>16</sup> if such ‘backdoors’ don’t already exist, service providers may be compelled by the Attorney-General to create them through ‘assistance capability directives’.<sup>17</sup> The open letter has characterised the bill as being based on a faulty premise that strong encryption is dangerous rather than being necessary for users in multiple aspects, including finances and health. The bill is especially threatening to public security given the fact that strong encryption has become that much more important as Covid-19 restrictions have moved significant proportions of people’s professional and social lives online, and many now rely on the internet to work, study and obtain medical and legal services.

The open letter emphasises that, ‘Strong encryption is vital for national security, the economy, personal security and safety, individual liberty, and free expression’<sup>18</sup> which impacts scientists, lawyers, human rights activists, medical practitioners and their patients, journalists, victims of crimes and even law enforcement officials. ‘Encryption backdoors’<sup>19</sup> may be discovered and exploited by organised criminals, internet hackers and the hostile governments of other countries, leaving scores of people vulnerable to criminal or terrorist activities. The LAED Act essentially bans service providers in the United States from offering encryption services that do not incorporate avenues for decryption by law enforcement personnel on any device with at least 1 gigabyte of storage, regardless of the platform used to communicate.<sup>20</sup>

---

<sup>15</sup> Congress.Gov, n.15

<sup>16</sup> Global Encryption Coalition, n.14

<sup>17</sup> Info Security, ‘LAED Act Poses Direct Threat to End-to-End Encryption’, 08 July 2020 [www.infosecurity-magazine.com/infosec/laed-act-threat-encryption](http://www.infosecurity-magazine.com/infosec/laed-act-threat-encryption)

<sup>18</sup> Global Encryption Coalition, n.14

<sup>19</sup> Global Encryption Coalition, n.14

<sup>20</sup> Brookings Tech Stream, ‘The Senate’s twin threats to online speech and security’, 13 July 2020, [www.brookings.edu/techstream/the-senates-twin-threats-to-online-speech-and-security](http://www.brookings.edu/techstream/the-senates-twin-threats-to-online-speech-and-security)

## 2. Privacy and surveillance

Certain states have opted to track down individuals' movements by using their mobile phone data with little, if any, regard for their privacy. Although this sort of measure may be supported in the midst of a pandemic that is lethal for a significant proportion of the population, such technological prowess should be watched attentively, as it is evident that it could be used to serve other purposes.

Contact tracing apps are reported to be in operation in China, Czech Republic, Ghana, Hong Kong, Iceland, India, North Macedonia, Poland, Singapore and South Korea. The IBAHRI, along with many global privacy campaigners, activists and lawyers, is concerned about the implications of mass surveillance through these apps – particularly whether the current Covid-19 pandemic is being used as a 'Trojan horse' to build a surveillance infrastructure that will long continue after the health threat has passed, or one that is largely dependent on political will to have conditions reviewed and revoked. In April 2020, Amnesty International, along with 100 other organisations, issued a statement calling for limits on this kind of surveillance.<sup>21</sup> The statement requests that states interested in Covid-19 containment projects comply with eight conditions endorsed by the IBAHRI:

- 1) Surveillance must be 'lawful, necessary and proportionate'.
- 2) Extensions of monitoring and surveillance must have sunset clauses.
- 3) The use of data would have to be limited to Covid-19 purposes.
- 4) Data security and anonymity would have to be protected and shown to be protected based on evidence.
- 5) Digital surveillance would have to avoid exacerbating discrimination and marginalisation.
- 6) Any sharing of data with third-parties would have to be defined in law.
- 7) There must be safeguards against abuse and procedures in place to protect the rights of citizens to respond to abuses.
- 8) 'Meaningful participation' by all 'relevant stakeholders' would be required, including public health experts and marginalised groups.

### Ireland

On 6 July 2020, the Irish government released their 'Covid Tracker' app, to enable the health services to improve the speed and effectiveness of contact tracing and to map and predict the spread of the virus.<sup>22</sup> The app has been downloaded 1.3m times, within eight days – the fastest-downloaded app per capita in Europe – and, most importantly, it has started picking up cases of infection. The Irish government were one of the first to take up the Apple and Google offer of an

---

<sup>21</sup> Joint civil society statement: States use of digital surveillance technologies to fight pandemic must respect human rights (PDF), Amnesty International, 2 April 2020 [www.amnesty.org/download/Documents/POL3020812020ENGLISH.pdf](http://www.amnesty.org/download/Documents/POL3020812020ENGLISH.pdf)

<sup>22</sup> The Irish Post, 'Ireland's Covid-19 track and trace app goes live', 7 July 2020 [www.irishpost.com/news/irelands-covid-19-track-and-trace-app-goes-live-188540](http://www.irishpost.com/news/irelands-covid-19-track-and-trace-app-goes-live-188540)



app that would support public health apps and let Android and iOS phones connect even while locked. The app uses a phone's Bluetooth signal to exchange a digital handshake with another device also running the app when users come within two metres of each other for more than 15 minutes. The anonymous keys are stored in a log on the phone, which health authorities may ask users to upload if they are diagnosed with Covid-19. The log can then be used to track unnamed contacts, who are alerted about possible infection.<sup>23</sup>

While it will not be possible to measure the effectiveness of the app for some time to come, the IBAHRI applauds the Irish government's success in developing an app that is fit for purpose and is designed with privacy front and centre. Further, we are encouraged that the Irish government worked with the government in Northern Ireland to ensure the app will work across their borders, which is essential to ensure the effectiveness of the app. There is no doubt the quick take up rate demonstrates the public's trust in the government and may allow them to get to a 60 per cent download rate, which experts state is necessary for contact tracing apps to be effective.

## United States

- 1) On 16 July 2020, the Court of Justice of the European Union (CJEU) ruled that the EU-US Data Protection Shield was deemed invalid, in a case brought by privacy campaigner Max Schrems against Facebook.<sup>24</sup> The Privacy Shield is a primary mechanism used by US companies to transfer personal data from the EU to the US. In the judgment, the Court invalidated their 2016 decision, which affirmed the adequacy of the protection provided by the EU-US Privacy Shield were sufficient. The Court specified that US surveillance laws do not provide adequate protections for European citizens' data under the General Data Protection Regulation (GDPR), read together with the provisions of the EU Charter on fundamental rights.<sup>25</sup>

The IBAHRI joins privacy campaigners, including Article 19, in welcoming the CJEU ruling, which will help safeguard the data protection rights of European citizens. The IBAHRI is alarmed to learn of concerns raised by Article 19 regarding the lack of data protection and pervasive mass surveillance, which has been normalised in the United States.<sup>26</sup> We call on the United States government and tech companies to enact reforms to protect the privacy of individuals and demonstrate their commitment to freedom of expression.

- 2) On 20 July 2020, the United States government imposed sanctions on eleven Chinese companies they say were complicit in human rights violations in China's campaign targeting Muslim minorities in the Xinjiang region. The economic blacklist bars the companies from purchasing American technology and products without a special licence. The list of sanctioned companies includes current and former suppliers to major international brands such as Apple, Ralph Lauren, Google, HP, Tommy Hilfiger, Hugo Boss and Muji, according to a report by the Australian Strategic Policy Institute, a think tank established by the Australian

---

<sup>23</sup> The Guardian, 'Cheap, popular and it works: Ireland's contact-tracing app success', 20 July 2020  
[www.theguardian.com/world/2020/jul/20/cheap-popular-and-it-works-irelands-contact-tracing-app-success](http://www.theguardian.com/world/2020/jul/20/cheap-popular-and-it-works-irelands-contact-tracing-app-success)

<sup>24</sup> Article 19, 'EU: ARTICLE 19 calls for US surveillance laws to be reformed after data protection ruling', 16 July 2020  
[www.article19.org/resources/eu-article-19-calls-for-us-surveillance-laws-to-be-reformed-after-data-protection-ruling](http://www.article19.org/resources/eu-article-19-calls-for-us-surveillance-laws-to-be-reformed-after-data-protection-ruling)

<sup>25</sup> Article 19, n.25

<sup>26</sup> Article 19, [n.25](#)

government. The group cited the websites of the sanctioned Chinese companies, which mentioned their financial relationships with major American brands.<sup>27</sup>

Human rights groups and journalists have long documented the campaign of mass detention carried out by the Chinese government in Xinjiang, in which one million or more members of Muslim and other minority groups have been placed into large internment camps intended to increase their loyalty to the Communist Party.<sup>28</sup> Most recently China's ambassador to the UK denied abuse of the Uighurs when he was shown pictures of anonymous drone footage, which was uploaded to YouTube and shows police leading hundreds of blindfolded and shackled men from a train in what is believed to be a transfer of inmates in Xinjiang.<sup>29</sup>

The IBAHRI welcomes the use of targeted sanctions to prevent human rights abuses. We urge other governments with sanctions regime to enact sanctions against China to help protect minorities within the country and encourage the government to uphold their international human rights commitments. As set out in [The High Level Panel of Legal Experts on Media Freedom](#), to which the IBAHRI is the Secretariat, report on '[The Use of Targeted Sanctions to Protect Journalists](#)', governments can use targeted sanctions as a tool to enforce their international human rights obligations, including their obligation to respect free speech and protect the media.

## Serbia

The IBAHRI is concerned to learn of reports that Serbian authorities concealed the accurate numbers of people infected by Covid-19 and further manipulated the official statistics ahead of the elections. On 22 June 2020, the Balkan Investigative Reporting Network (BIRN) published an article containing data from the official state information system, according to which the number of deaths and infections in Serbia from Covid-19 is multiple times higher than what has been publicly announced. Following this revelation, 89 Serbian civil society and media organisations submitted a request to the Institute of Public Health of Serbia, seeking access to information of public importance regarding aggregate numerical data on the health of citizens of Serbia during the Covid-19 pandemic. The Institute referred the group to publicly available data from the database of the government. Since then the group has filed a complaint with the Commissioner for Information of Public Importance and Personal Data Protection.<sup>30</sup>

In previous issues of this bulletin, the IBAHRI has stressed the importance of government transparency in their response to the Covid-19 pandemic. The public is entitled to have access to all relevant data and information relating to Covid-19, including details of the government's

---

<sup>27</sup> The New York Times, 'US Imposes Sanctions on 11 Chinese Companies Over Human Rights', 20 July 2020, [www.nytimes.com/2020/07/20/business/economy/china-sanctions-uighurs-labor.html?login=smartlock&auth=login-smartlock](http://www.nytimes.com/2020/07/20/business/economy/china-sanctions-uighurs-labor.html?login=smartlock&auth=login-smartlock)

<sup>28</sup> The New York Times, n.28

<sup>29</sup> The Guardian, 'China's UK ambassador denies abuse of Uighurs despite fresh drone footage', 19 July 2020, [www.theguardian.com/world/2020/jul/19/chinas-uk-ambassador-denies-abuse-of-uighurs-despite-fresh-drone-footage](http://www.theguardian.com/world/2020/jul/19/chinas-uk-ambassador-denies-abuse-of-uighurs-despite-fresh-drone-footage)

<sup>30</sup> European Western Balkans, 'Serbian CSOs and media demand access to official COVID-19 information', 22 July 2020, <https://europeanwesternbalkans.com/2020/07/22/serbian-csos-and-media-demand-access-to-official-covid-19-information>

response. Without this not only will the public be inadequately equipped to protect themselves from the virus, moreover the government are eradicating the public's right to information, which is protected in Article 51 of the Constitution of Serbia.

The IBAHRI calls on the government of Serbia to act in line with their Constitution and provide the public with accurate data and information regarding the impact of and their response to Covid-19. This is particularly important in Serbia as we have already witnessed protests that were triggered by dramatic changes in the government's policy on the Covid-19 pandemic. We remain worried that if the government continue to act in such ways, they risk further undermining the public's trust, which is vital in the fight against the virus.

## Tunisia

The IBAHRI is alarmed to learn that internet users in Tunisia are at significant risk of identity theft or other abuse of their personal information. A study from July 2020 commissioned by ImpACT International for Human Rights Policies and Access Now reveals that internet service providers (ISPs) in Tunisia are failing to protect customers' privacy and retaining and sharing personal data with third parties without their prior knowledge or explicit consent. The study highlights that seven of the country's main ISPs violate basic principles of customer data protection. The main findings of the study include:

- Only one company, Orange Tunisia, purports to comply with all requirements laid out in Article 4 of the Organic Law No. 2004-63. However, in practice, the company has failed to do so.
- Three companies — GlobalNet, BEE, and HexaByte Tunisie — do not publish a privacy policy on their websites, and therefore cannot be considered in compliance in any respect with the requirements for customer protection.
- Tunisie Telecom does not make an explicit privacy policy available on its official website and only includes terms and conditions for the use of the service.<sup>31</sup>

The findings of the study are alarming as a majority of the people in the world are reliant on the internet to undertake tasks relating to all areas of life, such as applying for jobs, paying for goods and accessing bank accounts. Governments are responsible for ensuring the safety of their citizens and therefore they should ensure ISPs commit to protecting the data and privacy of their citizens. To ensure these commitments are met they must undertake regular audits and introduce measures that penalise companies for breaches. Such commitments are vital to ensure the public's trust in the government and ISPs.

The IBAHRI joins ImpACT International for Human Rights Policies and Access Now calls for the Tunisian government to adopt a new law that raises the profile of human rights in Tunisia, and to ensure the Council of Europe's Convention No 108, to which Tunisia is a signatory, is fully and effectively implemented. Furthermore, existing domestic data protection laws must be revised to adhere to best practices outlined in the Council of Europe's convention.<sup>32</sup>

---

<sup>31</sup> Access Now, 'Tunisian ISPs violate customers' privacy', 20 July 2020, [www.accessnow.org/tunisian-isps-violate-customers-privacy](http://www.accessnow.org/tunisian-isps-violate-customers-privacy)

<sup>32</sup> Access Now, n.32

## Technology companies – Google

In previous issues of this bulletin, the IBAHRI praised Google and Apple's efforts to develop decentralised, privacy-preserving contact tracing apps that do not collect users' data. We were encouraged to see tech companies working to ensure governments commit to protecting the privacy of individuals. We are therefore very concerned to learn that for the apps to work on smartphones with Google's Android operating system — the most popular in the world — users must first turn on the device location setting, which enables GPS and may allow Google to determine their locations. Once Android users turn on location, Google may determine their precise locations, using Wi-Fi, mobile networks and Bluetooth beacons, through a setting called Google Location Accuracy, and use the data to improve location services.<sup>33</sup>

The Android location issue could undermine the privacy promises that governments made to the public. Latvia and Switzerland have pressed Google to alter the location setting requirement. Dr Sang-Il Kim, the department head for digital transformation at Switzerland's Federal Office of Public Health, who oversees the country's virus-alert app, stated that 'users should be able to use such proximity tracing apps without any bindings with other service.'<sup>34</sup> The IBAHRI has joined human rights and privacy groups in warning that data collection and security flaws in contact tracing apps put people at a multitude of risks, including overreach by the government, when the apps do not feature privacy by design and governments do not ensure they adhere to international human rights standards.

The location services issue may cause public distrust in governments and contact tracing apps, as we have seen in the slowing download rates in Japan following bugs in their app. This would render the apps useless, meaning the large sums of money spent by states on apps would have been better directed to other means to halt the spread of the virus and protect their populations. We call on Google to work to alter the location setting requirement and bring it in line with Apple's, which does not require iPhone users of the contact tracing apps to turn on location, in order to safeguard the privacy of individuals using their operating system.

---

<sup>33</sup> The New York Times, 'Google Promises Privacy With Virus App but Can Still Collect Location Data', 20 July 2020, [www.nytimes.com/2020/07/20/technology/google-covid-tracker-app.html](https://www.nytimes.com/2020/07/20/technology/google-covid-tracker-app.html)

<sup>34</sup> The New York Times, n.34

### 3. Safety of journalists

The independence and safety of journalists is a crucial factor of transparency and accountability, and, therefore, a vital component of democracy. As a result, any attempt by a state against the integrity, the livelihood or the safety of journalists is fundamentally anti-democratic. In addition, the current state of the pandemic has made the work of journalists even more crucial, as the exchange of information relating to the virus and our consequent increased knowledge of its characteristics and impact will eventually contribute to the outcome of this crisis. However, a trend of grave concern to the IBAHRI is how many governments across the world are adopting legislation that clearly risks impeding the work of journalists and the media, therefore restricting the public's right to receive accurate and reliable information at this unprecedented time. Problematically, many laws also carry heavy fines and criminal sanctions, threats of arrest and jail time for those on the frontline simply doing their jobs.

#### **Cambodia**

For months, reports have been available regarding the use of incitement laws by the Cambodian government to arrest and detain journalists. International human rights groups have accused Prime Minister Hun Sen's administration of abusing incitement laws to persecute political critics, and effectively forcing media and news outlets into self-censorship. In April, May and June, Sovann Rithy (who runs TVFB, a news outlet on Facebook), Sok Oudom (owner of Rithysen Radio News Station), and Ros Sokhet (publisher of Cheat Khmer newspaper) were arrested and remain in custody in Phnom Penh. Sovann Rithy was arrested after reporting on a speech by the Prime Minister at the Peace Palace, where the state leader commented that motorcycle taxi drivers must sell their vehicles if they have been affected by Covid-19 and need food. Sok Oudom was charged with 'inciting villagers to grab military and state land for private ownership' following a Facebook Live report on a land dispute. Ros Sokhet was arrested for 'incitement to commit chaos' a few days after he made comments on Facebook critical of the economic consequences of Covid-19 on the country and alleged plans to make Prime Minister Hun Sen's son the next prime minister. The Information Ministry is also considering revoking the licence of his media outlet. However, neither the police nor the Phnom Penh court which issued the arrest warrant have given reasons for the arrest.<sup>35</sup>

Cambodia has a specific Press Law, which is to be applied to journalists where issues arise over the manner in which they carry out their work. According to Nop Vy, the Executive Director of the Cambodia Journalist Alliance, the use by the government of criminal law instead of the Press Law in press-related situations sends a warning to journalists that they must refrain from reporting on the government critically. The spokesperson of the Information Ministry, Maes Sophorn, had denied that there is a link between the arrests and press freedom or freedom of expression.

The Cambodia press work in a restrictive environment. The country ranks 144th out of 180 countries in the Reporters Without Borders press freedom index of 2020.<sup>36</sup> Incitement laws were being used even before the pandemic to silence critics of the government. In January 2019, Kong Mas, a former member of the now-dissolved Cambodia National Rescue Party (CNRP) was

---

<sup>35</sup> Voice of America, 'Cambodia's Use of Incitement Law Chills Press Freedom', 2 July 2020, [www.voanews.com/east-asia-pacific/cambodias-use-incitement-law-chills-press-freedom](http://www.voanews.com/east-asia-pacific/cambodias-use-incitement-law-chills-press-freedom)

<sup>36</sup> Reporters Without Borders, 2020 World Press Freedom Index, <https://rsf.org/en/ranking>

arrested after posting comments on his Facebook page critical of the government.<sup>37</sup> He was charged with incitement to commit a felony and insult, under Articles 495 and 502 of the Cambodian Penal Code. He was convicted on both counts and sentenced to 18 months imprisonment. On appeal, his sentence was upheld by the Court of Appeal on 23 March 2020.<sup>38</sup> His case was argued before the Supreme Court at the beginning of this month. Other former members of the CNRP were also sentenced to 18 months' imprisonment for sharing posts from Kong Mas' Facebook page.<sup>39</sup>

## Zimbabwe

On 20 July 2020, Hopewell Chin'ono, a prominent Zimbabwean investigative journalist, was taken from his home by law enforcement officers and arrested. Chin'ono, who gained notoriety at home and internationally for his reporting on Zimbabwe's endemic corruption, most recently published a series of documents raising concerns that powerful individuals were 'profiting from multimillion-dollar deals for essential supplies to fight the coronavirus pandemic.'<sup>40</sup>

Law enforcement officers 'broke windows to gain entry and did not produce any warrant'.<sup>41</sup> He has since been charged with inciting public violence for tweeting in support of the nationwide protests in the country against government corruption and worsening of economic conditions.<sup>42</sup> Chin'ono denies the charges against him and could face up to ten years in prison if convicted.<sup>43</sup> During a hearing on Friday 24 July in Harare, magistrates said they had denied Chin'ono bail as a preventative measure to stop the journalist reoffending before a planned rally.<sup>44</sup>

The arrest of Chin'ono comes as the latest in a series of abductions of government critics in the country. Activists, journalists and dissidents have been systematically persecuted in the recent past, with many reporting assault, anonymous verbal warnings, and even death threats.<sup>45</sup> The Covid-19 pandemic is believed to be used by the Zimbabwean authorities to strengthen the grip on these groups, as a pretext to crack down on fundamental human rights.<sup>46</sup> The IBAHRI calls for

---

<sup>37</sup> Human Rights Watch, 'Cambodia: Drop Case Against Opposition Activist', 21 March 2020 [www.hrw.org/news/2020/03/21/cambodia-drop-case-against-opposition-activist#%E2%80%AF](http://www.hrw.org/news/2020/03/21/cambodia-drop-case-against-opposition-activist#%E2%80%AF)

<sup>38</sup> The Phnom Penh Post, 'Kong Mas prison sentence upheld', 24 March 2020, [www.phnompenhpost.com/national-politics/kong-mas-prison-sentence-upheld](http://www.phnompenhpost.com/national-politics/kong-mas-prison-sentence-upheld)

<sup>39</sup> The Phnom Penh Post, 'Ex-CNRP activist's plea heard', 8 July 2020, [www.phnompenhpost.com/national-politics/ex-cnrp-activists-plea-heard](http://www.phnompenhpost.com/national-politics/ex-cnrp-activists-plea-heard)

<sup>40</sup> The Guardian, 'Prominent Zimbabwe journalist detained in latest abduction of government critics', 20 July 2020, [www.theguardian.com/world/2020/jul/20/prominent-zimbabwe-journalist-detained-in-latest-abduction-of-government-critics](http://www.theguardian.com/world/2020/jul/20/prominent-zimbabwe-journalist-detained-in-latest-abduction-of-government-critics)

<sup>41</sup> The Guardian, n.41

<sup>42</sup> OHCHR, Press Briefing on Zimbabwe, 24 July 2020, [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26121&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26121&LangID=E)

<sup>43</sup> The Guardian, 'Journalism has been criminalised': Zimbabwean reporter denied bail', 25 July 2020, [www.theguardian.com/world/2020/jul/24/zimbabwean-journalist-calls-for-fight-against-corruption-to-continue](http://www.theguardian.com/world/2020/jul/24/zimbabwean-journalist-calls-for-fight-against-corruption-to-continue)

<sup>44</sup> The Guardian, n.44

<sup>45</sup> The Guardian, n.41

<sup>46</sup> OHCHR, n.43

the immediate release of Hopewell Chin'ono, and to ensure that journalists must be respected as frontline workers throughout the pandemic. We condemn this attempt to criminalise journalism and will continue to monitor the situation closely.

## Honduras

On 19 July 2020, David Romero Ellner, a Honduran journalist who was jailed for his work, died of respiratory failure after contracting Covid-19 while in prison.<sup>47</sup> Romero Ellner was serving his 10-year sentence for 'slander and defamation' after being arrested in March 2019 for criticising a former prosecutor, Sonia Inez Galvez Ferrari, in his reporting.<sup>48</sup> The Honduras Supreme Court later unanimously upheld the conviction and sentence.<sup>49</sup> Romero Ellner was transferred from Tamara National Penitentiary, where he was incarcerated, to a health facility on 5 July 2020.<sup>50</sup> We are saddened by the death of Romero Ellner and Egyptian journalist Mohamed Monir on 13 July 2020 after he contracted Covid-19 in pre-trial detention and was released after falling ill in custody. Both these journalists should never have been imprisoned for their reporting – 'authorities who continue to imprison journalists in unsafe conditions in the midst of a global pandemic are effectively allowing these convictions to become a death sentence'.<sup>51</sup>

## Turkey

On 16 July 2020, a court in Istanbul sentenced Deniz Yücel, a German-Turkish journalist for *Die Welt*, to two years and nine months in prison for 'incitement to hatred' and 'spreading propaganda for a terrorist group'. Yücel was not present at the two-year-long trial as he currently lives in Germany, where two new criminal investigations into Yücel were launched for alleged insults to Turkey and President Recep Tayyip Erdoğan. Yücel is also accused of being in contact with Fethullah Gulen, a Turkish Islamic scholar whom the Turkish government links to the 2016 Turkish coup d'état attempt.<sup>52</sup>

Yücel came to the attention of Turkish authorities after he published a number of pieces on the ongoing Syrian war, the Redhack case and matters relating to the Kurdish community in 2017 that subsequently led to his arrest while he was in Turkey. He spent a year in Turkish prison including 10 months in solidarity confinement without official indictment.<sup>53</sup> Shortly after, President Erdoğan labelled Deniz a 'German agent' and accused him of 'spying for Germany and

---

<sup>47</sup> CPJ, 'Honduran journalist David Romero dies after contracting COVID-19 in jail', 19 July 2020, <https://cpj.org/2020/07/honduran-journalist-david-romero-dies-after-contracting-covid-19-in-jail>

<sup>48</sup> CPJ, n.48

<sup>49</sup> CPJ, n.48

<sup>50</sup> CPJ, n.48

<sup>51</sup> CPJ, n.48

<sup>52</sup> DW, 'Journalist Deniz Yücel sentenced to almost 3 years prison in Turkey', 16 July 2020, [www.dw.com/en/deniz-yucel-turkey-prison/a-54193689](http://www.dw.com/en/deniz-yucel-turkey-prison/a-54193689)

<sup>53</sup> DW, 'Who is Deniz Yücel — and why is the German-Turkish journalist still on trial?', 30 August 2020, [www.dw.com/en/who-is-deniz-y%C3%BCcel-and-why-is-the-german-turkish-journalist-still-on-trial/a-44472722](http://www.dw.com/en/who-is-deniz-y%C3%BCcel-and-why-is-the-german-turkish-journalist-still-on-trial/a-44472722)

being the PKK representative'.<sup>54</sup> Yücel believed Erdoğan's claims instigated a series of physical and psychological abuses, inflicted upon him during his time in prison. After his release in February 2018, he returned to Germany.<sup>55</sup>

In June 2019, Turkey's Constitutional Court ruled the pre-trial detention was unlawful and an infringement of Yücel's rights to security, liberty and the right to freedom of expression. In February 2020, the Turkish public prosecutor sought further criminal investigation against Yücel, where he could face 16 years imprisonment. The IBAHRI condemns this conviction and calls for it to be reversed immediately.

## Iran

In the previous issues of this bulletin, the IBAHRI reported on how the Islamic Republic of Iran had arrested Alireza Alinejad, the brother of Masih Alinejad, a journalist living in self-imposed exile in New York and founder of an anti-compulsory hijab movement in Iran. Iranian security forces arrested Masih's brother's in September 2019 in what she believes was a clear attempt to pressure her: 'His only crime is that he's related to me.'

On 15 July 2020, Saeed Dehghan, Alireza's lawyer, announced via his Twitter account that his client had been sentenced to eight years' imprisonment for 'assembly and collusion with the intention of acting against the country's security, insulting the leadership and propaganda against the regime.'<sup>56</sup> Shortly after, his exiled sister reacted to the news on her social media account, saying, 'My brother Alireza's crimes are [as] the following: a) loving his sister b) refusing to disown me on State TV c) refusing to co-operate with the Revolutionary Guards' plot to lure me to Turkey and kidnap me to Iran.'<sup>57</sup>

Masih Alinejad is a prominent Iranian journalist and political activist. She started the campaign 'My Stealthy Freedom' to mobilise Iranians to fight against compulsory hijab law. The campaign launched a number of initiatives including 'White Wednesdays' where women wear white on Wednesdays as a sign of protest against the law.<sup>58</sup>

The Iranian regime has a long history of systematic attacks on Iranian journalists and activists living outside of Iran, harassing and intimidating their family members with the aim of silencing any dissenting voices. Often, family members are detained and held in degrading conditions in order to control and put pressure on Iranian journalists working abroad.<sup>59</sup> The IBAHRI condemns Alireza Alinejad's sentence and calls Iranian authorities to drop all charges and release him immediately.

---

<sup>54</sup> Sueddeutsche, 'Erdoğan: "Deniz Yücel ist ein deutscher Agent"', 3 March 2017, [www.sueddeutsche.de/politik/tuerkei-erdogan-deniz-yuecel-ist-ein-deutscher-agent-1.3405109](http://www.sueddeutsche.de/politik/tuerkei-erdogan-deniz-yuecel-ist-ein-deutscher-agent-1.3405109)

<sup>55</sup> DW, 'Deniz Yücel: Erdogan let me be tortured in Turkish prison', 10 May 2019, [www.dw.com/en/deniz-yuecel-erdogan-let-me-be-tortured-in-turkish-prison/a-48686030](http://www.dw.com/en/deniz-yuecel-erdogan-let-me-be-tortured-in-turkish-prison/a-48686030)

<sup>56</sup> Radio Farda, 'Brother Of Anti-Hijab Activist Sentenced To Eight Years In Iran', 16 July 2020, <https://en.radiofarda.com/a/brother-of-alinejad-sentenced-to-eight-years-in-iran/30729790.html>

<sup>57</sup> Masih Alinejad via twitter account <https://twitter.com/AlinejadMasih/status/1283459765176348672> 15.06.20

<sup>58</sup> The Photograph that launched a movement, [www.mystealthyfreedom.org/our-story](http://www.mystealthyfreedom.org/our-story)

<sup>59</sup> Iran: 'BBC and other broadcast journalists harassed; families threatened – UN experts', 11 March 2020 <https://news.un.org/en/story/2020/03/1059251>



#### 4. Free speech

Article 19 of the Universal Declaration of Human Rights allows for everyone to possess the right to freedom of opinion and expression, including freedom to hold opinions without interference and to seek, receive and share information. Globally, in recent years, we have seen freedom of expression being eroded, and the Covid-19 crisis intensifies concerns of greater repression of free speech.

##### Malaysia

On 27 July 2020, it was reported that Mohammed Rayham Kabir, the Bangladeshi worker who had appeared in a documentary broadcast on Al Jazeera English,<sup>60</sup> had been arrested, had his work permit revoked and is to be expelled from the country. In previous issues of this bulletin, the IBAHRI reported that Malaysian authorities had interrogated the six journalists who were behind the documentary and later accused them of sedition, defamation and violation of the country's Communication and Multimedia Act.

The documentary, titled '*Locked Up in Malaysia's Lockdown*', reports on the situation of migrant workers in Kuala Lumpur during the Covid-19 pandemic. The 25-minute film 'examined why Malaysia's undocumented foreign migrant workers were at risk in the time of COVID-19' by documenting immigration raids and migrants hiding from Malaysian officials.<sup>61</sup> After the documentary was broadcast on 3 July, the Malaysian police and the country's immigration department issued a search notice for a migrant that spoke on the documentary, urging the public to 'come forward with information about the man.'<sup>62</sup> Mohammed Rayham Kabir has since suffered a great deal of persecution for his testimony.<sup>63</sup>

The measures taken by the Malaysian authorities greatly jeopardise the existence of a free press and stifle the freedom of expression in the country. These freedoms, which are fundamental human rights, are protected by the Federal Constitution of Malaysia, the ASEAN Human Rights Declaration, the International Covenant on Civil and Political Rights, and the Universal Declaration of Human Rights.

---

<sup>60</sup> Tamil Guardian, 'Malaysia arrests Bangladeshi worker criticising the government's treatment of migrant workers', 27 July 2020, [www.tamilguardian.com/content/malaysia-arrests-bangladeshi-worker-criticising-government%E2%80%99s-treatment-migrant-workers](http://www.tamilguardian.com/content/malaysia-arrests-bangladeshi-worker-criticising-government%E2%80%99s-treatment-migrant-workers)

<sup>61</sup> The Guardian, 'Police interrogate five Australian Al Jazeera journalists accused of sedition in Malaysia', 10 July 2020, [www.theguardian.com/media/2020/jul/10/police-interrogate-five-australian-al-jazeera-journalists-accused-of-sedition-in-malaysia](http://www.theguardian.com/media/2020/jul/10/police-interrogate-five-australian-al-jazeera-journalists-accused-of-sedition-in-malaysia)

<sup>62</sup> The Guardian, n.62

<sup>63</sup> Tamil Guardian, n.61

## 5. Digital rights and internet shutdowns

Governments that are currently imposing an internet shutdown in states, including Jammu and Kashmir, restrict the flow of information during the Covid-19 global crisis. Other states have instead elected to simply cap internet speed, making it virtually impossible to download files, communicate and disseminate information.

### **Ethiopia**

On 16 July 2020, AccessNow reported that the government of Ethiopia restored partial internet access to the country on 14 July, after digitally cutting it off for two weeks following protests demanding justice for the killing of Oromo musician, Haacaaluu Hundeessaa. In issue one of this bulletin, the IBAHRI reported how earlier this year, a communication ban during the Covid-19 pandemic had been imposed in Ethiopia, a clear contravention of the country's obligations under international human rights law and in the last issue, we expressed concern at the partial shutdown imposed in response to protests. Joining with AccessNow, the IBAHRI iterates that the Ethiopian government must find sustainable and just solutions to the factors that cause recurrent and generational violence and trauma in the country, especially during the Covid-19 pandemic.

### **Iran**

After thousands of Iranians took to social media to condemn the decision of the Supreme Court to uphold the death sentences for Amirhossein Moradi, Saeed Tamjidi and Mohammad Rajabi, the IBAHRI has seen reports that internet providers controlled by State security organs slowed the internet connection in Iran, causing significant disruption to online platforms and censorship of free speech. The three men were arrested on charges of 'enmity against God' through acts of arson and vandalism during the wave of demonstrations that shook the country in November 2019 following a sudden spike in fuel prices. Internet disruptions are a common tactic used in Iran to slow the spread of information and curb dissent. NetBlocks, an organisation that tracks internet shutdowns and disruptions, confirmed evidence of slower connections.<sup>64</sup> The IBAHRI respectfully reminds Iran of its positive obligation to fulfil the right to protest and free expression, including by enabling the free flow of information online relating or amounting to protests. Any restrictions to these rights must be prescribed by law, for a legitimate aim and necessary and proportionate to achieve said aim. Further, we unreservedly condemn the use of the death penalty, including in situations to silence dissent and activism, or reporting as in the case of journalist Ruhollah Zam.

---

<sup>64</sup> DW, 'Iran Protests the Death Penalty', 15 July 2020, [www.dw.com/en/iran-protests-death-penalty/a-54186926](https://www.dw.com/en/iran-protests-death-penalty/a-54186926)