

Special Rapporteur on the right to education

Freedom of Opinion and Expression - Questionnaire

Guidelines for the submission of information to the Special Rapporteur

In order for the Special Rapporteur to be able to take action regarding a communication on a case or incident, the following information, as a minimum, must be received.

1. Allegation regarding a person or persons:

- As detailed a description of the alleged violation as possible, including date, location and circumstances of the event;
- Name, age, gender, ethnic background (if relevant), profession;
- Views, affiliations, past or present participation in political, social, ethnic or labour group/activity;
- Information on other specific activities relating to the alleged violation.

2. Allegation regarding a medium of communication:

- As detailed a description of the alleged infringement on the right as possible, including date, location and circumstances of the event;
- The nature of the medium affected (e.g. newspapers, independent radio);including circulation and frequency of publication or broadcasting, public performances, etc.;
- Political orientation of the medium (if relevant).

3. Information regarding the alleged perpetrators:

- Name, State affiliation (e.g. military, police) and reasons why they are considered responsible;
- For non-State actors, description of how they relate to the State (e.g. cooperation with or support by State security forces);
- If applicable, State encouragement or tolerance of activities of non-State actors, whether groups or individuals, including threats or use of violence and harassment against individuals exercising their right to freedom of opinion and expression, including the right to seek, receive and impart information.

4. Information related to State actions:

If the incident involves restrictions on a medium (e.g. censorship, closure of a news organ, banning of a book, etc.); the identity of the authority involved (individual and/or ministry and/or department), the legal statute invoked, and steps taken to seek domestic remedy;

-If the incident involves arrest of an individual or individuals, the identity of the authority involved (individual and/or ministry and/or department), the legal statute invoked, location of detention if known, information on provision of access to legal counsel and family members, steps taken to seek domestic remedy or clarification of person's situation and status;

-If applicable, information on whether or not an investigation has taken place and, if so, by what ministry or department of the Government and the status of the investigation at the time of submission of the allegation, including whether or not the investigation has resulted in indictments.

5. Information on the source of the communications:

-Name and full address;

-Telephone and fax numbers and e-mail address (if possible);

-Name, address, phone/fax numbers and email address (if applicable) of person or organization submitting the allegation.

Note: In addition to the information requested above, the Special Rapporteur welcomes any additional comments or background notes that are considered relevant to the case or incident.

Follow-up

The Special Rapporteur attaches great importance to being kept informed of the current status of cases and thus very much welcomes updates of previously reported cases and information. This includes both negative and positive developments, including the release of persons detained for exercising their rights to freedom of opinion and expression and to seek, receive and impart information, or the adoption of new laws or policies or changes to existing ones that have a positive impact on the realization of the rights to freedom of opinion and expression and information.

Root causes

In order to carry out his work regarding the root causes of violations, which is of particular importance to the Special Rapporteur, he is very much interested in receiving information on and/or texts of draft laws relating to or affecting the rights to freedom of opinion and expression and to seek, receive and impart information. The Special Rapporteur is also interested in laws or government policies relating to electronic media, including the Internet, as well as the impact of the

availability of new information technologies on the right to freedom of opinion and expression.

Communications

Where requested or considered necessary by the Special Rapporteur, information on the source of the allegations will be treated as confidential.

Any information falling within this description of the mandate of the Special Rapporteur should be sent to:

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

c/o Office of the High Commissioner for
Human Rights
United Nations Office at Geneva
1211 Geneva 10
Switzerland

Fax: 41 22 917 9006

E-mail: urgent-action@ohchr.org