



Input: The UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism's Priorities 2024-2026

November 2023

Introduction

CIVICUS: World Alliance for Citizen Participation provides the following information to the United Nations Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, highlighting the escalating threats faced by civil society worldwide as a result of misuse of counter-terrorism measures. Our findings, documented in 2022 through the CIVICUS Monitor, spotlight the alarming erosion of civic space and the chilling impact on Human Rights Defenders (HRDs) and Civil Society Organizations (CSOs). CIVICUS expresses deep concern over the persistent misuse of anti-terrorism laws and other state-driven efforts to suppress voices in the global civic space, highlighting an alarming trend.

Global Trends

In 2022, global civic space faced a significant decline, with a notable rise in repressive measures against civil society activists and human rights defenders (HRDs). According to the CIVICUS Monitor country ratings in March 2023, 117 out of 197 countries and territories experienced severe restrictions on fundamental freedoms. Top violations included harassment of activists, journalists and civil society organisations to deter them from their human rights work; arbitrary detention of protestors as punishment for speaking out; and restrictive laws to prevent mobilisations and exercise of civic freedoms.

The Asia Pacific region witnessed a widespread use of laws, particularly related to national security and anti-terrorism, to curtail essential liberties in at least 27 countries. In China, an intensified crackdown led to the detention and prosecution of numerous HRDs under vaguely defined charges like '*subverting state power*', '*picking quarrels and provoking trouble*' or '*disturbing public order*'. Hong Kong faced the deployment of the National Security Law to arrest and imprison activists, including human rights lawyer Chow Hang-Tung from the now-defunct Hong Kong Alliance, the main organiser of Tiananmen Square vigils.¹

In various countries, restrictive laws targeting civil society have been proposed or enacted. In Southern Africa, the authorities in Malawi, Mozambique and Zimbabwe have proposed or enacted restrictive laws on CSOs, raising fear of increasing restrictions of freedom of association. In Vietnam, laws

¹ [People Power Under Attack 2022](#), CIVICUS Report, p34

criminalizing activities such as 'abusing democratic freedoms' resulted in the imprisonment of over a hundred activists.² Thailand continued to employ its lèse-majesté law to charge, detain, and convict critics for royal defamation, which carries a punishment of up to 15 years' imprisonment.³ While Myanmar's junta fabricated charges of terrorism, incitement, and sedition to imprison thousands of activists. In the Philippines, a terrorist financing law was used against humanitarian workers and activists, and in Indonesia, the Electronic Information and Transactions Law (ITE Law) was weaponized to silence online dissent.⁴

India's government has systematically utilized anti-terrorism laws like the Unlawful Activities (Prevention) Act to detain student activists and HRDs, including those accused of instigating violence in the village of Bhima Koregaon in 2018. Bangladesh continued to employ the draconian Digital Security Act to target journalists and critics, raising serious concerns about the regression of civic space, including judicial harassment and attacks on HRDs, journalists, and the opposition. In Pakistan, the Prevention of Electronic Crimes Act was used to criminalize online defamation against journalists and HRDs including Muhammad Ismail and Idris Khattak have been prosecuted on trumped-up charges.⁵

In Australia, the passage of anti-protest laws posed risks for climate protesters, while concerns arose in the Pacific region regarding the use of laws to restrict protests in Fiji and criminalize online defamation in Samoa and Vanuatu. Iraq witnessed the arrest and detention of journalist Qusay Shafiq, critical of the government's financial policies, and in Tunisia, correspondent Khalifa Guesmi faced detention under anti-terrorism laws for refusing to reveal sources.

CIVICUS' Global Campaign Spotlighting the Impact of Restrictive Laws on HRDs and Civic Space

This segment of the input sheds light on HRDs currently featured in the CIVICUS' ongoing global campaign, #StandAsMyWitness.⁶ It delves into the specific laws and state-driven efforts employed to subvert their advocacy, impede fundamental freedoms, and consequently contribute to the erosion of civic space. Security and counter-terrorism laws are regularly misused by repressive state apparatuses to silence HRDs uncovering grave human rights violations and corruption or seeking transformative gender, social, economic and environmental justice.

Launched on Nelson Mandela Day in 2020, CIVICUS' #StandAsMyWitness campaign stands as a beacon for justice. This impactful initiative has been instrumental in advocating for the release of 21 human rights defenders, collectively enduring 50 years of imprisonment. We would like to highlight the following cases for the Special Rapporteur's consideration.

1. Narges Mohammadi (Iran): Human Rights Defender (HRD) sentenced to 15 months for "propaganda against the state" and an additional year for exposing sexual violence against women prisoners.
2. Bacede Mabuza and Mthandeni Dube (Eswatini): Members of Parliament advocating for democratic reform accused of "terrorism, sedition, and murder."

² [People Power Under Attack 2022](#), CIVICUS Report, p17

³ [People Power Under Attack 2022](#), CIVICUS Report, p34

⁴ [People Power Under Attack 2022](#), CIVICUS Report, p35

⁵ [People Power Under Attack 2022](#), CIVICUS Report, p35

⁶ <https://www.civicus.org/index.php/involved/support-campaigns/stand-as-my-witness>

3. Buzurgmehr Yorov (Tajikistan): Human rights lawyer representing opposition members. In 2023, an extra 10 years were added to his existing 22-year sentence on alleged grounds of large-scale fraud.
4. Virginia Laparr (Guatemala): Anti-corruption prosecutor unjustly imprisoned, receiving a four-year sentence as retaliation for reporting a judge in 2018.
5. Ahmed Mansoor (UAE): Advisory board member for Human Rights Watch and the Gulf Centre for Human Rights, imprisoned for publishing information on social media, with the decision upheld by the UAE's State Security Court on December 31, 2018.
6. Abdul-Hadi al-Khawaja (Bahrain): Detained after 2011 democracy protests, charged and convicted with financing terrorism, participating in terrorism to overthrow the government, and spying for a foreign country.
7. Manuchehr Kholiqnazarov (Tajikistan): Human rights lawyer charged with participating in a criminal organization and sentenced to 16 years in prison.
8. Viasna Human Rights Defenders (Belarus): Facing multiple charges, including providing legal assistance to detained residents, participating in post-election protests, and "organizing or participating in group actions that gravely violate public order."
9. Kenia Hernandez (Mexico): Indigenous and women's rights activist arrested on the fabricated charge of "robbery with violence" after a protest.
10. Hoda Abdel Moneim (Egypt): Human rights lawyer and former member of Egypt's National Council for Human Rights facing charges of joining an unspecified terrorist organization and receiving foreign funds.
11. Khurram Parvez (India): Kashmiri human rights defender arrested under the Unlawful Activities Prevention Act 1967 on charges related to conspiracy and terrorism, including fundraising for a terrorist act, conspiracy, recruiting for a terrorist act, offences relating to membership of a terrorist organization, and raising funds for a terrorist organization.
12. Kamira Nait Sid (Algeria): Advocate of the Amazigh language, culture, and identity prosecuted under Article 87 of the Penal Code, classifying any act as a terrorist act if it threatens the state's security, territorial integrity, stability, or normal functioning of institutions.
13. Chow Hang-Tung (Hong Kong): Pro-democracy activist arrested for "inciting others to participate in an unauthorized assembly" under section 17A of the Public Order Ordinance, based on violating a prohibition on gatherings due to COVID-19 prevention measures.

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