



26th Session Human Rights Council
Item 3

Interactive Dialogue with the Special Rapporteur on the Promotion and Protection of the Rights to Freedom of Opinion and Expression and the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association

10 June 2014

Joint Statement

Thank you Mr. Vice President,

ARTICLE 19 on behalf of the Civic Space Initiative* congratulates Frank La Rue on his final thematic report to the Human Rights Council. You have worked tirelessly over the last six years to defend freedom of expression where it is most at risk – including on free speech online, the threats of State surveillance, and providing the intellectual framework for Resolution 16/18. This report too will greatly enhance the work of civil society working on freedom of expression and elections.

Where freedom of expression is suppressed - the legitimacy of election outcomes will be contested, and avoidable political violence becomes inevitable, as seen in Pakistan, Venezuela, and Iran.

We underline that States must act to prevent and protect against threats, harassment and attacks on journalists, bloggers, activists and civil society, including during elections. We stress that criminal defamation and insult laws continue to be abused to silence dissent and insulate politicians from criticism – as seen in Ecuador and Peru - and must be repealed.

The blocking of communications, such as the shutdown of social media in Malaysia, Turkey, and Venezuela, must also cease - especially during elections. The Human Rights Council



should reiterate that there is no justification for this practice in the resolution on 'Internet and human rights', being considered at this Session.

We ask both Special Rapporteurs how the recommendations can be implemented in countries transitioning from autocracy, where censorship in elections often leads to violence and other human rights abuses.

We also welcome the report of Maina Kiai.

Marginalised groups are frequently the first to be denied their rights to freedom of peaceful assembly, association and expression. They are denied a voice in order to obstruct their rights' claims and to engender impunity for violations against them.

The Human Rights Council must speak out against this worsening trend. We agree that a government that can silence one group is a government that can silence anyone.

In 2011 this Council expressed "grave concern" at violence and discrimination against people on the basis of sexual orientation or gender identity. Last month, the African Commission on Human and People's Rights reiterated this concern in its own Resolution. This Council must insist on the repeal of homophobic laws in Russia, Uganda and Nigeria and elsewhere.

As this Council urged in March, States must facilitate and promote assembly rights for all people. Where excessive force, including lethal force, is used against assemblies, as in Egypt, Venezuela and Ukraine, the Human Rights Council must demand accountability.

States, including Russia and Ethiopia, must repeal laws that prevent civil society from accessing funding; the labelling of human rights organisations as "foreign agents" is illegitimate and must stop. Regimes that authorise invasive supervision of associations, prohibit informal associations, allow arbitrary terminations or restrict advocacy activities, should also be quashed.

We welcome the request for the Human Rights Committee to develop General Comments on Articles 21 and 22 of the ICCPR. We ask both Special Procedures how they and the Council



can further elaborate guidance to address the implementation gap in the protection of civic space.

We thank you.

* A group of civil society organisations forming the Civic Space Initiative consortium:

ARTICLE 19

CIVICUS: World Alliance for Citizen Participation

International Center for Not-for-Profit Law (ICNL)

World Movement for Democracy

European Center for Not-for-Profit Law (ECNL)