

DRAFT – Friday, September 7, 2012

21/... The rights to freedom of peaceful assembly and of association

The Human Rights Council,

Reaffirming Human Rights Council Resolution 15/21 of 6 October 2010 and Commission on Human Rights resolution 2005/37 of 19 April 2005 **(new)**

Recognizing the importance of the rights to freedom of peaceful assembly and of association to the full enjoyment of civil and political rights, and economic, social and cultural rights, **(15/21)**

Reiterating the critical mandate, role, expertise and specialized supervisory mechanisms and procedures of the International Labour Organization with respect to employers' and workers' rights to freedom of association, **(15/21)**

Noting with appreciation the report of the special rapporteur on the rights to freedom of peaceful assembly and of association (A/HRC/20/27) **(new)**

Recognizing the importance of the freedoms of peaceful assembly and of association, as well as the importance of civil society, to good governance, including through transparency and accountability, which is indispensable for building peaceful, prosperous and democratic societies, **(CHR 2000/47, modified)**

Aware of the crucial importance of active involvement of civil society in processes of governance that affect the lives of individuals, **(CHR 2000/47, modified)**

1. *Emphasizes* the critical role of the rights to freedom of peaceful assembly and of association for civil society; **(new)**
2. *Recognizes* that civil society facilitates the achievement of the aims and principles of the United Nations; **(OP3 of 15/21, shortened)**
3. *Stresses* that respect for freedom of peaceful assembly and association, online or offline, in relation to civil society actors and organizations contributes to accelerating development, and to addressing and resolving challenges and issues that are important to society, such as the environment, crime, human trafficking, social justice, and consumer protection; **(new)**

4. *Expresses its concern* regarding cases of impermissible limitations on the rights to peaceful assembly and association imposed by States upon civil society actors or organizations; **(new)**
5. *Reiterates its call upon* States to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, including in the context of elections, and including persons **belonging to minorities and those** espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law; **(15/21 modified)**
6. *Reiterates its call upon* States to cooperate fully with and assist the special rapporteur on the rights to freedom of peaceful assembly and of association in the performance of his or her tasks; **(OP6 of 15/21, modified and shortened)**
7. *Reiterates its call upon* the Office of the United Nations High Commissioner for Human Rights to assist States to promote and protect the rights to freedom of peaceful assembly and of association, including through the technical assistance programmes of the Office, at the request of States, and to cooperate with relevant bodies of the United Nations system and other intergovernmental organizations to assist States to promote and protect the rights to freedom of peaceful assembly and of association; **(OP2 of 15/21, modified)**
8. *Invites* the special rapporteur on the rights to freedom of peaceful assembly and of association, to address, in his or her next annual report, the importance of freedom of peaceful assembly and of association to the work of civil society actors, including with respect to the progressive realization of economic, social and cultural rights; **(new)**
9. *Requests* that the special rapporteur on the rights to freedom of peaceful assembly and of association present his or her annual report to the UN General Assembly every year; **(new)**
10. *Decides* to continue its consideration of the issue of the rights to freedom of peaceful assembly and of association in accordance with its program of work. **(15/21)**