

Special Rapporteur on the rights to freedom of peaceful assembly and of association, Mr. Maina Kiai

<p>UNGA Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai</p> <p><u>A/69/365</u></p> <p>1 September 2014</p>	<p>B. State practices pertaining to the exercise of the rights to freedom of peaceful assembly and of association at the multilateral level</p> <p>72. The Special Rapporteur has also been apprised of challenges regarding the accreditation process within the United Nations. As he mentioned above, the Committee recommends NGOs applying for consultative status to the Economic and Social Council members. This Committee is composed of 19 Member States: five from Africa, four from Asia, two from Eastern Europe, four from Latin America and the Caribbean, and four from Western Europe.</p> <p>74. The Special Rapporteur is concerned that the Committee has on several occasions acted in a manner contrary to the spirit of resolution 1996/31. He was informed that the Committee has arbitrarily deferred applications for consultative status of NGOs, several for many years. As of April 2014, out of the 48 organizations which have had their accreditations repeatedly deferred, 46 work on human rights issues, such as children and women's rights, minorities and country situations: e.g., the Asia Centre for Human Rights (since 2008), the Child Rights Information Network (since 2010), the Iran Human Rights Documentation Centre (since 2010) and the Global Network for Rights and Development (since 2011). The Committee has reportedly addressed either repetitive or irrelevant questions to such organizations. <u>The case of the International Dalit Solidarity Network, an international NGO focusing on caste-based discrimination and other forms of discrimination based on work and descent, is particularly troubling: since 2008, the Network has received 64 written questions from the Committee, all raised by India. It is now the longest pending application before the Committee.</u></p> <p>88. The Special Rapporteur calls upon the United Nations specifically to:</p> <ul style="list-style-type: none"> (a) Reform the Committee on Non-Governmental Organizations to prevent Member States from blocking accreditation applications with perpetual questioning and to unilaterally vetoing applications. The reform process should be guided by the principle that the United Nations functions best when it is accessible to the greatest diversity of voices possible; <p>90. Moreover, the Special Rapporteur calls upon States members of multilateral institutions to:</p> <ul style="list-style-type: none"> (b) Publicly condemn all acts of reprisal by State and non-State actors against those engaging or seeking to engage with multilateral institutions; (c) Refrain from unduly preventing NGOs from obtaining accreditation with multilateral institutions, arbitrarily withdrawing accreditations, or deferring the examination of periodic reports of accredited organizations;
<p>Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai</p> <p><u>A/HRC/26/29</u></p> <p>14 April 2014</p>	<p>C. Challenges to the enjoyment of the right to freedom of peaceful assembly by groups most at risk</p> <p>Practices that threaten or impede the enjoyment of the right to freedom of peaceful assembly</p> <p>46. In other cases, inaction by authorities may prevent some groups from exercising their right to freedom of peaceful assembly. The Special Rapporteur has received numerous reports from India regarding the disruption of public assemblies of Dalit individuals — members of the country's traditional "untouchable" caste. This includes one case in 2009 in which members of another caste obstructed a funeral procession and beat members of the Dalit community. Police reportedly failed to intervene, despite being present.</p>

	<p>D. Challenges to the enjoyment of the right to freedom of association by groups most at risk</p> <p>Practices threatening and impeding the enjoyment of the right to freedom of association</p> <p>66. Patriarchal attitudes and stereotypes in societies that promote a narrow understanding of the role of women as being confined to the private sphere militate against the ability of women to organize and participate in activities in the public sphere. Thus, the Committee on the Elimination of Discrimination against Women has expressed concern at the harassment, intimidation and imprisonment of members of women's NGOs and women human rights defenders and at restrictions placed on the activities of organizations focused on gender equality (see, for example, CEDAW/C/UZB/CO/4, paras. 17–18). Similarly, the Working Group on the issue of discrimination against women in law and in practice found that women's participation in political and public life is commonly constrained by structural and societal discrimination in the family, in caregiving responsibilities and in violence against women, and by marginalization by political parties and other non-State public institutions. The obligation of States to remove those barriers is clearly mandated in article 2 (f) of the Convention on the Elimination of All Forms of Discrimination against Women and has been repeatedly advocated by the Committee on the Elimination of Discrimination against Women (A/HRC/23/50, para. 56). Despite laws prohibiting caste discrimination and positive measures to reverse the impact of discrimination and violence, the Dalit population in India continues to face severe social restrictions in participating on an equal footing with others in political parties and associations.</p>
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