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Reference: fqyuvnp7**Date:** Tuesday, June 16, 2020**Type:** Human rights violation**Original:** English**Consent:** I am/we are the alleged victim(s), and I/we give my/our consent

Related mandates

- freedom of opinion and expression
- business
- women and girls

Victims

Name: Women on Web International Foundation
(www.womenonweb.org)**Type:** Civil society**Email:** gomperts@womenonweb.org**Telephone:** +31652052561**Address:**

Women on Web International Foundation

1 Yonge Street, Suite 1801, Toronto, Ontario, Canada, M5E 1W7

Fax #: 416-369-0515

Phone: 16473671156

info@womenonweb.org

Describe the activities of the civil society organisation or association:

Women on Web is a Canadian non-profit organization which aims at disseminating information on the human right to a safe medical abortion worldwide. We are a very well recognized woman's right organization.

All of the information published on the Women on Web website is based on scientific information by the World Health Organization (hereinfter, WHO). The website operates in 16 languages to bring information to women worldwide. So far, over half a million women have been informed on their sexual and reproductive rights by the organization.

List the members of the civil society organisation or association, or its/their representative(s) (if relevant):

Dr. Rebecca Gomperts, MD, MPP, PhD is a medical doctor, the founder and Director of Women on Web. She has been working on abortion rights globally for more than 20 years. Dr. Gomperts was featured in the documentary Vessel and was included in BBC's 100 Most Influential Women's list in 2013 and 2014.

Manager of Operations

Venny Ala-Siurua, MA has worked over 10 years in international development and non-profit sector coordinating health and social protection programs for women and children in Asia, Eastern-Europe and the Balkans.

Medical Supervisor

Dr. Marlies Schellekens, MD has been a family doctor, sexologist and abortion provider for more than 30 years. She has trained doctors, nurses and midwives, and members of abortion rights organisations around the world

Helpdesk Coordinators

Amalia Handayani, MA joined Women on Web in 2015. Graduated her master degree on Development Studies in ISS, The Hague and Women Studies in University of Indonesia. Since then, she is being active as a researcher and advocating women's right on sexual and reproductive health rights in Asia.

Hazal Atay, MA, PhD candidate, has worked on sexual and reproductive rights for over 8 years. She is also a researcher specialized in gender in the Middle East and North Africa, and has worked in international advocacy, feminist movement building and grant-making.

Helpdesk Members

Women on Web has 25 helpdesk members, who are trained in abortion care and who work online to accompany women and people with unwanted pregnancies during their abortion experiences and answer any questions that may arise within 24 hours. Based in different countries across the world, our helpdesk members work in 16 languages, including Arabic, English, French, German, Japanese, Korean, Hungarian, Indonesian, Italian, Persian, Polish, Portuguese, Russian, Spanish, Thai, and Turkish.

Submitted by

Name: Women on Web International Foundation**Type:** Group**Email:** gomperts@womenonweb.org**Telephone:** +31652052561**Address:**

Women on Web International Foundation

1 Yonge Street, Suite 1801, Toronto, Ontario, Canada, M5E 1W7

Fax #: 416-369-0515

Phone: 16473671156

Describe the activities of the group/community, civil society or other entity:

Women on Web International Foundation is a Canadian non-profit organization which aims at disseminating information on the human right to a safe medical abortion worldwide. We are a very well recognized woman's right organization formed in 2005. Operating in 16 languages, we have provided information on sexual and reproductive rights, especially on safe medical abortion, for over a half million women worldwide.

All of the information published on the Women on Web website is based on scientific information by the World Health Organization (hereinfter, WHO). In particular, the medicines used for a medical abortion, mifepristone and misoprostol, have been on the list of essential medicines of the WHO since 2005 and are available in almost all other European countries. WOW is sharing this scientific information and protocols on its website. Scientific research by the WHO has shown that medical abortion can safely be done by women themselves at home without supervision by health professionals. Medical abortion has the same health impact as a spontaneous miscarriage. There is enough scientific evidence of women themselves being able to handle a miscarriage without additional medical supervision. The risk of an abortion with medicines is similar to the risks of commonly prescribed medicines and over the counter medication, such as antibiotics and some painkillers.

Contact persons of the group/community, civil society or other entity:

Dr. Rebecca Gomperts, MD, MPP, PhD : she is a medical doctor, the founder and Director of Women on Web. She has been working on abortion rights globally for more than 20 years. Dr. Gomperts was featured in the documentary Vessel and was included in BBC's 100 Most Influential Women's list in 2013 and 2014.

Leticia Zenevich: Human rights lawyer assisting in this submission, can be contacted through leticiazenevich@gmail.com / +55 51 997014535

Disclosure

Does the alleged victim(s) or group/community agree to have their name(s) disclosed in a letter that may be sent to the Government, or others, such as intergovernmental organisations including United Nations entities, businesses, military or security companies?

Yes - Letters can be sent referring to Women on Web.

Does the alleged victim(s) agree to have their name(s) appear in a public report to the Human Rights Council?

Yes - Women on Web can appear in public reports to the HRC.

Case details

Country where the incident allegedly occurred/is occurring/might occur: Spain

District: Nationally

Please provide a short chronological summary of the incident: what happened; when (date/time); who was involved?

Women on Web ("WOW"), is a Canadian a non-profit organization aiming at disseminating information on the human right to a safe medical abortion worldwide based on scientific information by the World Health Organization. WOW is a well-recognized women's rights organization, which has been operating worldwide for over a decade, having provided evidence-based scientific information to over half a million women globally since its onset in 2006.

On May 29th 2019, WOW received an email from the Agencia Española de Medicamentos y Productos Sanitarios (AEMPS), stating that WOW would not be operating in compliance with applicable regulations in Spain. The email lacked enough elements to presume authenticity and, as WOW has been eventually targeted by fake emails, it was dismissed. No further communication beside this email (attached) has ever been raised with the organization by neither public nor private actors operating in Spain.

Since the end of January 2020, the WOW website has been blocked in Spain. This censorship was adopted without any prior formal notification that conforms to the minimum standards of due process. Upon independent expert research (attached), it was found that Several Internet Service Providers (ISPs) are blocking the website. Without confirmation from the ISP companies, it cannot be established whether this was an initiative of the Ministry of Health, through the AEMPS, or else. Such censorship has been enacted without any known legal intervention, nor steps taken for domestic remedy. Such act, therefore, does not meet international human rights standards on freedom of expression.

On June 8th 2020, as the concerned stakeholders remain unknown, WOW published a public letter to distinct public and private stakeholders (attached). Namely, to the AEMPS, as well as to the CEO's of the Spanish internet providers: ISP Vodafone, Telefónica, Orange, Csuc, MASMOVIL y XFERA.

Up to date, no answer has been received, whereas the website remains censored.

Are there witnesses to the incident? Don't know

Is there evidence or substantiating information concerning the incident? Don't know

Does the alleged victim believe she/he was targeted due to her/his Political or other opinion or beliefs

Has the incident been reported to the relevant authorities? Yes

Please include details of any complaints filed or any other action taken by the alleged victim(s) or anyone else on their behalf?

There is no formal way to assessing who is the authority behind the censorship, as it has not follow human rights standards nor minimal due process of law. As such, independent experts provided a technical report and, with that in hands, Women on Web published a public letter, which was disseminated through different channels, to try to reach out to the perpetrators of the censorship, to no avail.

On their side, the private actors, the internet service providers also did not provide any grounds for which they have blocked the website in Spain.

Has the Government taken action to prevent or investigate the incident, punish the perpetrators, or ensure compensation to the alleged victim(s)? No

Is this case under consideration by any other international or regional body? Don't know

freedom of opinion and expression**Please indicate any views, affiliations, past or present participation in political, social, ethnic or labour group/activity.**

Women on Web works on advancing sexual and reproductive rights worldwide. It works especially on the frontier theme of safe abortion as intersected by freedom of expression, right to information, right to health and right to the enjoyment of scientific advances. This unapologetic defense of women's reproductive rights has targeted the organization in different countries by different actors and might be connected to the present restriction and censorship.

Please indicate the nature of the medium affected (newspaper, independent radio, etc.), including circulation and frequency of publication or broadcasting, public performances, etc, as well as the political orientation of the medium, if relevant.

The medium is the organization website, which receives emails and consultations from women globally. For instance, in 2019 alone, the website had approximately 230 thousand users from Spain. It also received 185 thousand emails from women living in Spain, in 22 languages (as many migrants living in Spain cannot legally or logistically navigate its public health system). To measure the impact of the censorship, from January - May 2019, the website had 77.536 users. During the same period in 2020, already censored, the number dropped to 29.129 users. This represents a decrease of 63% in number of users which can be directly connected to the censorship. Moreover, during the COVID-19 pandemic, countries with similar legal frameworks in abortion, such as Italy and France, saw a spike in number of users as restricted mobility made Women on Web's service all the more urgent and needed. At this light, the sharp decrease in number of users is very likely to be a direct result of the censorship act. In any case, as the numbers show it, the website, over the last 15 years, has become a safe haven for women in Spain looking for evidence-based, scientific information for their reproductive health and rights. As such, such censorship places a heavy burden on Spanish women in reproductive age, specially during the COVID-19 pandemic.

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

The website of Women on Web (www.womenonweb.org) has been blocked since the end of January, 2020 for the whole Spanish territory. This censorship was adopted without any prior formal notification that conforms to the minimum standards of due process. No information regarding the involved authorities, the legal statute invoked nor the steps taken to seek domestic remedy has been provided to the victims. Individual expert research has pointed to the website being blocked at distinct internet providers in Spain. None of the actors has responded to inquiries regarding the legality and fundamentals of such action. By mid-June, the website remains blocked.

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.

Not relevant.

Perpetrators

Please specify the number of alleged perpetrators: 1

Is the identity/occupation of the alleged perpetrator(s) known? Yes

On May 29th, 2019 Women on Web received an email from the Agencia Española de Medicamentos y Productos Sanitarios (AEMPS), stating that Women on Web is operating not in compliance with applicable regulations in Spain. Since then, WOW received no notification, no formal warning and, without any due process, the website was censored.

However, this one e-mail raised concerns that the AMPS and the Ministry of Health might be involved in the censorship process.

Were the alleged perpetrators State agents or believed to be State agents? Yes

Yes, from the Ministry of Health and the Agencia Española de Medicamentos y Productos Sanitarios (AEMPS), as one communication from them was sent to WOW in 2019.

If the alleged perpetrators were State agents, were they acting in their official capacity? Yes

The letter was sent in an official capacity, although such email cannot be considered as an administrative notification that meets the applicable regulatory criteria.

Additional information

The attachment section did not work.

So here is the relevant information:

- The technical report produced by independent experts on the censorship:

<https://blog.magma.lavafeld.org/post/women-on-web-blocking/>

- The non-technical report: <https://ana.aktivix.org/censorship/>

- The public letter from Women on Web: <https://www.womenonweb.org/en/page/20149/request-to-lift-the-censorship-of-women-on-web-website-in-spain>

- WOW remains available to submit the e-mail received on May 2019, from AEMPS, that was intended to be attached here as well.