

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 Member States from the Special Rapporteur on the rights to freedom of peaceful assembly and of association

1. From the perspective of your State, how do/did civil society, community, and victims' associations and assemblies/protest movements contribute, or are continuing to contribute, to ensuring sustainable peace and democratic transition processes? Please elaborate and provide concrete examples from your State's own experience or observations, if your State has been engaging, directly or indirectly, in supporting such processes.
2. Please share positive examples of peace and democratic transition process which, inclusive of civil society and addressing demands raised through associations and assemblies, have resulted in better protection of human rights and vulnerable groups, and have brought about accountability for past serious human rights violations.
3. What are the key barriers, restrictions and challenges faced by individuals and groups, including victims' and marginalized groups, in exercising their rights to freedom of

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



peaceful assembly and of association, in the context of peace-making and democratic transition processes?

4. What measures has your State undertaken to address and overcome these barriers, including to facilitate, empower, support and protect individuals and groups exercising their rights to freedom of peaceful assembly and association during peace-making and democratic transition processes? Please elaborate and provide examples of legislative, policy, financial and other measures undertaken in this regard.
5. What measures have you taken to provide remedies to individuals who have suffered serious human rights abuses in relation to their exercise of the rights to freedom of peaceful assembly and of association, in the context of their participation in the peace-making and democratic transition processes?
6. If your State has been involved in/facilitated or mediated peace negotiations/formal peace processes/or democratic transition processes, what strategies have you implemented/found effective to ensure the meaningful inclusion of civil society, activists and social and protest movements (from the design through all stages of these processes)? Please provide concrete positive examples. What are the lessons learned, and best practices experienced; further, how can such processes be improved, in order to ensure a more inclusive and participatory transition and peace-making effort?
7. Please provide examples of proactive measures taken to support grassroots, as well as national mobilization efforts by various groups, including women, youth, and victims, including to create safe spaces for them to bring their grievances and demands to the negotiations table?
8. What would you recommend to the United Nations and other relevant regional and international actors involved in mediations and negotiations during periods of peace-making and democratic transition, in order to better facilitate the rights to the freedom of peaceful assembly and of association in such processes?