**Questionnaire for National Human Rights Institutions and International or Inter-governmental Organizations by the**

**UN Special Rapporteur on the situation of human rights defenders**

**Mary Lawlor, August 2020**

The UN Special Rapporteur on the situation of human rights defenders, Ms. Mary Lawlor invites National Human Rights Institutions (NHRIs) and International or Inter-Governmental Organizations (IIOOs) to respond to the questionnaire below. Submissions received will inform the thematic report of the Special Rapporteur on the issue of killings of human rights defenders, which will be presented to the UN Human Rights Council in March 2021.

The questionnaire and related concept cote on the report are available at OHCHR website in English (original language) as well as in French, Spanish, Russian and Arabic (unofficial translations): (<https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx>).

All submissions received will be published in the aforementioned website, unless the submitter clearly indicated that they did not wish to have their input be made publicly available when submitting their response.

There is a word limit of 2500 words per questionnaire. Please submit the completed questionnaire to defenders@ohchr.org

Deadline for submissions: **5** **October 2020**

**Contact Details**

Please provide your contact details in case we need to contact you in connection with this survey. Note that this is optional. (edited for public release)

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| --- | --- |
| Type of Stakeholder (please select one) | [ ]  National Human Rights Institution (NHRI)[x]  International or Inter-governmental Organisation (IIOO)[ ]  Other (please specify): |
| Name of Stakeholder Organization (if applicable)Name of Survey Respondent | Office of the High Commissioner for Human Rights – Regional Office for the Middle East and North Africa (OHCHR-ROMENA)Multiple focal points |
| Email |  |
| Telephone |  |
| Address |  |
| Can we attribute responses to this questionnaire to your Institution or Organization publicly? | [x]  Yes [ ]  NoComments (if any): |

**Questions**

Human rights defenders are persons, who individually or in association with others, work peacefully to promote and protect universally recognized human rights and fundamental freedoms, in accordance with the UN Declaration on Human Rights Defenders.

1) Does your Institution/Organization accept the legitimate right to defend human rights and if a defender is killed in the course of their work, do you publicly condemn it?

**Yes.**

2) Have there been any cases of human rights defenders killed in your country (or in the geographic area of responsibility of your organization) since1 June 2019 up to 30 June 2020?

**Two documented cases during the reporting period: Algeria (1), KSA (1)**

**Algeria:**

**Death in detention after a 53-day hunger strike in Algeria of human rights defender, Mr. Kamel-Eddine Fekhar, doctor and founder of the Tifawt foundation, which defends the rights of indigenous peoples and the minority Mozabite from the M'Zab region in the northern Sahara.**

**KSA:**

**Dr. Abdullah al-Hamid was a prominent Saudi human rights defender, serving an 11-year prison sentence for his peaceful activism. He was 69 years old when he passed away on 23 April 2020, having served seven of those eleven years at the time of his death.**

**The reported cause of al-Hamid’s death is attributed to the lack of medical care from prison authorities, which has denied Dr. Abdullah al-Hamid’s right to life. Dr. al-Hamid was in urgent need to undergo a surgery ordered by the doctor. However, his operation was delayed and he was forced to remain in prison without access to appropriate medical treatment and care. The delay to Dr. al-Hamid’s treatment may have arbitrarily deprived him of his right to life.**

**Background**

**Dr. Abdullah al-Hamid was a founding member of the independent Saudi Civil and Political Rights Association (ACPRA). Through ACPRA, Dr. Al-Hamid reported on human rights violations to domestic and international mechanisms such as the United Nations, as well as advocating for democratic and judicial reform in Saudi Arabia.**

**In March 2012, Dr. al-Hamid was arrested and interrogated regarding his work with ACPRA and his peaceful activism. On 9 March 2013, Riyadh Specialized Criminal Court sentenced Dr. al-Hamid to 11 years of prison. The charges included “breaking allegiance to the ruler”, “questioning the integrity of officials”, “seeking to disrupt security and inciting disorder by calling for demonstrations”, and “instigating international organizations against the Kingdom”. Dr. al-Hamid was subjected to severe prison conditions and regularly sent to solitary confinement.**

**Dr. al-Hamid had hypertension and his health had been deteriorating in prison. At the beginning of January 2020, Dr. Al-Hamid had been transferred to the hospital. The doctor informed him that he urgently needed a heart catheterization operation. However, prison authorities brought Dr. al-Hamid back to prison arguing that he would have his operation at the end of May-beginning of June 2020.The latter threatened Dr. al-Hamid that if he informed his family about his health condition, they would cut off all means communications.**

**On 9 April 2020, Dr. al-Hamid was transferred from Al-Ha’ir prison in Riyadh to the intensive care unit of King Saud Medical City after falling into coma. The hospital carried out medical tests, including testing for COVID-19. The results came back negative for COVID-19 but showed that he suffered a severe cerebral stroke that resulted in a coma. On 23 April 2020, Dr. al-Hamid passed away.**

**Dr. al-Hamid was the subject of communications from the Human Rights Council’s special procedures. They were sent on 2 June 2020 (AL SAU 8/2020), 22 Dec 2017 (case no. SAU 12/2017), 19 August 2017 (case no. SAU 8/2017), 20 February 2017 (SAU 2/2017), 9 February 2017 (case no. SAU 1/2017), 1 September 2016 (case no. SAU 5/2016), 1 July 2016 (case no. SAU 4/2016), 11 December 2015 (case no. SAU 11/2015), 12 June 2015 (case no. SAU 3/2015), 22 January 2015 (case no. SAU 1/2015), 8 December 2014 (case no. SAU 14/2014), 31 October 2014 (case no. SAU 13/2014), 3 October 2014 (case no. SAU 11/2014), 5 May 2014 (case no. SAU 6/2014), 24 April 2014 (case no. SAU 5/2014), 31 January 2014 (case no. SAU 2/2014), 12 September 2013 (case no. SAU 8/2013), 27 March 2013 (case no. SAU 5/2013), 21 December 2012 (case no. SAU 13/2012), 12 July 2012 (case no. SAU 9/2012), 3 May 2012 (case no. SAU 7/2012), 1 March 2012 (case no. SAU 6/2012), 12 May 2011 (case no. SAU 5/2011) and 7 April 2011 (case no. SAU 3/2011).**

**In 2015, the Working Group on Arbitrary Detention found the deprivation of liberty of Mr. Al-Hamid to be arbitrary (Opinion No. 38/2015) and called for his release that year. This call was renewed in 2016.**

**In 2013, the UN Secretary-General raised the case of Abdullah Al-Hamid in his annual report on intimidation and reprisals for cooperation with UN bodies and mechanisms in the field of human rights (A/HRC/24/29 para. 32).**

3) How many convictions of perpetrators of killings of human rights defenders were there in your country/geographic area of responsibility since 1 June 2019 up to 30 June 2020?

**Algeria (1)**

4) Does your Institution/Organization have a procedure to respond to death threats to human rights defenders?

**UN Special Procedures**

5) Does your Institution/Organization have or would be willing to put in place legal guarantees and other protection measures to allow human rights defenders to do their work without persecution?

**International Human Rights Law**

6) Could you please share good practices (evidence-based) that have proofed effective to respond to death threats? And to prevent them from escalating into the killing(s) of human rights defenders?

**OHCHR “Do No Harm” principle: Assessing all risks and prioritizing the defender’s safety at all costs, at every step.**