

Call for inputs from the mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association for his report to be presented at the 78th session of the UN General Assembly

Title: Importance of the rights to freedom of peaceful assembly and of association in advancing inclusive and sustainable peace and democratic transition.

Objective: With his report to be presented at the 78th session of the General Assembly, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, aims to examine and shed light on the important role these fundamental freedoms play in advancing positive peace and transition to democratic governance. The report will highlight how, through the effective facilitation of the safe exercise of these freedoms, victims, communities, social movements, and civil society can contribute to advancing inclusive peace and democratic transition processes, which can end violence, achieving sustainable and just peace, and democracy.

Introduction: In his report, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, seeks to identify and highlight the specific and differentiated challenges or barriers that individuals and groups face, when exercising the respective rights, in the context of peace and democratic transition processes. The report will also highlight the important contributions made through inclusive participation of different groups in these processes, facilitated by the full enjoyment of these freedoms. Furthermore, the Special Rapporteur will seek to identify positive strategies undertaken by local, regional and international actors, including the United Nations bodies, aimed at creating an enabling environment for the enjoyment of these freedoms, to ensure the meaningful inclusion of civil society, protest and social movements, as well as communities and victims, throughout peace and democratic transition processes.

Scope of the report: The report covers the periods of transition from armed conflicts, political violence, or authoritarian regimes, to budding sustainable peace and the establishment of democratic governance.

This report will build and expand on the previous work conducted by the Special Rapporteur, highlighting the importance of these fundamental freedoms in preserving peace, preventing conflict and in fostering peace-making, to ensure an inclusive and sustainable peace. In his previous report ([A/HRC/50/42](#)) to the 50th session of the Human Rights Council, dedicated to protection of human rights in the context of peaceful protest in crisis situations, the Special Rapporteur called on States to enable and protect peaceful protests in crisis and conflict settings. He emphasized the need to embrace protests as an opportunity, instead of a threat. The Special Rapporteur also highlighted the important role these fundamental freedoms play in facilitating participation of affected communities in solving crises, creating space that enables inclusive dialogue, peaceful negotiations and transition.



The Special Rapporteur recalls that civil society has been instrumental in facilitating dialogue, in promoting peaceful resolutions to end conflicts and transition to democracy, as well as in ensuring that voices of affected communities are included and considered. Within the frame of thriving rights to freedom of peaceful assembly and association, the full inclusion of civil society, protest and social movements in peace and democratic transition processes, would ensure that these processes are inclusive, participatory, and locally accepted; and would guarantee the buy-in and legitimacy of their outcomes.

Through this report, the Special Rapporteur will also explore ways of reversing trends where civil society, protest movements, victims', and marginalized groups, have been deliberately excluded as parties from peace negotiations and democratic transition processes aimed at achieving political settlements. This has resulted in short-lived settlements, undermining of rights to justice and accountability, and deepening of political instability, conflicts, discrimination, marginalisation and social divisions.

Importantly, the Special Rapporteur will also contribute to the realisation of the Secretary General's *New Agenda for Peace*, with this report. It is notable that this agenda aims at putting inclusion at the centre of peace-making efforts. Indeed, as the UN Deputy Secretary-General Amina Mohammed reiterated, "[w]e know that inclusive processes are more likely to be effective, and to bring about sustainable peace."¹

Submissions can be made to hrc-sr-freeassembly@un.org by **26 June 2023** in English, French or Spanish. Kindly indicate in the subject of your email "Submission to GA 78 report – Sustainable Peace." All submissions will be published on the mandate webpage on the OHCHR website, unless otherwise indicated in your submission.

Questions to Civil Society, Activists, and NHRIs from the Special Rapporteur on the rights to freedom of peaceful assembly and of association

1. Please describe how you have been involved in peace and democratic transition processes. Explain what types of challenges, risks and barriers you/individuals or groups faced, when exercising the rights to freedom of peaceful assembly and of association in this context? (These may include threats, intimidation, killings, reprisals, criminalisation, stigmatisation or other threats, restrictions or attacks due to perceived or concrete engagement in the peace process).
2. Have any groups/civil society activists faced specific or additional barriers and abuses when engaging in the peace-making and democratic transition process in your context, for example, due to their gender, ethnicity, race, religion, sexual orientation and gender identity, age, social status, or due to the subject of their activism as it relates to the peace process? Please explain.

¹ See: <https://press.un.org/en/2023/dsgsm1825.doc.htm>



3. What has been the impact of these challenges on your participation/or that of civil society in general, in the peace-making and democratic transition process? Please consider any additional impact due to gender, sexual orientation, age, or being a member of vulnerable or marginalised groups? How has this impacted the outcome of these processes in terms of ensuring sustainable peace and building democratic governance?
4. What measures/strategies should be undertaken to overcome these barriers and challenges, to enable the safe exercise of the rights to freedom of peaceful assembly and association in connection to peace-making and democratic transition processes, to foster meaningful participation of civil society?
5. Please provide examples of successful strategies (by involved authorities/United Nations, and civil society) to support and create safe spaces for grassroots, as well as national mobilization, efforts of various groups, including women and youth, to enable them bring their grievances and demands to the negotiations table.
6. Please provide concrete examples of how, through the exercise of the rights to freedom of peaceful assembly and of association, civil society, activists and victims' organizations and protesters have created spaces for dialogue, reconciliation of affected groups, and ensured greater protection of human rights, justice and accountability for serious human rights violations, as a result of the peace and democratic transition process.
7. How can policymakers, donors and other national and international actors promote, facilitate and protect the rights to freedom of peaceful assembly and of association in peace processes and transition to democracy? Please provide positive examples.
8. What recommendations do you have for the United Nations and other actors of the international community to strengthen the protection of the freedom of assembly and association rights, to create and to facilitate the meaningful and safe inclusion of civil society, activists and protesters throughout these peace-making and democratic transition processes?