



CAIRO INSTITUTE
FOR HUMAN RIGHTS STUDIES
Institut du Caire pour les études des droits de l'homme
مركز القاهرة لدراسات حقوق الإنسان

United Nations Human Rights Council, 20th Session

Oral Intervention: Interactive Dialogue, UN Special Rapporteur on Freedom of Assembly and Association

Cairo Institute for Human Rights Studies (CIHRS)- 21 June, 2012

Delivered by: Ms. Laila Matar

Thank you Madam President,

The Cairo Institute welcomes the first report of the Special Rapporteur on Freedom of Assembly and Association. The creation of this mandate by this Council in September, 2010 was a prescient measure. Over the last year and half we have witnessed a global resurgence of peaceful protests that have demanded democratic reform, government accountability and economic justice. In response to these peaceful protests governments throughout the world have accelerated the enactment of laws and regulations with the aim of restricting the ability of citizens to exercise their freedom of assembly; and state security forces have consistently responded to peaceful protests with the use of excessive force, arbitrary arrest and other human rights violations. Despite these threats, from the streets of New York to small towns in China, citizens continue to gather together to demand their rights. In the Arab region unprecedented challenges to repressive dictatorships through peaceful protests have been met with extreme brutality in almost every country where they have occurred- resulting in grave and systematic human rights violations that have often amounted to crimes against humanity. Yet, as we speak, tens of thousands continue to peacefully protest for democratic reform in Egypt, Bahrain, and, over the last several days, in Sudan.

During the same period we have also witnessed an unprecedented global proliferation of government restrictions on freedom of association, with civil society organizations and human rights defenders facing a rapid increase in repression and a shrinking space to operate. Once again governments in the Arab region have lead the charge- with the very existence of independent human rights organizations in many countries effectively outlawed. For example, in Egypt, as highlighted in the Special Rapporteurs allegation report, an unprecedented government crackdown currently threatens the existence of one of the most well-established human rights civil society communities in the Arab world.

In this context, the protection and promotion of freedom of assembly and association currently constitutes the front lines of the struggle for human rights; and our ability to protect these freedoms moving forward will largely determine the future of the human rights movement in the Arab region and in countries throughout the world. Ironically, it is these very freedoms that are often treated on a national and international level as “second class” rights - freedoms that are “allowed” by a government instead of inalienable rights that must always be facilitated and protected. The recommendations within the report of the SR on FAA constitute an important first step to moving away from this highly restrictive paradigm, and we urge governments to integrate these recommendations into their national and international policies. In particular, Mr. Kiai’s recommendation that governments should adopt a “notification” approach, as opposed to a system of approval, when dealing with freedom of assembly and association is of critical importance to ensuring the long term promotion and protection of these freedoms. Also of great importance is Mr. Kiai’s recommendation to the United Nations to create a set of guiding principles for freedom of assembly. While several regional intergovernmental bodies have elaborated these types of principles the UN still lacks these types of tools. A concerted effort should be undertaken to ensure a strong UN framework of implementation tools and policy benchmarks exist for freedom of assembly- and that these are integrated into the work of various UN agencies, including country missions and offices.

We also welcome the identification of “best practices” in the current report. But, especially in the area of freedom of assembly and peaceful protests, more must be done to both identify and ensure implementation of “best practices”- including in the area of private businesses and law enforcement. We congratulate the Special Rapporteur on his first report, and look forward to working with him in the fulfilment of his important mandate.

Thank you Madame President.