

The Assembly and Association Briefing

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

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Maina Kiai speaks during a meeting with Rwanda's Minister of Justice, Johnston Busingye, in January 2014.

Maina Kiai makes official visit to Rwanda, calls for increased space for peaceful dissent

United Nations Special Rapporteur Maina Kiai completed a one-week official mission to Rwanda on Jan. 27, 2014, his third such visit since beginning his mandate in 2011.

Kiai commended the Rwandan Government on its economic development in the 20 years since the 1994 genocide, but urged that undue restrictions on the freedoms of peaceful assembly and association be lifted so that the country can expand its achievements to the fields of multiparty democracy and human rights.

"I commend Rwanda for its remarkable progress in developing infrastructure, building institutions and ensuring stability and security over the past 20 years," Mr. Kiai said at the end of his first official visit to the country. "These efforts have laid the foundation for a bright future for Rwanda."

"The next step is to build upon that foundation by developing a true multiparty democracy and allowing space for peaceful dissent," stressed the independent expert charged by the UN Human Rights Council to monitor and promote the realization of the rights to freedom of peaceful assembly and of association worldwide.

For more about the visit, please see the official [OHCHR press release](#) and [Kiai's statement](#) at the conclusion of his visit. Also available: A [graphic](#) with key quotes about assembly and association rights in Rwanda.

World briefing: freedom of assembly & association in the news

- Jan-Feb, 2014: The Ukrainian parliament has installed a [new interim government](#) and called for early elections after more than 100 people were killed and hundreds injured during clashes in Kiev in February. The clashes began after authorities stormed a protest-camp set up in Kiev's Independence Square. The protests initially begin in November with calls for closer ties to the EU, and evolved into a movement calling for the government to step down.

- Jan-Feb, 2014: [Thailand](#) faced a turbulent two-month period in its ongoing political crisis, that saw protesters try to [derail voting](#) in an election and replace Parliament with an unelected "people's council," a [siege](#) by angry rice farmers upon the Prime Minister's temporary offices, violent demonstrations that left [five dead](#).

- Jan. 16, 2014: [In Spain](#), a protest over an urban development project in the city of Burgos evolved and spread to at least 46 cities, bringing out thousands of demonstrators. At least 14 people were arrested.

- Jan. 25, 2014: Independent vendors staged a rare protest [in Cuba](#) after state inspectors seized allegedly unauthorized goods from their stalls.

- Jan. 26, 2014: A court in [China](#) sentenced HRD Xu Zhiyong to four years in prison for "gathering a crowd to disrupt order of a public place". Supporters said the sentence was in retaliation for Xu's influence in China's civil society, including his work with the "New Citizens' Movement," a loose network of activists that he cofounded.

- Jan. 27, 2014: [Tunisia's](#) parliament adopted the country's first new constitution since popular protests forced the ouster of President Zine el-Abidine Ben Ali in 2011. A new caretaker government will remain in power until new elections are called.

- February, 2014: Protests gripped [Venezuela](#), as thousands of people took to the streets against deteriorating economic conditions and crime. At least 13 people have been killed. In response, government forces [raided the offices](#) of an opposition political accused of stirring up protesters, and three US diplomats were expelled from the country.

- Feb. 12, 2014: At least 42 people were hurt after police fired rubber bullets and tear gas at a crowd of 16,000 protesting farmers in [Brazil](#). The landless farmers were marching for land reform. The demonstration was the latest in a series of protests rocking the nation, just four months before the World Cup.

Kiai makes unofficial visit to Cambodia, calls on gov't to lift ban on public assemblies

UN Special Rapporteur Maina Kiai completed a three-day [unofficial visit to Cambodia](#) on Feb. 7, 2014, where he met with a range of civil society leaders, activists and government officials.

Following months of massive post-election protests, Cambodia recently instituted a broad crackdown on public demonstrations, which has left at least four people dead, dozens injured, and a number of activists imprisoned in the past month. All public gatherings were banned in early January; the ban was finally [lifted](#) on Feb. 25.

Kiai raised the issue of the blanket protest ban with Secretary of State for the Ministry of Foreign Affairs, Ouch Borith, and called upon the government to lift the ban as soon as possible.

The two also discussed the use of force by authorities during demonstrations, the fate of a youth who was allegedly shot during a protest in January and has not been heard from since, and the cases of 23 activists and civil society leaders who were arrested during a demonstration (two of the 23 were released on bail during Kiai's visit).

"The government has absolutely no right ... to kill people when they march peacefully," Kiai [told local media](#) on February 7, during a visit with land activists in the Boeung Kak Lake community. "That is not acceptable under international law. The use of force needs to be proportional and it needs to be measured as well."

Kiai also requested that Cambodia invite him for an official visit in his capacity as UN Special Rapporteur.

"From what I've seen in the past few days here, Cambodia is going to be close to me and my work," Kiai said.

Kiai also focused on Cambodia's proposed Law on Associations and Non-governmental Organizations, a draft of which was reportedly approved by the Council of Ministers during his visit. The law is now expected to move to the National Assembly for a vote, despite the fact that 55 opposition CNRP lawmakers have yet to take their seats, in protest over what they call fraudulent elections in July.

An earlier draft of the legislation was shelved in 2011 after massive outcry from local and international groups. The last draft of the law would have made registration of associations and NGOs mandatory, and prohibited any activity by unregistered groups. At the time, Maina Kiai [called](#) this provision "a clear infringement of the right to freedom of association" which risked violating the International Covenant on Civil and Political Rights.

The government has not yet released the latest draft of the NGO law.

Kiai wrote a [commentary](#) in the Daily Nation (Kenya) reflecting on Cambodia, Kenya and the flawed idea that so-called "Big Man" rule brings stability and development, and is preferable to democracy.



UN Special Rapporteur Maina Kiai speaks to reporters in Phnom Penh, Cambodia



Maina Kiai meets with activist Buddhist monk Ven. But Bunteh in Phnom Penh.

Freeassembly.net website updated with new 'country invitation status' page

Maina Kiai's website, [freeassembly.net](#), has been updated with a new page featuring a [list of invitations extended to the Special Rapporteur from UN Member States](#). The page also shows all requests made by Kiai to Member States.

A core part of the Special Rapporteur's mandate is to conduct official country visits and to report on the findings of these visits. These visits are an opportunity not only to highlight issues related to the rights to freedom of peaceful assembly and of association, but to also provide technical assistance to UN member states.

Special Rapporteurs must receive a formal invitation in order to conduct an official visit. Informal visits, such as Kiai's trip to Cambodia, can be made without an invitation.

Also available: A link to a list of countries who have issued standing invitations to all UN Special Rapporteurs. Note that a visit to a country with a standing invitation still requires scheduling of mutually-agreeable dates and final confirmation from the host country.

Community of Democracies & UNSR launch new project on civil society's right to access funding



Left to Right: Amb. Per Sjögren (Swedish Ministry of Foreign Affairs), Amb. Maria Leissner and Maina Kiai at the launch of the UNSR's joint project with the Community of Democracies.

The Community of Democracies has launched a new two-year project in conjunction with the UN Special Rapporteur on the rights to freedom of peaceful association and of assembly aimed at enhancing space for civil society, focusing on the right to access financial resources.

The project, "Protecting Civic Space and the Right to Access Resources", was officially launched in Stockholm, Sweden, on Feb. 24, 2014. The project is funded by the Swedish Ministry of Foreign Affairs.

The centerpiece of the project is a series of regional dialogues led by UN Special Rapporteur Maina Kiai and members of his team, to be conducted with the participation of local and regional civil society groups. Separate consultations will also take place with the governments of or more countries in each region.

Regional dialogues will take place in Eastern Europe, Asia, Africa, the MENA region and Latin America throughout 2014-15. The first dialogue is tentatively scheduled for later this year.

"Across the world, governments are moving rapidly to squeeze civil society out of its rightful place in the public sphere," Kiai said. "Many of them see civil society as a competitor, challenging their authority. And they are attacking from all angles, including trying to cut off their ability to seek, receive and utilize resources."

In recent years, CSOs have faced increasing restrictions on their ability to solicit, receive and utilize financial resources, and issue documented in Kiai's report to the UN Human Rights Council in April 2013. Groups working on human rights have been particularly targeted.

For more about the project and its launch, including photos of the event, [please see our website](#).

UK lobbying bill threatens to 'stain' British democracy

Maina Kiai has warned that new legislation in the United Kingdom could "stain" British democracy by imposing harsh restrictions on civil society advocacy in the lead-up to elections.

Kiai's comments came in an [opinion](#) piece featured in the Guardian newspaper on Jan. 12, 2014, as the bill was being debated in the House of Lords. The law, known as "Transparency in Lobbying, Non-Party Campaigning, and Trade Union Administration Bill", was ultimately [enacted as law in late January](#).

The most concerning part of the legislation, according to Kiai, is the broadening of the definition of what constitutes "election campaigning" to include any activity that affects the outcome of an election, even if unintentionally. The law then regulates that activity as election campaigning and impose severe limits on spending. The concern, many charities say, is that their normal advocacy activities would be labeled "election campaigning" subject to campaign laws, virtually shutting them down during election periods.

"Shutting down . . . debate wholesale does nothing to advance democracy," Kiai wrote. "It only threatens to indelibly mar future elections with the stain of silenced voices." The full piece is [available online](#).

Assembly & association rights: By the numbers

93

Number of days [protesters](#) spent in the Maidan before Yanukovich fled Kiev, bringing about a change in government

125

Estimated number of people [killed](#) during the protests, including police

54

Days that a ban on [public assemblies](#) was in effect in Cambodia until it was lifted by Prime Minister Hun Sen on Feb. 25

6

Minimum [number](#) of people [killed](#) in demonstrations in Cambodia since September 2013

23

Minimum [number](#) of activists arrested after a wave of killings by authorities in January 2014

0

Number of [police](#) arrested over the deaths

13

Minimum number of people killed during two weeks of anti-government protests in Venezuela (the president [claims](#) the number is 50)

27

Prison sentence, in years, [handed down](#) to Rwandan opposition politician Victoire Ingabire for "belittling" the genocide and threats to state security

6

Estimated time (in hours) it takes to [register a business](#) in Rwanda

3 to 9

Estimated time (in months) it takes to [register](#) a domestic NGO

37

Current number of [countries](#) that Maina Kiai has sent requests for official visits

(Sources available via hyperlinks)

Check out our new Flickr page, at <http://www.flickr.com/photos/mainakiai/>

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