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DIGITAL SHELTER

Access Now & Digital Shelter Joint Submission to the United Nations Human Rights Council on the Universal Periodic Review 38th Session Third Cycle for Somalia

15 October 2020

About Access Now

Access Now is an international organisation that works to defend and extend the digital rights of users at risk around the world. Through representation around the world, Access Now provides thought leadership and policy recommendations to the public and private sectors to ensure the continued openness of the internet and the protection of fundamental rights. By combining direct technical support, comprehensive policy engagement, global advocacy, grassroots grantmaking, legal interventions, and convenings such as RightsCon, we fight for human rights in the digital age. As an ECOSOC accredited organisation, Access Now routinely engages with the United Nations (UN) in support of our mission to extend and defend human rights in the digital age.¹

About Digital Shelter

Digital Shelter (DS) is a local initiative founded in March 2018 by human right defenders who are passionate about the intersection between technology and human rights in Somalia with the aim of promoting digital safety, digital rights and inclusion and internet freedom in the growing digital civic space of Somalia. DS sees a world where people are becoming increasingly connected through the Internet and digital tools which brings opportunities and threats particularly those who are using the internet to fight for particular causes such as human rights defenders, activists, and bloggers.²

Introduction

1. This is the third Universal Periodic Review (UPR) for Somalia, last reviewed in January 2016.³ At the time, Somalia received 228 recommendations during the UPR in Geneva, of which 168 were accepted and 60 were noted.⁴ Somalia was first reviewed in May 2011.

¹ Access Now, [Access Now About Us](#).

² Digital Shelter, [About](#).

³ OHCHR, UN Human Rights Council, [Universal Periodic Review - Somalia](#)

⁴ UPR Info, [2RP: Responses to Recommendations & Voluntary Pledges - Somalia](#)

2. The UPR is an important UN mechanism aimed at addressing human rights issues across the globe. Access Now and Digital Shelter welcome the opportunity to contribute to Somalia's third review cycle.
3. This submission examines (1) freedom of opinion and expression, (2) freedom of assembly and association, and (3) the right to privacy in Somalia. Specifically, this submission raises concerns regarding misinformation and disinformation (particularly regarding the coronavirus disease, COVID-19), access to information and internet shutdowns, the protection and safety of journalists, human rights defenders, and media workers, chilling effects on freedom of association and assembly, and the new national identity program.
4. The rights to freedom of opinion and expression and freedom of assembly and association remain priority issues for Somalia's third UPR. The right to privacy should also be a priority issue for Somalia's third UPR.

International and domestic human rights obligations

5. Somalia has signed onto and ratified international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Somalia has not yet ratified the Optional Protocol to the ICESCR.⁵
6. In 2018, Somalia launched a review process of its 2012 Provisional Federal Constitution. The review process aims to replace the 2012 Provisional Federal Constitution ahead of the country's upcoming parliamentary elections in December 2020, and Presidential election in February 2021.⁶ Public consultations, led by the federal Ministry of Constitutional Affairs, with the support of the United Nations Assistance Mission in Somalia, have taken place across the country.
7. Somalia's 2012 Provisional Federal Constitution affirms fundamental rights. Chapter 2 establishes the rights to freedom of association in Article 16, freedom of expression and opinions in Article 18, freedom of assembly, demonstration, protest, and petition in Article 20, and access to information in Article 32.⁷ The right to privacy is not affirmed in the 2012 Provisional Federal Constitution.

⁵ OHCHR, [Status of Ratification Interactive Dashboard - Somalia](#).

⁶ United Nations Assistance Mission in Somalia, [Constitutional Review Consultations End in Galmudug](#) 16 March 2020. OCHA Relief Web, [Public consultations on the new Somali constitution end in South West State](#) 19 February 2020.

⁷ [The Federal Republic of Somalia Provisional Constitution](#) 1 August 2012.

8. Articles 38 and 131 of the 2012 Provisional Federal Constitution pose certain restrictions on the rights contained in Chapter 2. Article 131 outlines the possible restriction of fundamental rights during a state of emergency. Article 131, Section 5 states “the powers granted under a State of Emergency shall not include powers to violate the rights under this Constitution, unless that violation is absolutely necessary for the purposes of dealing with the emergency situation.”⁸

(1) Freedom of opinion and expression

9. The right to freedom of expression and opinions is affirmed in Article 18 of Somalia’s 2012 Provisional Federal Constitution. Somalia received 9 recommendations regarding freedom of opinion and expression during its last UPR cycle, all of which the country supported.⁹
10. In August 2020, Somalia signed into law an Amendment to the Media Law.¹⁰ Local and international human rights organizations noted some positive developments, but also raised human rights concerns stemming from the recent amendments to the Media Law. For instance, the National Union of Somali Journalists (NUSOJ) claimed the new Media Law “would improve the situation of media freedom and freedom of expression by repealing the draconian and widely discredited 2016 Media Law that infringed on the country’s constitutional rights.”¹¹ NUSOJ specifically welcomed the government’s stated interest in establishing Public Service Broadcasting. Similarly, Amnesty International, the Committee to Protect Journalists (CPJ), and Human Rights Watch (HRW), noted that the new Media Law “explicitly provides for the rights to freedom of expression and media freedom, including journalists’ rights to security and access to information.”¹² These international organizations also welcomed the fact that the Media Law prohibits censorship and forced reporting.
11. Nonetheless, NUSOJ, Amnesty International, CPJ, and HRW raise human rights concerns regarding the new Media Law, particularly its provisions which impose criminal penalties against journalists. According to Amnesty International, CPJ, and HRW “the new [M]edia [L]aw also includes provisions that threaten human rights, including freedom of

⁸ *Id.*

⁹ UPR Info [Database of Recommendations](#); UPR Info, [2RP: Responses to Recommendations & Voluntary Pledges - Somalia](#).

¹⁰ The National Union of Somali Journalists, [Statement on the Amended Media Law Signed by the President of Somalia](#) 26 August 2020.

¹¹ International Federation of Journalists, [Somalia: New Media Law fails to comply with international standards on press freedom](#) 26 August 2020.

¹² Human Rights Watch, [Joint Letter Re: Concerns and Recommendations on Somalia's New Media Law](#) 5 October 2020.

expression, and could criminalize reporting and give the government overly broad powers and oversight over media organizations.”¹³ Specifically, Amnesty International, CPJ, and HRW argue that “the provisions on criminal penalties are vaguely worded and could give law enforcement authorities wide scope for misinterpretation and abuse. These include the provisions prohibiting reporting on issues conflicting with ‘national interest’, ‘false information,’ ‘incitement to violence and clannism’ and ‘dissemination of propaganda.’”¹⁴ NUSOJ notes that the Media Law contains unspecified fines and criminal prosecution for journalists who contravene its provisions.¹⁵ Moreover, the Media Law “does not protect the confidentiality of sources and makes it possible for journalists to be held responsible for the consequences of disclosing confidential information.”¹⁶

12. The Somali Penal Code further criminalizes freedom of opinion and expression in the country. First, Article 328 (Publication or Circulation of False, Exaggerated or Tendencious News Capable of Disturbing Public Order) criminalizes the spread of “false news” which it does not define.¹⁷ Penalties for spreading “false news” includes imprisonment of up to 6 months.¹⁸ Second, Article 220 (Offending the Honor or Prestige of the Head of the State) limits freedom of expression and opinion, particularly criticizing the state and the head of state.¹⁹ The implications of these criminal provisions have had devastating consequences in practice. For instance, in April 2020, Article 220 was invoked to criminally charge a prominent local journalist, who was later sentenced to 6 months imprisonment for a Facebook post made over the government’s COVID-19 response.²⁰
13. Criminal law is not an appropriate response to speech acts and it creates a dangerous space for human rights abuse in the form of state-sponsored intimidation and unjustified prosecution of critical voices. It also leads to grave risks of chilling effect on speech as people, particularly journalists, may self-censor because of the fear of reprisals and criminal prosecution coming from the State. Under regional and international human rights law, countries such as Somalia, are encouraged to decriminalize defamation as a

¹³ *Id.*

¹⁴ *Id.*

¹⁵ International Federation of Journalists, [Somalia: New Media Law fails to comply with international standards on press freedom](#) 26 August 2020.

¹⁶ Reporters Without Borders, [Somalia's new media law ignores calls for journalists to be protected](#) 28 August 2020.

¹⁷ *Somalia: Penal Code* [Somalia], 3 April 1964, available at: <https://www.refworld.org/docid/4bc5906e2.html>

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Committee to Protect Journalists, [Somali journalist Abdiaziz Ahmed Gurbiye arrested over COVID-19 Facebook posts](#), 16 April 2020.

serious restriction of freedom of opinion and expression.²¹

14. On May 3, 2020, Somalia expressed a commitment to review the Penal Code and to decriminalize journalism.²² The Attorney General also recently decided to establish the office of a new prosecutor to deal with crimes against journalists. However, as Amnesty International, CPJ, and HRW note, the new Media Law signed in August 2020 “directly contradicts the May 3, [2020] commitment to decriminalize journalism through its provision of legal sanctions for media offenses.”²³

Misinformation and disinformation regarding COVID-19

15. In the context of COVID-19, misinformation, and disinformation about the pandemic pose a serious risk to public health and public action.²⁴ Somalia, a country with scarce public health services, has witnessed the spread of misinformation and disinformation regarding COVID-19. Misinformation and disinformation regarding the COVID-19 pandemic in Somalia has “created confusion and distrust among people” which “can hamper the fight against the invisible deadly disease.”²⁵
16. According to Digital Shelter, “a large number of Somali’s initially believed that Muslims and black people cannot contract the virus, that the virus cannot survive in hot weather areas, that it is kind of soldiers sent to fight world powers like China and other western powers. Later on when the first case was confirmed another piece of misinformation was widely shared on social media.”²⁶ Myths soon circulated that “consuming large amount[s] of garlic and ginger as well as drinking lots of water can prevent you from being infected.”²⁷

²¹ African Commission on Human and Peoples’ Rights, [Press Release by the Special Rapporteur on Freedom of Expression and Access to Information on the acquittal by the Provincial Court of Luanda, Angola, of journalist on charges of insult and defamation](#) 31 July 2018 cited in Human Rights Watch, [Joint Letter Re: Concerns and Recommendations on Somalia’s New Media Law](#) 5 October 2020.

²² The National Union of Somali Journalists, [Somalia is set to decriminalize journalism and freedom of expression](#) 3 May 2020.

²³ Human Rights Watch, [Joint Letter Re: Concerns and Recommendations on Somalia’s New Media Law](#) 5 October 2020.

²⁴ Access Now, [Fighting Misinformation and Defending Free Expression During COVID-19: Recommendations for States](#) April 2020; Brennan, Simon, Howard & Nielsen. [Types, Sources, and Claims of COVID-19 Misinformation](#), 7 April 2020.

²⁵ Digital Shelter, [Tackling Misinformation and Misconception About Coronavirus in Somalia](#).

²⁶ *Id.*

²⁷ *Id.*

17. Governments are obliged to provide adequate access to accurate information as prescribed by international human rights law.²⁸ Such access includes the right to seek, impart, and receive information, including information concerning health.²⁹ Indeed, during an ongoing health crisis, education and access to information concerning the health of the community, such as methods for preventing and controlling infection, lie at the core of the human right to health.³⁰ Accordingly, international experts have underscored the urgency of governments fulfilling their international human rights obligations to promote and protect access to and free flow of information during the COVID-19 pandemic.³¹

Access to information

18. The right to access to information is affirmed in Article 32 of Somalia's 2012 Provisional Federal Constitution. Section 3 of Article 32 specifically calls on "Federal Parliament to enact a law to ensure the right to access information."³² Yet Somalia still fails to enact legislation on the right to access information.

19. Access to the internet, particularly to an open, secure, affordable, high-quality internet connection helps ensure citizens' access to information, relevant services, and economic mobility. By expanding and enhancing connectivity, the government enables the enjoyment of various human rights, especially by vulnerable communities, who are disproportionately disconnected.

20. Somalia had recorded steady growth in telephone penetration.³³ However, internet penetration remains low. Studies conducted by the International Telecommunication Union (ITU) demonstrate that, in 2017, only 2% of Somali's use the internet.³⁴ As connectivity is expanded and enhanced, more people go online and thereby benefit from the educational, professional, and personal benefits provided by the internet. They are also able to learn how to securely and effectively exercise their human rights. The Somali government must ensure that human rights are protected online and implement

²⁸ Access Now, [Fighting Misinformation and Defending Free Expression During COVID-19: Recommendations for States](#) April 2020 at page 6; Having said that, the right to freedom of information applies to everyone, everywhere, and may only be restricted by governments in narrow circumstances. See Universal Declaration of Human Rights, (Art. 19); International Covenant on Civil and Political Rights, (Arts. 2, 19(2) and 25); CCPR General Comment No. 34: Article 19 Freedom of Opinion and Expression, paras. 11 - 12, 15, 18-19, 30,41, 43, and 46.; CCPR General Comment No. 31: Nature of the general legal obligation imposed on States Parties to the Covenant; CCPR General Comment No. 16: The right to privacy, family, home and correspondence, and protection of honour and reputation (Art. 17).

²⁹ CESCR General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12), para. 12 (b).

³⁰ CESCR General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12), para 44.

³¹ OHCHR, [COVID-19: Governments must promote and protect access to and free flow of information during pandemic](#) 19 March 2020.

³² [The Federal Republic of Somalia Provisional Constitution](#), 1 August 2012.

³³ Digital Shelter, [Silencing Critical Voices: Our Online Civic Space is Shrinking!](#)

³⁴ ITU, [Measuring the Information Society Report 2018](#), *Somalia* at page 166, 2018.

an open, transparent, and accountable internet governance framework.

21. It is imperative that everyone, especially those in at-risk or under-served communities have access to an affordable, open, secure, high-quality internet connection. In light of the COVID-19 pandemic, the internet is an essential tool for employment, education, health, communication, political engagement, and accessing other important resources. Moreover, those without a connection are cut off from exercising a broad range of human rights, including the right to access information.³⁵

Internet shutdowns

22. Access Now's Shutdown Tracker Optimization Project, in collaboration with the #KeepItOn coalition – over 220 organizations from 99 countries worldwide – recorded at least 213 shutdowns in 2019, higher than 2018.³⁶ Internet shutdowns worldwide are increasing in number, lasting longer, affecting more people, and targeting vulnerable groups.
23. During Somaliland's 2017 elections, the National Electoral Commission imposed a week long ban on social media platforms including Facebook and others.³⁷ This arbitrary shutdown came at a time where access to credible information was crucial for a free and fair election. Moreover, the government justified the shutdown citing "the proliferation of fake news" and violence during the election. However, in reality, the shutdown restricted the free flow of information and disabled citizens from accessing credible information during the election.
24. Somalia received 8 recommendations regarding elections during the last UPR cycle, all of which Somalia supported. Somalia has two upcoming elections prior to its third UPR cycle.³⁸ First, the Parliamentary elections from December 1 to December 27, 2020. Second, the Presidential election on February 8, 2021.
25. The internet is an essential tool for free and fair elections. Voters around the world depend on the internet to find information about candidates, polling stations, election processes and election results. As much as voters use the internet to exercise their democratic rights, they also use the internet to expose election fraud, voter intimidation, and other malpractices before, during and after elections. Meanwhile, candidates use the

³⁵ Access Now, [Access Now releases "Expanding connectivity to fight COVID-19: recommendations for governments and telcos"](#) 30 April 2020.

³⁶ Access Now, [Targeted, Cut Off, and Left in the Dark: The #KeepItOn report on internet shutdowns in 2019](#), 2020.

³⁷ Facebook Transparency Report, [Somalia](#), 2017.

³⁸ UPR Info [Database of Recommendations](#); UPR Info, [2RP: Responses to Recommendations & Voluntary Pledges - Somalia](#).

internet to campaign and convince voters to their side. Election authorities depend on the internet to conduct elections, transmit election results, educate voters, and announce election outcomes.³⁹

26. Given the key role the internet plays during elections, any attempt to disconnect or slow down internet connections, or to block and filter social media platforms, will affect essential election processes, and in certain circumstances, it will also affect election results.⁴⁰ In the current context of the COVID-19 pandemic, access to the internet becomes even more important as the internet became a fundamental tool for the dissemination of public health information, such as preventive measures, governmental responses, and guidelines to contain the spread of the virus.⁴¹

Protection and safety of journalists, human rights defenders, and media workers

27. During the first and second UPR cycles, both States and civil society organizations made several recommendations to Somalia to ensure the safety and protection of journalists and media workers.⁴²
28. According to Digital Shelter, from 2017-2020 Somalia continues to witness a rise in threats against online freedom of expression, including “the arrest and intimidation of several journalists and social media campaigns for comments posted on social media.”⁴³ Overall, the country continues to experience a “rise in sponsored trolls spreading misinformation and propaganda to counter factual narrative reported by journalists, human rights defenders, and activists online.”⁴⁴
29. Reports indicate that those engaging in dissent experience hacking of their social media accounts, while others have deactivated their accounts “due to fears of attack.”⁴⁵ A culture of censorship therefore prevails in Somalia, causing a chilling effect on the rights to freedom of opinion, expression, association, and assembly.

³⁹ Access Now, [Targeted, Cut Off, and Left in the Dark: The #KeepItOn report on internet shutdowns in 2019](#), at page 14, 2020.

⁴⁰ *Id.*

⁴¹ Access Now, [#KeepItOn: Internet shutdowns during COVID-19 will help spread the virus!](#) 17 March 2020.

⁴² UPR Info [Database of Recommendations](#); UPR Info, [2RP: Responses to Recommendations & Voluntary Pledges - Somalia](#).

⁴³ Digital Shelter, [Silencing Critical Voices: Our Online Civic Space is Shrinking!](#); Somali Journalists Syndicate, [TV journalist briefly arrested in SW Somalia over critical Facebook post](#) 11 February 2020; Garowe Online, [Somalia: Puntland forces arrest journalist in Bosaso](#).

⁴⁴ Digital Shelter, [Silencing Critical Voices: Our Online Civic Space is Shrinking!](#)

⁴⁵ *Id.*

(2) Freedom of assembly and association

30. Somalia's 2012 Provisional Federal Constitution affirms freedom of assembly, demonstration, protest, and petition under Article 20. Somalia received 3 recommendations regarding freedom of association and peaceful assembly during its last UPR cycle, which Somalia supported.
31. Yet, Somalia has restricted the exercise of freedom of assembly and association. The government has created an army of social media trolls to spread state propaganda and carry out smear campaigns and online harassment against its opponents, critiques, dissidents and human rights defenders.⁴⁶ Specifically, the government has cancelled planned meetings of opposition leaders several times both in Somalia and abroad, for example, in Malaysia and Kenya.⁴⁷ Similarly, in 2017, a former Presidential candidate and opposition leader was attacked during a raid.⁴⁸
32. In April 2019, several civilians were killed when protests broke out in Mogadishu between civilians and security forces after a *tuk tuk* (motorized rickshaw) driver and his passenger were shot dead allegedly by a police officer manning a checkpoint in Halwadag junction.⁴⁹
33. Restrictions on individuals' freedom of peaceful assembly and association have serious impacts on their right to freedom of expression. Reprisals against peaceful protests and demonstrations that criticize governmental conduct not only amount to censorship of content by the authorities, but also trigger self-censorship by individuals themselves, who refrain from manifesting their views due to the fear of facing criminal and civil punishments or even death.

(3) The right to privacy and data protection

34. During both the first and second UPR cycles Somalia received no recommendations regarding the right to privacy or data protection.⁵⁰ Nonetheless, these are two latent concerns in the country.
35. Somalia does not affirm the right to privacy in the 2012 Provisional Federal Constitution. Somalia also does not have privacy laws or any draft laws addressing privacy rights. The country also lacks legislation on data protection, consumer protection, and cybersecurity

⁴⁶ Horn Observer [Somalia's govt employed fake journalists to troll journalists and smear political opponents](#), 11 June 2020.

⁴⁷ Garowe Online, [FGS's plot to block opposition leader from delivering speech in Malaysia fails](#), 13 January 2020; Goobjoog News, [Blow to Wadajir leader as Kenyan authorities block Nairobi meeting](#) 24 June 2018.

⁴⁸ Reuters, Feisal Omar, [Somali security forces arrest former minister in raid](#), 18 December 2017.

⁴⁹ All Africa, [Somalia: Deadly Protests Erupt in Mogadishu Over Killing of Rickshaw Driver](#), 14 April 2019.

⁵⁰ UPR Info [Database of Recommendations](#); UPR Info, [2RP: Responses to Recommendations & Voluntary Pledges - Somalia](#).

laws.⁵¹

36. Without a privacy and data protection framework in place, in 2018, Somalia nonetheless began a plan to implement a national digital identity program in the country. The national digital identity program, based off of highly sensitive biometric data, such as fingerprints and iris scans, aims to “link government identification with eKYC systems for verification of financial service customers, and support the coordination of social protection programs, such as cash grants.”⁵² No public consultations or engagement with civil society, particularly digital rights organizations, took place regarding the digital identity program, therefore raising concerns regarding the program’s impact on digital rights for users at risk.

37. It is imperative that digital identity systems, particularly those backed by the state’s resources and legal powers, are designed around sound principles of governance, data protection, privacy and security. An effective policy framework for such programs must be supported by an equally strong technology and cybersecurity framework. The collection of large amounts of personal information pertaining to identities – including biometrics – often form tempting targets for criminals and other actors for malicious hacking and cyber intrusion. Additional challenges related to the secure communication of data during authentication must be met through proper encryption. We note grave concern over the use and collection of biometric data in the new digital identification cards. The aggregation and use of biometric data should be sharply limited, even if such processing is aimed at increasing convenience or justified as a way to enhance security.⁵³

Recommendations

38. We urge that freedom of expression, freedom of peaceful assembly and association, and the right to privacy are prominent issues in the upcoming UPR review cycle. We therefore recommend that Somalia:

39. Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR).

40. Strive to reach the U.N. Sustainable Development Goal 9.C by extending open, affordable, and secure access to high-quality internet for all, with inclusive processes and robust support for all attendant services, devices, literacy and educational programs.

⁵¹ UNCTAD, [Cyberlaw Tracker: Somalia](#).

⁵² Biometric Update.Com, [Somalia launching foundational biometric identity program](#), 10 July 2018.

⁵³ Access Now, [National Digital Identity Programmes: What's Next?](#), May 2018.

41. Amend the new Media Law to align with international human rights laws and standards.
42. Fulfill and recommit to comprehensively review the Penal Code and all other laws that criminalize defamation and infringe the right to freedom of opinion and expression and align them with Somalia's Federal Constitution, regional, and international human rights standards.
43. Make reliable and timely information regarding the COVID-19 pandemic available in transparent and accessible formats.
44. Reform its national ID program around sound principles of governance, data protection and privacy, and cybersecurity. Specifically, Somalia should:
 - a. Affirm the right to privacy as a judicially enforceable fundamental right in Somalia's Federal Constitution.
 - b. Enact a comprehensive data protection law to protect the right to privacy, and adequately fund and support its implementation.
 - c. Minimise the amount of and type of data, particularly biometric data, the government and associated service providers collect through the national identity program.
 - d. Restrict lawful interception and monitoring of national identity use and implement measures for accountability.
 - e. Ensure that the digital identity program is based on models for secure communications, including providing end-to-end encrypted traffic as far as possible.
 - f. Develop legal procedures and evidentiary standards for biometrics with care to protect human rights and due process.
45. Enact a law affirming the public's access to information, and ensure its proper functioning with appropriate administrative resources, support, and accessibility.
46. Systematically engage and conduct transparent, meaningful, public consultations with a diverse range of civil society in internet policy-making and data protection, particularly amid the COVID-19 pandemic.
47. Refrain from shutting down the internet and blocking social media and make a state pledge to refrain from imposing any restrictions on internet access and telecommunication in the future, particularly in upcoming elections and amid the COVID-19 pandemic.

48. Amend the Federal Constitution to explicitly prevent the blocking or throttling of information and communications technologies, networks, applications, or services.
49. Ensure that national legislation and policies fully guarantee the safety of journalists, activists, media workers, and human rights defenders, so that these important actors can pursue their activities freely without undue interference, attacks, or intimidation.
50. Conduct impartial, transparent, and credible investigations into all allegations of the use of excessive force by security forces, particularly during the April 2019 mass demonstrations in Mogadishu that followed the death of the *tuk tuk* driver and his passenger.
51. Refrain from restricting individuals' right to freedom of peaceful assembly and association, pursuant to the ICCPR.
52. Ensure that all governmental activity, including law enforcement, is consistent with international human rights obligations, including the protection of the right to privacy, and is conducted on the basis of a legal framework which is publicly accessible, clear, precise, comprehensive and non-discriminatory.

Conclusion

53. The UPR is an important UN process aimed at addressing human rights issues worldwide. It is a rare mechanism through which citizens around the world get to work with the government to improve human rights and hold them accountable to international law. Access Now and Digital Shelter are grateful to make this submission.

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