



Maina Kiai

UN Special Rapporteur on the rights to freedom of peaceful assembly and of association

## Kiai Tells UN that ‘Genuine Elections’ Require Vibrant Freedoms of Assembly & Association

New York (Oct. 30, 2013) – United Nations Special Rapporteur Maina Kiai told the UN General Assembly yesterday that vibrant freedoms of assembly and association are absolute prerequisites to “genuine elections” that reflect the will of the people.

The remarks came yesterday in New York, where Kiai presented his first report to the General Assembly in his capacity as the Special Rapporteur on the freedoms of assembly and of association. The report documents world-wide threats to the freedoms of assembly and of association in the context of elections – before, during and after the vote.

“Electoral periods are a key period in the life of any nation,” Kiai told the UN body. “But simply holding an election is not enough: the quality of the process has a significant impact on the legitimacy of the outcome.”

Kiai said that international election monitoring efforts tend to focus solely upon what happens during the vote, and do not always take into account the entire human rights landscape.

“That approach is not good enough,” Kiai said before his presentation. “Elections don’t take place in a vacuum. It is equally important to examine what happens before and after elections, and judge elections after evaluating the rights landscape as a whole.”

The rights to freedom of peaceful assembly and association are particularly susceptible to violation in the context of elections, Kiai said, because of the “high tension environment” that surrounds these events. But increased tensions do not serve as a legal justification for States to crack down on expressive freedoms. If anything, it is the opposite.

“Unjustifiable restrictions on these rights [during election periods] are reprehensible as they hinder the ability of people to mobilize and support their choice of candidate, law, policy, ideology or whatever issue is at stake,” Kiai said. “During election periods, people should be given more space – not less – to organize, voice their concerns and express their collective will.”

Kiai’s full report is [available](#) in all six UN languages at [freeassembly.net](http://freeassembly.net), Kiai’s website for the Special Rapporteur mandate. The report’s UN document number is A/68/299.

The report calls upon UN member states to improve efforts to facilitate and protect assembly and association rights during election periods, and to be particularly vigilant in relation to the needs of groups which are at greater risk for attacks.

The Special Rapporteur has also called upon the UN General Assembly, the Human Rights Council and other stakeholders to address thoroughly the issue of human rights violations and abuses in the context of elections.

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