



The Assembly and Association Briefing

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

Vol. 3, No. 7 (Issue 24) - Published November 14, 2016

p2

Kiai presents labor report to UN General Assembly in New York

p3

Litigation project: cases in USA, Kazakhstan and Brazil

p5

Ethiopia: Call for an international investigation into violence against protesters

p8

Special Rapporteur warns of growing restrictions on civil society in Egypt

The UN General Assembly meeting room at UN headquarters in New York, pictured here in 2015 (photo: Cia Pak/United Nations Photo/Flickr)

In final presentation to UN General Assembly, Special Rapporteur reflects on time in mandate; warns that situation for civil society remains 'precarious'



“THE MESSAGE IS CLEAR: MANY OF THOSE IN POWER OFTEN DON’T WANT TO HEAR WHAT PEOPLE HAVE TO SAY. THEY DON’T WANT TO UPSET THE STATUS QUO, EVEN IF THAT STATUS QUO IS CATAPULTING US TOWARDS OBLITERATION.”

NEW YORK — In his final presentation to the General Assembly on Oct. 20, Maina Kiai reflected on his 5½ years as the United Nations’ first-ever Special Rapporteur on the rights to freedom of peaceful assembly and of association, and **warned** that the environment for exercising civic freedoms remained hazardous worldwide.

“Unless there is renewed commitment from the world’s leaders, away from fear and control of their own people, and toward respecting the dignity of all, the situation will remain precarious for civil society globally,” the UN expert said.

Kiai noted that his mandate was created at a time — late 2010 — when it was increasingly clear that individuals were demanding a larger say in public affairs and in decisions that affect them. It also covered a period during which the world faced a series of severe crises, ranging from growing poverty and inequality to violent extremism, to climate change, to failing states.

“It was — and still is — a time when assembly and association rights were needed most, as an avenue for people to peacefully speak out, contribute their talents, share their ideas and help society work towards solving its problems,” he said.

Yet many governments have reacted to these crises by taking destructive and counterproductive measures.

“Instead of allowing assembly and association rights to flourish, and instead of listening to what people have to say, they have responded by closing the space for civil society voices and actions,” Kiai said. “The message from this trend is clear: Many of those in power often don’t want to hear what people have to say. They don’t want to upset the status quo, even if that status quo is catapulting us towards obliteration.”

Despite these challenges, the Special Rapporteur emphasized that he was optimistic about the prospects for the global renewal of civic freedoms.

“The energy and determination of civil society in the face of these challenges has been tremendously inspiring,” he said. “I am convinced they will prevail. And I am convinced that once we truly open ourselves to inclusive and constructive dialogue — creating a system in which diverse voices are cherished and valued rather than smothered and squashed — we will also prevail over the grave problems that dog our world today.”

The Special Rapporteur also presented his **final report** to the General Assembly — a study of the exercise of assembly and association rights in the workplace, with a focus on the world’s most marginalized workers (see story below).

The Special Rapporteur’s full statement to the General Assembly is [available here](#).

Corporate power undermining workers’ assembly and association rights, Kiai warns

NEW YORK — People’s ability to exercise their assembly and association rights in the workplace is deteriorating drastically worldwide, leading to worsened labour conditions, weaker social protections and increased inequalities, United Nations expert Maina Kiai **told the UN General Assembly** on Oct. 20.

Speaking during the presentation of his final report to the main UN body, the Special Rapporteur on the rights to freedom of peaceful assembly and association highlighted unyielding pursuit of profits, increasing corporate power and the changing nature of employment relationships as leading causes of this decline.

“Assembly and association rights in the workplace continue to be undermined for a large proportion of workers, mainly because of an economic world order that relentlessly pursues ever-increasing growth and profit at all costs,” Kiai stated. “Meanwhile, the growing power and geographic reach of large corporations has meant that States are increasingly unwilling or unable to regulate these business entities and their attempts to place profits ahead of the rights and dignity of workers.”

The independent expert warned that, without the checks and balances provided by robust protection for workers’ rights, workers are inevitably seeing a decline in working conditions, social protections, and labour relations.

The report paints a grim picture and cites dozens of examples of violations of worker’s assembly and association rights in more than 50 countries, ranging from union busting to legislative gaps to assassinations of union leaders.

For the full story, [please see our website](#). For the report, [click here](#).



Pictured above: Special Rapporteur Maina Kiai shown during his appearance before the Human Rights Council in June 2014



FULL STATEMENT

Click to read the Special Rapporteur’s full statement to the 71st session of the General Assembly



VIDEO

Watch the Special Rapporteur’s presentation to the General Assembly



DOWNLOAD

Click to download the Special Rapporteur’s report

Litigation project: Developments in cases in Kazakhstan, Brazil and USA



Photo: Police prepare for a protest in Brazil in 2014 (photo: [Fernando Henrique C. de Oliveira/Flickr](#))

NAIROBI - The past month has been busy for Special Rapporteur Maina Kiai's litigation project, which was started in 2014 with the aim of encouraging the application of international assembly and association norms at the domestic level.

The Special Rapporteur filed one formal amicus curiae brief in a case in the United States, submitted a legal analysis in a case in Kazakhstan and penned a letter to a court in Brazil regarding a case on protest management.

USA: UN rights experts urge court to hear activist's claims in surveillance case against Ethiopia

On Nov. 3, a group of United Nations human rights experts [filed an amicus curiae brief](#) urging a U.S. appeals court to grant an Ethiopian American activist the right to sue the Government of Ethiopia for secretly monitoring his online activity for almost five months. The Court's decision on whether it will hear the activist's claims will have major repercussions for the ability of individuals to seek redress for human rights violations in domestic courts.

The activist, who uses the pseudonym "Kidane" in order to protect himself and his family, was born in Ethiopia and granted asylum in the United States in the early 1990s. He currently lives in Maryland and is now an American citizen, but he continues to support members of Ethiopia's democratic opposition movement. In 2012, Ethiopia reportedly infected Kidane's computer with malware and, from October 2012 to March 2013, secretly intercepted and recorded his online activities, including his Skype calls, e-mails and web-browsing history. These allegations are part of broader trend of digital attacks targeting human rights defenders, activists, journalists and other vulnerable groups, both in Ethiopia and abroad.

The group of experts — UN Special Rapporteurs David Kaye, Maina Kiai and Michel Forst — filed an amicus brief in support of Kidane. Providing him with access to U.S. legal process, the experts said, would give effect to the obligation of the United States to ensure respect for fundamental rights guaranteed to individuals within its jurisdiction, and send a strong global signal against such digital attacks.

For more information on the case, [please see here](#). To read the brief, [click here](#).

Kazakhstan: Protester on trial for 'unauthorized' assembly

On Oct. 28, Special Rapporteur Kiai [submitted](#) a legal analysis in the case of Kazakhstan protester Max Bokayev, who is on trial for participating in an unauthorized assembly in April 2016.

Bokayev, who heads the local NGO Arlan, stands charged under Kazakh domestic law of inciting social discord, distribution of knowingly false statements and violation of the procedure to organize and conduct meetings, rallies, pickets, marches and demonstrations. He is currently on

trial in Altyrau City Court.

The Special Rapporteur's analysis was submitted to the Kazakh NGO Dignity — which is helping with Bokayev's defense — though the Special Rapporteur has invited the organization to share the legal arguments with the Court "to facilitate a clear interpretation of the right to freedom of peaceful assembly as understood in international law, standards and principles as guaranteed under the constitution of Kazakhstan." The Special Rapporteur was unable to submit a formal amicus curiae brief in the case due to time constraints.

In the analysis, the Special Rapporteur emphasized that under international law, authorities cannot impose "authorization" requirements on those seeking to hold peaceful assemblies. Doing so turns the fundamental right to freedom of peaceful assembly into a privilege.

"The mere fact that an assembly was not authorized does not in and of itself justify interference with the freedom of peaceful assembly — such as by imposing sanctions upon participants," Kiai wrote in the analysis, [which is available here](#).

Brazil: Historic decision on protest management suspended pending appeal

On Nov. 9, [Kiai wrote](#) to the Justice Tribunal of São Paulo in Brazil about the recent decision — and subsequent suspension pending appeal — in civil public action case No. 1016019-17.2014.8.26.0053, Public Defender of the State of São Paulo versus the State of São Paulo, which deals with police management of protests.

A local Court decision issued in early November had instructed Military Police to develop a police plan for action at demonstrations, a development which Kiai hailed. The decision was [suspended](#) by the President of the Court on Nov. 7, however, pending appeal.

Kiai said in his letter that he was disappointed to learn of the suspension, as he welcomed the initial decision's approach and praised the decision for its focus on key details of assembly management.

"While I have general reservations on the role to play by Military Police instead of civil authorities in the management of assemblies in Brazil, I believe that a plan of action would indeed substantially improve the management of assemblies and in that way better protect public interests, security and facilitate police activities," Kiai wrote.

The parties are now preparing for the appeal.

Kiai also shared with the court his [joint report on the proper management of assemblies](#), which was presented to the Human Rights Council in March 2016. The Special Rapporteur's full letter is available [here](#) (English) and [here](#) (unofficial Portuguese translation).



USA:
[READ MORE](#)



KAZAKHSTAN:
[READ MORE](#)



BRAZIL:
[READ MORE](#)

UN experts urge India to release prominent Kashmiri human rights defender



GENEVA — A group of United Nations experts, including Maina Kiai, [has called on](#) the Government of India to immediately release human rights defender Khurram Parvez, arrested last month for alleged activities against public order. Parvez is the coordinator of the Jammu Kashmir Coalition of Civil Society (JKCSS), and the chairperson of the Asian Federation Against Involuntary Disappearances (AFAD).

“Mr. Parvez is a well-known and outspoken human rights defender who has had a longstanding and positive engagement with the UN human rights mechanisms,” the experts said in their Oct. 19 statement. “His continued detention following his arrest just a few days before his participation in the UN Human Rights Council, suggests a deliberate attempt to obstruct his legitimate human rights activism.”

On Sept. 14, Parvez was on his way to Geneva to attend the 33rd session of the UN Human Rights Council when he was prevented from traveling out of India by airport authorities in Delhi. He was then detained on Sept. 16 under sections 107 and 151 of the Criminal Procedure Code, released on Sept. 20, yet detained again the same day. He remains today in preventive detention, under the highly controversial Jammu and Kashmir Public Safety Act.

The UN experts conveyed their concerns to the Government of India, but the official information

received so far does not provide clear details on the exact nature of the charges against Parvez, which seem to rely mainly on vague accusations of alleged ‘anti-India’ activities, aimed at disrupting the public order.

“We are concerned at the use of the Jammu and Kashmir Public Safety Act against Mr. Parvez, which permits administrative detention without judicial intervention for up to two years,” the experts highlighted. “We have received allegations of this law often being arbitrarily applied to target human rights defenders.”

On Oct. 13, a petition challenging Mr. Parvez’s detention under the Public Safety Act was listed before the Jammu and Kashmir High Court.

“In a democratic society, the open criticism of Government is a legitimate exercise of the right to freedom of expression of every person,” the experts stressed. “We are seriously concerned that the arrest of Mr. Parvez may represent a direct retaliation for his legitimate activities as a human rights defender and the exercise of his fundamental freedoms, including freedoms of expression and association.”

The full press release and list of experts is available on [our website](#).

Democratic Republic of Congo: experts urge end to ‘unjustified’ ban on protests

GENEVA — A group of United Nations human rights experts, including Maina Kiai, has called on authorities in the Democratic Republic of the Congo (DRC) to [lift an “unjustified” ban on protests](#) in the capital, Kinshasa, amid social discontent over delayed presidential elections.

The ban was imposed in September after a series of large demonstrations that were brutally suppressed by security forces, reportedly leaving dozens of people dead and injured.

“The rights to freedom of expression and freedom of peaceful assembly and of association are fundamental rights guaranteed by international law. These rights can only be restricted in very specific and narrowly defined circumstances,” the experts said in their Nov. 3 statement.

“It is clear that the current situation in the DRC does not justify a general ban on demonstrations in several cities,” they noted. “In fact, given that the country is in a hotly disputed election period, people should be given more space, not less, to express their democratic freedoms.”

The UN experts have also raised fears over the National Dialogue agreement which took effect in October, postponing presidential elections beyond the constitutional deadline. The agreement could be used to justify new and unacceptable restrictions on the legitimate activities of civil society organizations, violating their right to freedom of association, the experts warned.

“The protest ban and the restrictive tone of the National Dialogue agreement are both disturbing signs that democratic space is rapidly dissipating in the DRC, with human rights organizations and opposition parties bearing the brunt of the repression,” the independent experts said.

“In view of forthcoming demonstrations, in particular those planned for 5 November, we urge the Congolese authorities to revoke its decision to ban demonstrations,” they stated.

“The DRC is obligated to facilitate assembly and association rights and to protect people who exercise these rights,” the experts noted. “It is of the utmost importance that the country allows the development of an inclusive and participatory civil society sector at this critical juncture in the development of its democracy.”



The ban is the fourth of its kind in the DRC since 2015. Two remain in force, affecting Kalemie in Tanganyika province and Lubumbashi in Haut Katang.

The crackdown on protests in Kinshasa in September prompted an [earlier statement from the experts](#), who condemned the authorities’ repeated use of “excessive force”, which included firing tear gas and live ammunition into crowds of protesters.

For the full press release and list of experts, see [here \(English\)](#) or [here \(French\)](#).



Maina Kiai's Foreword to the Civic Charter: the Framework for People's Participation



The following is adapted from the Special Rapporteur Maina Kiai's foreword to the Civic Charter – the Global Framework for People's Participation, which was facilitated by the International Civil Society Centre and released in October 2016:

It is no secret that our world faces a multitude of problems in the early years of the 21st century: growing poverty and inequality, violent extremism, intolerance of "the other," potentially catastrophic climate change, and failing states, just to name a few. Indeed these problems sometimes seem so vast and complex that it is easy to despair.

But our biggest difficulty, truly, is that so many of us are excluded from having a say in how to solve these problems. Billions of people – indeed the majority of the world – are cut off in their ability to contribute their talents, share their ideas and express their wishes.

I observe this gap each and every day in my work as UN Special Rapporteur on the rights to freedom of peaceful assembly and of association. The space for meaningful participation in many of our societies – from repressive authoritarian regimes to the "traditional" democracies – has been hijacked. Sometimes this is done structurally, through repressive legislation that closes off democratic space. Other times it is blunter, through threats, persecution, and even brute physical force against people who dare test the boundaries of participation.

Either way, the message is clear: Those in power often don't want to hear what we have to say. They don't want to upset the status quo, even if that status quo is catapulting us towards obliteration.

But in my work, I also see the other side.

Assembly and association rights are key platforms for participation, and people have an almost instinctive need to exercise them. When they are allowed to do so, great things happen. Communities come together and work for the common good. People are allowed to express their political opinions peacefully and leaders are held accountable. The arts and sciences flourish. The sharing of ideas sparks innovation. Religious groups can co-exist. Workers and employers engage in dialogue.

And above all, people take a stake in their societies. They feel motivated to build rather than to destroy, and this – more than any other system – brings stability and prosperity.

Our world does indeed face some of the gravest problems human civilization has ever seen. But these problems do not necessarily make me despair. I am confident that we are capable of solving them if we work together – but only if we are allowed to work together.

I am thus proud to endorse this Civic Charter, which is a reaffirmation of everyone's right to do this.

The full Civic Charter can be accessed at the following link: <http://civiccharter.org/>

Ethiopia: call for international investigation into systematic violence against protesters

GENEVA – United Nations human rights experts on Oct. 10 **urged the Ethiopian authorities** to end their violent crackdown on peaceful protests, which has reportedly led to the death of over 600 people since November 2015. They further called on the Government to allow an international commission of inquiry to investigate the protests and the violence used against peaceful demonstrators.

"We are outraged at the alarming allegations of mass killings, thousands of injuries, tens of thousands of arrests and hundreds of enforced disappearances," said the UN Special Rapporteurs on freedom of peaceful assembly and of association, Maina Kiai, the Working Group on enforced or involuntary disappearances and on extrajudicial, summary or arbitrary executions, Agnes Callamard. "We are also extremely concerned by numerous reports that those arrested had faced torture and ill-treatment in military detention centres."

"In light of the lack of progress in investigating the systematic violence against protesters, we urge the Ethiopian Government to allow an international independent commission to assist in shedding light on these allegations," they stated.

The human rights experts highlighted in particular the Oct. 2 events in Oromia, where 55 people were killed in a stampede.

"The deaths in the Oromia region last weekend are only the latest in a long string of incidents where the authorities' use of excessive force has led to mass deaths," Kiai said noting that peaceful protests in the Ahmara and Konso Wereda regions have also been met with violence from authorities.

"The scale of this violence and the shocking number of deaths make it clear that this is a calculated campaign to eliminate opposition movements and silence dissenting voices."

The experts underlined the urgent need to investigate and hold accountable those responsible for the violence. A group of UN experts made **a similar call in January 2016**, which went unheeded, they noted.

For the full press release, [please see our website](#).

Experts blast Kenya for excessive force against anti-corruption protesters

GENEVA — A group of UN human rights experts, including Maina Kiai, [condemned](#) a violent clampdown on a peaceful protest in the Kenyan capital, Nairobi, while urging the authorities to investigate claims of excessive use of force and arbitrary arrest — both against demonstrators and journalists — and to hold all perpetrators accountable.

The demonstrators were protesting against alleged government corruption when police used teargas and batons to disperse them. A number of people are reported to have been injured or detained during the incident on Nov. 3.

“Interference with the right to freedom of peaceful assembly is inexcusable at any time, but it is especially repugnant when demonstrators are calling for government accountability,” the experts said in their Nov. 10 statement. “Protesters may sometimes raise uncomfortable truths, but holding people in power to account is a central function of peaceful assemblies in a democracy.”

The experts also expressed alarm at the timing of the crackdown, less than a year before Kenyans elect a new president in August 2017. They said creating an environment where opinions could be expressed peacefully was key to avoiding a repeat of the wave of violence which followed the disputed presidential poll in 2007.

“Beating protesters does not make their grudges go away. Rather, it intensifies them, because it sends the message that the government does not care,” they stressed. “This approach does not foster a culture of dialogue; it fosters a culture of violence, which is exactly the opposite of what Kenya needs right now.”

The UN independent experts also expressed grave concern over reports that police had attacked journalists covering the protest, in some cases damaging their equipment.

For the full press release and list of experts, [please see our website](#).



The world's got
99
Problems

Fighting
Corruption
Isn't one of them

#60: Breaking up anti-corruption protests is. Corruption costs the world economy an estimated \$2 trillion per year, according to the IMF. Who are corrupt officials stealing from? All of us. Think that's something to protest about? We do too. The International Covenant on Civil and Political Rights gives you that right - and the power to help stop corruption.

1966
2016
#HUMANRIGHTS
#FREEASSEMBLY
freeassembly.net

Mauritania: UN experts concerned about situation of jailed rights activists

GENEVA — A group of United Nations human rights experts, including Maina Kiai, have expressed serious concern that Mauritanian activists jailed for their alleged role in a protest against forced evictions in Nouakchott are being targeted by the Government for their anti-slavery advocacy.

The human rights defenders were sentenced in August to prison terms ranging from three to fifteen years. The date for an appeal will be set later this week by the Appeals Court in Nouadhibou.

Thirteen of the activists are members of the Initiative for the Resurgence of the Abolitionist Movement (IRA), the leading Mauritanian civil society organization fighting against slavery. They denied any role in the eviction protests, during which several people, including police officers, were injured.

“The Mauritanian Government is hostile to civil society groups that criticise its policies, and is especially hostile to groups like IRA, whose members are drawn from the Haratine minority and advocate for an end to slavery,” the experts said in their Oct. 19 statement.

“The conviction of the activists fits a pattern of crackdown on dissent by the ruling party in a country in which one ethnic minority dominates the two other major ethnic groups,” the experts noted. “We are concerned that the IRA has also been targeted by the Government as a reprisal

because its members met with the Special Rapporteur on extreme poverty and human rights during his country visit.”

The August trial was reportedly marred by due process and other serious human rights violations. There were credible indications that IRA members were tortured while in detention, family members and supporters of the accused were attacked by the police when they tried to attend the trial and there were procedural irregularities in the court proceedings.

Procedural irregularities seem to have persisted over the appeal phase. The appeal procedure was recently transferred from the Appeals Court in Nouakchott to the Appeals Court in Nouadhibou, about 500 kilometres from the capital. The jailed IRA members were transferred on 28 September from Nouakchott to a detention center in Zouérate, about 700 kilometres from Nouakchott and seventeen hours by car from Nouadhibou.

The experts also expressed concern about the serious health condition of some detainees, reminding Mauritania’s obligation to protect detainees’ right to health and provide them with the urgent and adequate medical care needed regardless of their legal status.

For the full statement and list of experts, please see the story on our website in [English](#) and [French](#).

Assembly & association rights:

By the numbers

Prison sentence (in years) facing Vietnamese blogger “Mother Mushroom,” who was arrested for “[spreading propaganda](#)” after writing about controversial topics, including a chemical spill that killed millions of fish earlier this year

12

Estimated number of people who were arrested in Vietnam for protesting over the fish deaths, which the Taiwanese company Formosa Steel later [admitted](#) causing

500

Number of officials from Formosa Steel who have been arrested for causing the chemical spill

0

Percentage decrease in the number of [civic groups](#) in Russia since 2012, when a new law requiring NGOs receiving foreign funds to register as foreign agents was passed

33

Percentage increase in the Russian government’s funding of civic groups – which is limited to so-called “socially oriented” organizations – over roughly the same time period

300

Estimated number of public servants in Turkey who have been [dismissed](#) or [suspended](#) from their jobs for alleged links to a group the government says was behind a failed coup in July

127,359

Number of elected members of Turkey’s parliament – all from the pro-Kurdish People’s Democratic Party (HDP) – who were [arrested and charged](#) with terror offenses on Nov. 4

8

Scene from a Nov. 4, 2016, protest in Berlin, Germany, which was held to show solidarity with People’s Democratic Party politicians were arrested in Turkey (photo: [majka czapski/Flickr](#))



Egypt NGO law: Special Rapporteur Kiai warns about growing restrictions on civil society

“THE GOVERNMENT SEEMS TO BE SYSTEMATICALLY ATTACKING CIVIL SOCIETY IN AN EFFORT TO SILENCE ITS VOICE. I CALL ON THE GOVERNMENT OF EGYPT TO HALT THE ONGOING HARASSMENT OF HUMAN RIGHTS DEFENDERS AND ORGANIZATIONS.”

Special Rapporteur Maina Kiai in his Oct. 11 statement on Egypt

GENEVA — The UN Special Rapporteur on freedom of peaceful assembly and of association, Maina Kiai, [warned on Oct. 11](#) about the growing restrictions imposed on civil society in Egypt and the targeting of human rights defenders and human rights organizations.

On Sept. 17, 2016, the Cairo Criminal Court froze the assets of five prominent human rights defenders and three NGOs named in “Case 173 on foreign funding”. The order places the frozen assets under government custodianship, meaning that the organizations and individuals can no longer make independent decisions about the confiscated money.

“These new developments intervene in a context of a continuing crackdown on human rights defenders and civil society organizations in Egypt since the reopening of the 2011 NGO case, known as the ‘173 foreign funding case’, in which a number of human rights defenders and heads of civil society organizations are being investigated,” said Kiai.

“The Government seems to be systematically attacking civil society in an effort to silence its voice,” the human rights expert added.

On Sept. 8, the Egyptian Cabinet approved a new draft NGO law retaining the restrictive provisions in the current NGO law (No. 84/2002).

“The draft law also limits NGO work to ‘development and

social objectives’, and imposes a high level of minimum capital required to set up an NGO. Other new elements introduced by the draft law include the establishment of a specific tax for foreign funding, the banning of activists who have received a prison sentence for forming their own NGOs, and requiring the NGOs to conduct work that meet social needs,” the Special Rapporteur highlighted.

“I am concerned about the draft NGO bill which would aggravate already constraining legislative framework and raise further questions about compatibility of the Egyptian legislation with its international human rights obligations,” he added.

“I recall that the Government of Egypt has accepted a number of recommendations under the second UPR cycle of Egypt in 2014 to promote and protect the right to freedom of association, as well as to adopt a new NGO law that is compliant with international human rights*,” Kiai stressed.

“I call on the Government of Egypt to halt the ongoing harassment of human rights defenders and organizations and urge the Government to ensure the compliance of the NGO draft law with international law standards, following a transparent consultation process with civil society organizations,” the expert concluded.

The full press release is [available on our website](#).

Iran: UN expert Shaheed calls for the immediate release of dual nationals



Nazanin Zaghari-Ratcliffe (left) with her baby and mother (photo: Free Nazanin Ratcliffe)

GENEVA — United Nations Special Rapporteur Ahmed Shaheed has [called on the Islamic Republic of Iran](#) for the immediate and unconditional release of a British-Iranian national sentenced to five-years in prison for charges unknown to her, and two elderly dual nationals who are suffering from serious health conditions that require urgent and adequate medical attention. His call was endorsed by Maina Kiai and a number of other UN experts.

Nazanin Zaghari-Ratcliffe was arrested on April 3, 2016, along with her 22-month-old daughter. The authorities confiscated their passports, preventing her daughter from traveling back to the UK to be with her father. On Aug. 14, Zaghari-Ratcliffe was tried, on secret charges, in a Tehran revolutionary court and, on Sept. 6, she was convicted and sentenced to five years’ imprisonment. She was only able to meet her lawyer three days before the beginning of her trial. Her health has also seriously deteriorated since her arrest.

“Sentencing individuals for charges that are kept secret from defendants and their defence

lawyers is a mockery of justice,” Shaheed said. “It is also evidence of the Iranian judiciary’s complete disregard for the most basic fair trial and due process guarantees enshrined both in Iranian domestic laws and the International Covenant on Civil and Political rights, to which Iran is a State party.”

“The Iranian authorities should immediately and unconditionally release Ms. Zaghari-Ratcliffe,” the Special Rapporteur urged, noting that the United Nations Working Group on Arbitrary Detention has recently declared the deprivation of liberty of Zaghari-Ratcliffe arbitrary.

The UN human rights experts also expressed concerns about the health of two other dual nationals, Mr. Baquer Namazi and Mr. Kamal Foroughi, who are currently incarcerated in Evin prison.

The full press release is available on our [website at this link](#).

Special Rapporteur news in brief:

October-November 2016

Kiai accepts Leo Nevas Human Rights Award

Maina Kiai was in New York on Oct. 19 to receive the United Nations Foundation's 2016 Leo Nevas Human Rights Award. The award honors Kiai's work advancing civil liberties worldwide as UN Special Rapporteur on the rights to freedom of peaceful assembly and of association.

"I am honored and humbled to receive the 2016 Leo Nevas award for my work as Special Rapporteur," Kiai said. "But in truth, this award recognizes something far beyond me personally: it is a validation of our collective global fight to restore civil society to its rightful place at the center of democracy and development."

[See here for the full press release.](#)

Special Rapporteur endorses UN Parliamentary Assembly campaign

Special Rapporteur Kiai has endorsed the idea of a [UN Parliamentary Assembly](#), a proposed addition to the United Nations System that would allow for participation of member nations' legislators and possibly direct election of UN parliament members. You can read the Special Rapporteur's [endorsement here](#) - along with endorsements from five other UN independent experts.

Factsheets in Chinese, implementation checklist in Spanish

Thanks to the generous efforts of the International Service for Human Rights (ISHR), the Special Rapporteur has rolled out Chinese-language translations for three of his mandate's factsheets: [Assembly and association rights in the workplace](#) (2016 General Assembly report), [recommendations on managing assemblies](#) (2016 joint report with Special Rapporteur Christof Heyns), and [civil society's ability to access resources](#) (2013 Human Rights Council Report). Our entire factsheet series can be [found here](#).

We have also introduced a Spanish-language version of our "10 Principles implementation checklist," a tool designed to give people an easy way to rate their countries' management of assemblies. [It's available here.](#)

Call for applications: Maina Kiai's replacement as Special Rapporteur

The United Nations is soliciting applications for the next Special Rapporteur on the rights to freedom of peaceful assembly and of association - as well as several other mandates. The application deadline is Nov. 16, 2016; appointments will be formally made at the 34th session of the Human Rights Council in March 2017.

[See here for more information on the process and for how to apply.](#)

Kiai completes his second and final term as Special Rapporteur on April 30, 2017.

Maina Kiai accepts the UN Foundation's 2016 Leo Nevas Human Rights Award in New York City on Oct. 19, 2016 - see first story above (photo: Stuart Ramson for UN Foundation)



Scene from a protest in New York City following the election of Donald Trump as president of the United States (photo: Karla Ann Cote/Flickr)

World briefing: Assembly & association rights in the news

United States

The surprise election of [Donald Trump](#) as the next president of the United States sparked a wave of protests. Protesters took to the streets in New York City, Chicago, San Francisco, and elsewhere, criticizing the racism, sexism and xenophobia that they say Trump has made mainstream. Demonstrations [continued](#) throughout the week.

Ethiopia

In response to growing anti-government protests, Ethiopia [announced](#) a six-month state of emergency, giving authorities [greater power](#) to crack down on dissent. New regulations made it [illegal](#) to watch television stations set up by the Ethiopian diaspora and to post links from these organizations' websites on social media, [among other things](#). Media reported on Nov. 13 that 11,607 people had been [arrested](#) since the emergency was declared.

Bangladesh

Civil society raised serious concerns about Bangladesh's new law to regulate [foreign-funded NGOs](#), saying it was intended to intimidate groups critical of the government. The law gives the government the power to [suspend or ban](#) foreign-funded NGO for making "malicious" or "derogatory" remarks about the country's constitutional bodies.

Republic of Korea

South Korea was rocked by [large protests](#) yet again in October and [November](#), as thousands of people rallied to demand the resignation of President Park Geun-hye. [Up to 1 million people](#) were said to have turned out for a rally on Nov. 13. The president was plunged into crisis after it emerged that she was taking policy advice from a life-long friend with no political experience and links to a questionable cult. The friend is also accused of using her relationship with Park to embezzle \$70 million in donations meant for two foundations.

Vietnam

A prominent blogger known for her criticism of the government was arrested by authorities

on Oct. 11. Nguyen Ngoc Nhu Quynh – also known as [Mother Mushroom](#) – was accused of distorting the truth and spreading propaganda against the state; she faces up to 12 years in prison. Separately, civil society criticized Vietnam's [draft NGO law](#) as unconstitutional, and said it would cripple organizations working on issues ranging from the rights of disabled people to the promotion of human rights.

South Africa

Demonstrators [continued their calls](#) for Jacob Zuma to resign, as a judge ordered the release of a damning report into corruption allegations against the South African President. The 355-page "State of Capture" [report](#) – compiled by the Public Protector – contains [allegations](#) and evidence of cronyism, questionable business deals and other possible large-scale corruption.

Elsewhere

There were shocking [allegations of surveillance](#) by the Japanese government linked to Special Rapporteur David Kaye's official mission to the country in April 2016 (also mentioned in the UN Secretary General's 2016 [report on reprisals](#)) • Malawi civil society slammed the government for the "illegal" [arrest](#) of a protest organizer • Four people were [killed during protests](#) against the UN peacekeeping mission in Central African Republic; peacekeepers allegedly opened fire when demonstrators tried to force their way into the UN headquarters • Russia [lost its seat](#) on the Human Rights Council, but Saudi Arabia was re-elected • CIVICUS launched the [Civic Space Monitor](#), an online tool that tracks the state of civil society freedoms around the world • Thousands of people [protested across Morocco](#) in late October, after fish-seller was crushed to death in a refuse lorry while trying to retrieve fish confiscated by police • Burundi [banned three UN human rights investigators](#) after their report accused the government of gross human rights violations; the government also banned five [human rights NGOs](#) • China said will be no "grace period" for the implementation of new regulations limiting the activities of foreign NGOs that come into effect in 2017 • A protest outside the U.S. Embassy in Manila, Philippines, ended after a police van drove [back and forth through a crowd of protesters](#)