|  |  |  |
| --- | --- | --- |
|  |  | A/HRC/50/23/Add.3 |
|  | **Advance Unedited Version** | Distr.: General15 June 2022Original: English |

**Human Rights Council**

**Fiftieth session**

13 June–8 July 2022

Agenda item 3

**Promotion and protection of all human rights, civil,**

**political, economic, social and cultural rights,**

**including the right to development**

 Follow-up to country visits to Tunisia, Armenia, Sri Lanka and Zimbabwe

 Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule[[1]](#footnote-2)\*

*Page*

1. Introduction 3
2. Tunisie 3
3. Rassemblements 3
4. Association 4
5. Liberté de réunion pacifique et d'association au travail 5
6. Protection et inclusion des groupes à risque 5
7. Autres questions 5
8. Armenia 6
9. Assembly 6
10. Association 7
11. Freedom of Peaceful Assembly and of Association at Work 7
12. Protection and Inclusion of at Risk Groups 8
13. Other Issues 9
14. Sri Lanka 10
15. Assembly 10
16. Association 12
17. Freedom of Peaceful Assembly and of Association at Work 12
18. Protection and Inclusion of at Risk Groups 12
19. Other Issues 13
20. Zimbabwe 13
21. Assembly 13
22. Association 14
23. Freedom of Peaceful Assembly and of Association at Work 15
24. Protection and Inclusion of at Risk Groups 16
25. Other Issues 16
26. Conclusion 17

 I. Introduction

1. This report is issued in follow up to the Special Rapporteur’s four latest country visits: to Tunisia, conducted from 17 to 28 September 2018; Armenia, conducted from 7 to 16 November 2018; Sri Lanka, conducted from 18 to 26 July 2019; and Zimbabwe, conducted from 17 to 27 September 2019. In it, the Special Rapporteur follows up in relation to various of the recommendations included in the reports he issued following his visits to those states.
2. The information included below is based on information gathered by the Special Rapporteur during the years following his country visits, as well as information received in response to questionnaires distributed by the Special Rapporteur inquiring into follow up measures relative to the recommendations included in the Special Rapporteur’s country visit reports. While several key issues are emphasized, as four country visits are addressed and space is limited, this follow-up report focuses primarily on those recommendations concerning which information has subsequently been received. As such, the absence of discussion of certain recommendations in this report does not indicate those recommendations have been fully complied with. The Special Rapporteur underscores that all recommendations included in his country visit reports should be borne in mind and undertaken by the states in question.
3. The Special Rapporteur thanks Tunisia, Armenia, Sri Lanka and Zimbabwe for inviting him to undertake country visits, and for such efforts as they have made to better respect, protect and fulfill the rights to freedom of peaceful assembly and of association. He encourages them to continue to engage constructively with the work of his mandate, other mandates, OHCHR and the United Nations as a whole, and to work towards compliance with the various recommendations he has made, in order to ensure greater enjoyment of the rights to freedom of peaceful assembly and association.

 II. Tunisie

 4. Le Rapporteur spécial souhaite remercier la Tunisie pour sa collaboration aux activités du mandat et pour les efforts qu'elle a déployés afin d'assurer un plus grand respect, une meilleure protection et une plus grande réalisation des droits à la liberté de réunion pacifique et d'association à ce jour. Les points ci-dessous mettent en évidence plusieurs domaines soulevés par les parties concernées, dans lesquels des mesures supplémentaires peuvent être prises en faveur d'une plus grande jouissance de ces droits.

1. Rassemblements

5. Dans son rapport, le Rapporteur spécial a appelé la Tunisie à « [a]mender la loi no 69-4 réglementant les réunions publiques, cortèges, défilés, manifestations et attroupements, afin qu'elle soit conforme à la Constitution et aux instruments internationaux » (Rec 105). La loi n'a pas encore été modifiée. Comme le Rapporteur spécial l'a observé dans son rapport, la loi contient de nombreux éléments restrictifs, notamment en établissant un régime d'autorisation, en imposant des limitations onéreuses et injustifiables aux rassemblements, et en accordant aux autorités un pouvoir d'interdiction des manifestations excessivement large, autorisation négative à laquelle s'ajoutent les pouvoirs autorisés dans le cadre de l'état d'urgence actuel en Tunisie. Le Rapporteur spécial souhaite rappeler que, pour se conformer à l'obligation de respecter, protéger et réaliser le droit à la liberté de réunion pacifique, la loi sur les rassemblements ne doit pas « contenir une interdiction générale des rassemblements (...) des procédures de notification lourdes (...) et des contraintes excessives sur le lieu, les horaires et les modalités des manifestations. » Il ne doit pas non plus « criminalise[r] les réunions et manifestations publiques spontanées », ni prévoir « l'immunité des forces de l'ordre lors de la dispersion des manifestations » ni « des sanctions pénales excessives », alors qu'en revanche il doit « prévoi[r] ... la possibilité d'un contrôle ... judiciaire » (para. 23).

6. Dans son rapport, le Rapporteur spécial a également appelé la Tunisie à « [f]ormer les agents chargés du maintien de l'ordre aux bonnes pratiques de gestion des manifestations, dans le respect des instruments internationaux en la matière », et a encouragé « le Gouvernement à se conformer aux recommandations du Rapport conjoint du Rapporteur spécial sur le droit de réunion pacifique et la liberté d'association et du Rapporteur spécial sur les exécutions extrajudiciaires, sommaires ou arbitraires concernant la bonne gestion des rassemblements ainsi qu'aux 10 principes émanant de ce rapport » (Rec 102). Le Rapporteur spécial a également appelé la Tunisie à « [v]eiller à ce que toutes les allégations de recours excessif à la force à l'encontre de manifestants par les forces de sécurité fassent rapidement l'objet d'une enquête approfondie et indépendante, que les auteurs présumés soient poursuivis et sanctionnés, et que les victimes soient indemnisées de manière appropriée » (Rec 104). Le Rapporteur spécial a reçu des informations selon lesquelles un usage excessif de la force a été utilisé pour disperser des rassemblements en Tunisie à de nombreuses occasions depuis sa visite, la nécessité de prendre des mesures pour lutter contre le COVID-19 étant souvent invoquée comme justification. Des questions connexes ont fait l'objet de communications précédemment. Le Rapporteur spécial tient à souligner que l'usage excessif de la force constitue une violation grave. Lorsque l'usage excessif de la force a lieu, une responsabilité doit être établie. Malheureusement, il semble que la force excessive continue d'être utilisée, et qu'aucune responsabilité ne soit prévue dans de tels cas.

7. Le Rapporteur spécial est particulièrement préoccupé par les informations selon lesquelles des journalistes ont été attaqués alors qu'ils couvraient des assemblées, ainsi que par le fait qu'il n'y a pas eu de reddition des comptes pour ces attaques.

8. Le Rapporteur spécial est également préoccupé par la manière dont la Tunisie a adopté une approche très restrictive du droit à la liberté de réunion pacifique depuis la propagation de la pandémie mondiale de COVID-19. Si certaines mesures de restriction des rassemblements sont justifiées en réponse à la pandémie de COVID-19, il est important que celles-ci soient soigneusement mises en balance avec la nécessité de respecter, protéger et réaliser ce droit. L'approche de la Tunisie n'a montré aucune tentative d'équilibre, avec une interdiction générale des rassemblements publics imposée en janvier 2022. Dans ce contexte, le Rapporteur spécial souhaite rappeler la Déclaration conjointe qu'il a publiée avec d'autres sur le droit à la liberté de réunion pacifique et la gouvernance démocratique[[2]](#footnote-3), ainsi que sa déclaration sur les droits à la liberté de réunion pacifique et d'association dans le contexte du COVID-19.[[3]](#footnote-4)

1. Associations

9. Dans son rapport, le Rapporteur spécial a appelé la Tunisie à « [f]aire en sorte que toute réforme légale considère le décret-loi no 2011-88 comme le seuil minimal en matière de réglementation de la liberté d'association » (Rec 107). Un projet de loi qui modifierait le décret-loi no 88 a depuis été examiné ; plutôt que d'étendre une protection supplémentaire au droit à la liberté d'association, ce projet de décret propose plusieurs restrictions incompatibles avec le contenu du droit, notamment en créant un cadre d'autorisation, en imposant des limitations injustifiées à la capacité des associations à recevoir des fonds et en accordant aux autorités un pouvoir excessivement large pour dissoudre les associations. Le Rapporteur spécial a analysé ce nouveau décret et exposé ses préoccupations dans une communication envoyée conjointement avec d'autres titulaires de mandats au Gouvernement.[[4]](#footnote-5) Compte tenu de ce qui précède, le Rapporteur spécial demande instamment le retrait ou la modification du projet de décret.

10. Le Rapporteur spécial a également appelé la Tunisie à « [p]rendre des mesures législatives pour que les associations soient retirées du champ d'application de la loi no 2018-52 relative au registre national des entreprises » (Rec 108). Le Rapporteur spécial n'ayant reçu aucune information suggérant que cette mesure ait été prise, il réitère cet appel.

1. Liberté de réunion pacifique et d'association au travail

11. Dans son rapport, le Rapporteur spécial a appelé la Tunisie à « [e]ncourager, au moyen de mesures appropriées, la diversité des centrales syndicales pour assurer une meilleure protection des droits des travailleurs tunisiens » (Rec 115). En l'absence d'informations spécifiques concernant cette recommandation, le Rapporteur spécial réitère cet appel, ainsi qu'un appel général au Gouvernement pour assurer le plein respect des droits à la liberté de réunion pacifique et d'association au travail.

1. Protection et inclusion des groupes à risque

12. Dans son rapport, le Rapporteur spécial a appelé la Tunisie à « [p]rendre des mesures pour empêcher toute discrimination dans l'enregistrement et le fonctionnement des ONG, en particulier celles qui œuvrent en faveur des minorités religieuses et sexuelles » (Rec 116) et à « [p]rendre des mesures législatives et administratives visant à protéger les défenseurs et défenseuses des droits de l'homme, en particulier ceux et celles qui travaillent sur des questions sensibles telles que les droits des minorités religieuses, l'orientation sexuelle et l'identité de genre, la gestion des ressources naturelles et la corruption » (Rec 117). Le Rapporteur spécial est préoccupé par les informations reçues suggérant que les organisations de défense des LGBTI rencontrent des difficultés d'enregistrement au niveau informel et bureaucratique, et que des campagnes de répression sont menées contre ces organisations. Dans ce contexte, le Rapporteur spécial souhaite réitérer l'inquiétude qu'il a exprimée dans son rapport concernant le traitement réservé à Shams, une organisation de défense des droits des LGBTI (voir para. 61). Le Rapporteur spécial faisait également partie des titulaires de procédures spéciales qui ont adressé deux communications à la Tunisie à ce sujet.[[5]](#footnote-6) Le Rapporteur spécial a également reçu des informations suggérant que des militants et défenseurs des droits LGBTI ont fait l'objet de harcèlement, de discours de haine, de menaces de mort et d'attaques en raison de leur travail, et que des membres du personnel de l'association Damj, qui œuvre pour la protection des droits des minorités, ont été harcelés, attaqués et poursuivis en raison de leur travail en faveur des droits humains et de leur participation à des manifestations pacifiques. Le Rapporteur spécial a publié de nombreuses communications, avec d'autres titulaires de mandat, sur ce sujet, et souligne les préoccupations soulevées dans ces communications, notamment le manque de protection de ces groupes par la police.[[6]](#footnote-7) Le Rapporteur spécial insiste sur le fait que de telles attaques ne doivent pas avoir lieu, et que les fautifs doivent être tenus pour responsables.[[7]](#footnote-8) Le Rapporteur spécial réitère que la Tunisie doit se conformer à son obligation de protéger tous les défenseurs des droits humains.

13. En outre, le Rapporteur spécial tient à souligner les points que lui-même et d'autres titulaires de mandat ont soulevé dans une communication au Gouvernement, concernant l'enregistrement de l'Association Bahai de Tunisie.[[8]](#footnote-9)

1. Autres questions

14. Dans son rapport, le Rapporteur spécial a appelé la Tunisie à « [v]eiller à ce que la nouvelle loi réglementant l'état d'urgence soit conforme aux dispositions pertinentes de la Constitution et des instruments internationaux, en matière de restriction des droits et libertés sous l'état d'urgence ou les situations d'exception » (Rec 100). En juillet 2021, le président Kais Saied a suspendu le Parlement et destitué le Premier ministre. En février 2022, le président Saied a prolongé l'état d'urgence jusqu'à la fin de l'année 2022. Le Rapporteur spécial et d'autres titulaires de mandat ont précédemment exprimé leur préoccupation quant à l'état d'urgence en cours.[[9]](#footnote-10) Plusieurs rapports ont suggéré que l'état d'urgence en cours, en particulier dans un contexte d'instabilité politique et de concentration des pouvoirs, facilite les violations des droits humains, notamment sous la forme de détentions secrètes.

15. Dans son rapport, le Rapporteur spécial a appelé la Tunisie à « [m]ettre en place de toute urgence les institutions prévues par la Constitution de 2014, en particulier la Cour constitutionnelle, afin de permettre aux citoyens de formuler leurs recours d'inconstitutionnalité des lois existantes et de celles qui seront adoptées durant cette période critique de la transition démocratique » (Rec 99). Le Rapporteur spécial comprend qu'un nouveau projet constitutionnel sera bientôt rendu public. Dans ce contexte, le Rapporteur spécial espère que la nouvelle constitution maintiendra au minimum toutes les protections des droits incluses dans la Constitution de 2014. Il est toutefois préoccupé par le fait que la nouvelle constitution ne semble pas avoir été rédigée dans le cadre d'un processus inclusif et participatif.

16. Dans son rapport, le Rapporteur spécial a également appelé la Tunisie à « [a]ssurer la mise en place effective de la décentralisation du pouvoir consacrée au chapitre VII de la Constitution », et a noté que « [c]ette réforme constitue l'occasion d'ouvrir des bureaux de la Direction générale des associations et des partis dans les régions, afin d'en faciliter l'accès aux associations qui ne sont pas basées à Tunis » (Rec 11). Cependant, les bureaux de la Direction générale des associations et des partis n'ont pas encore été ouverts dans tout le pays. Le Rapporteur spécial réitère donc cet appel.

 III. Armenia

17. The Special Rapporteur wishes to thank the Republic of Armenia for its collaboration with the work of the mandate, and the efforts it has made to ensure greater respect, protection and fulfillment of the rights to freedom of peaceful assembly and of association to date. The below points highlight several areas raised by concerned parties, in which further steps may be taken in support of fuller enjoyment of the rights.

1. Assembly

18. The Special Rapporteur noted in his country visit that “special means are part of the police gear used in case officials need to use coercive measures against those engaged in assemblies when a certain level of violence is perceived. They include rubber truncheons, cartridges with rubber bullets, diversionary flash and acoustic means, means to dismantle barriers and to forcibly stop people and vehicles, electroshock weapons, triggered spark dischargers, service dogs, water cannons and armoured vehicles” (para. 48). Moreover, his report noted “that in some instances, the police limited the exercise of” the right to freedom of peaceful assembly by “putting an end to peaceful demonstrations without reasonable cause by forcibly taking participants to police stations or by dispersing them or their leaders using disproportionate force” (para. 49). In relation to protests in July 2016 in particular, the Special Rapporteur’s report observed that “flash grenades and acoustic flash grenades [had been used against] protesters, reporters, and individuals who were not participants but passers-by and residents of nearby buildings,” leading to numerous injuries (para. 51). Due to this information, together with information suggesting existing legislation did not sufficiently regulate the procedures for using special means (para. 52), the Special Rapporteur called for the Government to “[c]onsider revising the provisions of the law on freedom of assemblies and other related regulations that unduly violate the right to freedom of peaceful assembly and, in particular, consider revisions conducive to a better application of the provisions related to the use of special means” (Rec 136(a)).

19. The Special Rapporteur understands that revised legislation on freedom of assembly, as well as revised law enforcement protocols and approaches to special means, are envisioned by the National Strategy for Human Rights Protection, the 2020-2022 Action Plan adopted thereunder on 26 December 2019, and by Order No 81-A of the Head of the Police. The Special Rapporteur thanks the Government of the Republic of Armenia for its submission noting that a commission has been set up to address issues with the current law, including by ensuring compliance with international legal standards. The Special Rapporteur commends Armenia for its commitment to reforming its law in order to ensure full compliance with the right to freedom of peaceful assembly, and calls on the authorities to follow through on this commitment. He hopes the revised legislation will fully address the issues raised above, and that it will soon be passed and fully implemented.

20. The Special Rapporteur has received information, from the Government and others, indicating that reference to international human rights standards has been incorporated into police training programmes. The Special Rapporteur understands that under existing plans, it is envisioned that approximately a quarter of the police force will have received training on human rights law and standards by the end of 2022. Information received from the Government of Armenia suggests that that number have already been trained, though other sources have questioned whether the training programme has met its quantitative goals. In any event, the Special Rapporteur commends the Republic of Armenia for its commitment to incorporating human rights standards into police training, and calls on the authorities to continue to work to ensure such training is rapidly rolled out in practice.

1. Association

21. In his report, the Special Rapporteur expressed his concern with “proposed amendments to the law on NGOs,” noting “that, if accepted, [they] could introduce retrogressive changes to the reporting requirements of NGOs by adding unreasonable and disproportionate requirements for associations” (para. 101). On 25 March 2020 the new law “On making amendments to the Law on Non-Governmental Organizations” was adopted, and the law came into effect on 24 April 2020.[[10]](#footnote-11) The law obliges associations to publicly report on their activities every year. This measure was reportedly adopted in part due to the recommendations of Armenia’s Financial Action Task Force. While concern with various forms of financing, including the financing of terrorism, is legitimate, as the Special Rapporteur stressed in his report, the measures in question appear disproportionate, and will likely place a heavy burden on associations, especially smaller and less well-resourced associations, interfering with the right to freedom of association. The Special Rapporteur therefore urges Armenia to reconsider this measure.

1. Freedom of Peaceful Assembly and of Association at Work

22. In his report, the Special Rapporteur observed that “labour unions operate in a very precarious labour environment” (para. 116), and called on Armenia to “[i]ncrease efforts to promote the rights to form and join strong trade unions that could assist workers in claiming rights and better working conditions and ensure the full implementation of the recommendations laid out in the reports of the ILO Committee of Experts on the Application of Conventions and Recommendations” (hereinafter CEACR) (Rec 137(g)).

23. In its response to his questionnaire, the Government of Armenia pointed to the provisions of the constitution protecting the right to freedom of association and the right to form and join trade unions, as well as Armenia’s ratification of ILO Conventions 87 and 98. The Special Rapporteur is glad that these important rights are protected on the constitutional level in the Republic of Armenia, and that the Republic of Armenia has ratified these two important ILO instruments protecting freedom of association and collective bargaining. The Special Rapporteur also notes that the Republic of Armenia appears to have made plans to reform its law on Trade Unions. The Special Rapporteur hopes that this initiative will be used to bring the existing law into greater compliance with international legal obligations and standards. In its submission, the Government of the Republic of Armenia noted that the recommendations of the CEACR “will be discussed within the framework of the drafts to be developed in 2022 on making amendments and supplements to the Labour Code of the Republic of Armenia and the Laws of the Republic of Armenia ‘On Trade Unions’ and ‘On Employees’ Associations.”[[11]](#footnote-12) The Special Rapporteur commends the Government for this commitment, and hopes the necessary amendments to law will in fact be made. In particular, the Special Rapporteur would like to emphasize that any limitations imposed on unions must comply with the principle of legality, meaning that their meaning and scope should be clear and delimited, and that such limitations might only apply where necessary and proportionate to legitimate aims in a democratic society.

24. In a closely related context, the Special Rapporteur wishes to underscore that the right to freedom of peaceful assembly includes, *inter alia*, the right to strike. The Special Rapporteur has received information indicating that the Labour Code limits this right, however, by imposing a high vote minimum, of two thirds, in order for a union to declare a strike. In this context, the Special Rapporteur calls attention to the decisions of the ILO’s Committee on Freedom of Association on such issues.[[12]](#footnote-13) In addition, Armenia’s Labour Code allows for the discharge of obligations that have been agreed through the collective bargaining process following reorganization or privatization, limiting enjoyment of the rights to freedom of peaceful assembly and of association at work. The Special Rapporteur also emphasizes that provisions allowing employers to recover compensation from strike participants do not comply with the obligation to respect the right to freedom of peaceful assembly.

1. Protection and Inclusion of at Risk Groups

25. In his report, the Special Rapporteur observed that he had received information concerning “attacks, smear campaigns and cases of harassment directed at NGOs working on sensitive issues, such as sexual orientation and gender identity, violence against women, religious and national minorities and combating corruption, fraud and money-laundering” (para. 111). In this context, he called on the Government to “[e]nsure the safe exercise of the right to peaceful assembly by groups that are most at risk, such as national and religious minorities, lesbian, gay, bisexual and transgender groups, children and women” (Rec 135(h)) and to “[e]nsure that the security and safety of civil society actors, including human rights defenders, when reasonably required, is provided without unduly restricting their right of freedom of association” (Rec 137(f)).

26. The Special Rapporteur has received information that human rights defenders, including defenders of women’s rights and LGBTI rights, continue to face threats and harassment. Reports include the suggestion that charges have been brought against human rights defenders under Article 226(2) of the Republic of Armenia’s Criminal Code, which *inter alia* penalizes “humiliation of national dignity.” The vagueness of that language poses serious issues both on the basis of human rights and general rule of law-based obligations, issues that are all the more serious to the extent the penalization has been relied upon to charge human rights defenders. The Special Rapporteur is also concerned with the addition to the Criminal Code of the penalization of “grave insults,” a broad and vague phrase that has reportedly already been used to launch hundreds of criminal prosecutions and charge dozens of defendants.

27. In his report, the Special Rapporteur called on Armenia to “[e]nsure that there is no discrimination in the application of the laws governing the rights to freedom of peaceful assembly and of association” (Rec 135(d)) and to “[e]nsure the safe exercise of the right to peaceful assembly by groups that are most at risk” (Rec 136(h)). The Special Rapporteur has received reports concerning several potential issues, however, including relative to the need to consistently employ a presumption in favor of the right to peaceful assembly; to ensure arrests are not conducted unless strictly necessary; to ensure that no arrests are conducted by masked, plainclothes officers; to ensure that adequate information is provided to the detained; and to ensure accountability relative to abuses. Incidents raising concern in such regards include reports that a peaceful bicycle march against exploitation at Amulsar mine was not allowed in August 2020; that individual protestors were detained in 2020, on the grounds that they had violated the Law on Freedom of Assemblies, despite the fact that that law defines an assembly as involving two or more persons; that masked, plainclothes officers conducted detentions of protestors in the fall of 2020, despite the Law on Police indicating that policemen must wear the official uniform and have their badges clearly displayed; and that several peaceful protesters were detained without cause during a protest by the “Nikol Aghbalyan” Student Union and Youth Union of Armenia in July 2021. In addition, reports suggest that where official investigations into police behavior have reportedly taken place, little to no information has been provided to the public concerning the results of those investigations, leaving open questions as to the progress and effectiveness of accountability procedures.

28. In his report, the Special Rapporteur also called on the State to “[c]ontinue enlarging the civic space for a wide range of civil society actors by combating hate speech and incitement to hatred towards minority groups and condemning the use of discriminatory statements in public discourse, including by public figures” (Rec 137(e)). While amendments to the criminal code penalizing the incitement of violence were adopted in April 2020, those measures do not appear to have been effectively enforced. The Special Rapporteur has received information that many politicians and public figures have used anti-LGBTI rhetoric, and have presented LGBTI people as a threat to national security. While Pink Armenia has reportedly filed four cases concerning incitement of violence against LGBTI organizations and individuals with the police, three appear to have been rejected, with one remaining unanswered.[[13]](#footnote-14)

29. In his report, the Special Rapporteur called on the Republic of Armenia to “[t]ake concrete measures to increase participation and representation of women at the decision-making level in public and political life, with a view to reducing gender stereotypes relating to the role and responsibilities of women and men in the family and in society” (Rec 135(f)). The Special Rapporteur has received information suggesting that changes to the Republic of Armenia’s law have taken place over recent years, increasing the minimum percent of candidates in party lists of the minority gender. The Special Rapporteur commends this positive development, though he notes there remains further to go before equal representation is achieved.

30. The Special Rapporteur also called on the Republic of Armenia to “[e]nsure that civil society actors, particularly human rights defenders, are systematically consulted before the adoption of any legislative initiative” (Rec 135(g)). The Government of the Republic of Armenia has observed that multiple consultations and discussions were held with NGOs on the drafts of the Law on Ensuring Equality before the law and the Law on National Minorities. The Special Rapporteur commends the Government for undertaking those consultations. At the same time, the Special Rapporteur has received information from the Confederation of Trade Unions of Armenia indicating that insufficient consultations were held relative to laws adopted in response to the coronavirus and other measures. The Special Rapporteur therefore urges the Government to expand its efforts to ensure civil society grounds are systematically consulted relative to legislative initiatives.

1. Other Issues

31. In his report, the Special Rapporteur called on the Republic of Armenia to “[e]xpedite ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty” (Rec 135(a)). The Special Rapporteur commends Armenia for having ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights on 18 March 2021. He hopes the Republic of Armenia will follow this ratification by ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in short order as well.

32. The Special Rapporteur also called on the Republic of Armenia in his report to “[e]nsure that the National Council on Sustainable Development is functional and that the participation of civil society actors, particularly representatives of the groups most at risk, is consistently considered during its discussions and the monitoring of the implementation of the 2030 Agenda for Sustainable Development” (Rec 135(h)). In this context, the Special Rapporteur is pleased to have learned that steps have been taken towards this end, and looks forward to further positive steps being taken by the National Council on Sustainable Development in future.

33. The Special Rapporteur also called on the Republic of Armenia in his report to ensure “the prompt, impartial and effective investigation of all pending cases of violations to the right to peaceful assembly, the prosecution of perpetrators and redress for victims and their families” (Rec 136(e)) and to “ensure that all allegations of excessive use of force against protesters by the security forces are promptly, thoroughly and independently investigated, and that the alleged perpetrators are prosecuted and sanctioned and adequate remedy is provided to the victims” (Rec 136(f)). The Special Rapporteur is heartened that some steps appear to have been taken towards accountability, in the form of criminal investigations of individuals accused of committing serious violations.

34. The Special Rapporteur is concerned, however, that investigations of police ill-treatment, including allegations of torture, remain rare in relation to the quantity of reports of such behaviour, as well as by the fact that where investigations do take place, the majority of cases are discontinued or suspended, with very low numbers of defendants held to account. In addition, the Special Rapporteur is concerned that authority to investigate complaints against the police and other security services has been allocated to the National Security Service, a body that operates under the control of the Prime Minister, and hence is of questionable independence. Amendments are reportedly being considered, which would allocate authority to conduct such investigations to the Republic of Armenia’s Investigative Committee. The Special Rapporteur hopes the independence of this committee will be guaranteed, in order to ensure an impartial and effective regime of accountability in practice.

IV. Sri Lanka

 35. The Special Rapporteur wishes to thank Sri Lanka for its collaboration with the work of the mandate, and the efforts it has made to ensure greater respect, protection and fulfillment of the rights to freedom of peaceful assembly and of association to date. The below points highlight several areas raised by concerned parties, in which further steps may be taken in support of fuller enjoyment of the rights.

1. Assembly

36. Respect for the right to freedom of peaceful assembly requires that states adopt a notification rather than an authorization framework, in which there is a presumption in favour of assemblies. Information the Special Rapporteur has received from Sri Lanka suggests the authorities have utilized discretionary authority to forbid some assemblies from taking place, however, including those in support of marginalized communities’ rights in particular. As the Special Rapporteur put it in his report, “protests seem to be stifled through the use of an executive decision, rather than through engaging with the concerned communities about their dissatisfaction and reasons for protesting” (para. 53).

37. Moreover, Sri Lankan police frequently appear to respond to protests that are disfavoured for political reasons by arresting their participants, in violation of the right to freedom of peaceful assembly. Police have arrested peaceful protesters calling for accountability in relation to Tamil war victims; for environmental protection; for more equitable socio-economic policies; for better working conditions; and for education rights.

38. The Special Rapporteur notes that any limitations on assemblies must comply with the principles of legitimate purpose, necessity and proportionality, and must not be applied in a blanket fashion. The ability of assemblies to take place in ‘sight and sound’ of their intended targets must be facilitated, moreover. In this regard, measures that create a special, segregated protest site, which assemblies must use even if they do not wish to do so, do not comply with the right to freedom of peaceful assembly.

39. In his report, the Special Rapporteur called on Sri Lanka to “[c]onsider developing clear and accessible guidance based on the laws and regulations regarding the right to freedom of peaceful assembly in order to facilitate the organization of assemblies according to law, both by organizers and law enforcement authorities” (Rec 95(b)). It does not appear that such guidance has been developed.

40. The Special Rapporteur also called on Sri Lanka to “[r]efrain from using national security legislation, including the Prevention of Terrorism Act, to criminalize protesters legitimately exercising their right to freedom of peaceful assembly” (Rec 95(d)). Numerous reports have been received of Sri Lanka using its Prevention of Terrorism Act to target and arrest peaceful protesters and human rights defenders, however. The Special Rapporteur is also concerned that new Prevention of Terrorism Regulations, disseminated in 2021, would further violate Sri Lanka’s rights obligations. The Special Rapporteur notes that the Supreme Court has, positively, halted the implementation of these regulations. The Special Rapporteur wishes to underscore the comments made by his mandate together with other mandates, including the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, on this issue.[[14]](#footnote-15)

41. The Special Rapporteur also called on Sri Lanka to “[e]nsure that any use of force to disperse assemblies is in accordance with international human rights law, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the Code of Conduct for Law Enforcement Officials, including through the provision of relevant training” (Rec 95(f)). Sri Lankan forces have reportedly used excessive force to disperse assemblies on numerous occasions, however, including on the occasion of a Black Lives Matter solidarity protest conducted in June 2020, as well as on the occasion of protests on the occasion of the International Day of the Victims of Enforced Disappearances on 30 August 2020.[[15]](#footnote-16)

42. The Special Rapporteur is seriously concerned with the steps taken from the end of March 2022 on, in response to large-scale protests, including the declaration of a state of emergency and the publication of emergency regulations.[[16]](#footnote-17) The Special Rapporteur has received reports of the use of tear gas, water cannons and live ammunition in response to protests, leading to serious injuries and deaths. The Special Rapporteur and other mandate holders have previously expressed their concern with the approach adopted.[[17]](#footnote-18) The Special Rapporteur has also received reports that an order was issued for armed forces to open fire in response to the looting of public property—a serious violation of international standards on the use of force and the right to life. The Special Rapporteur has also received reports of arbitrary arrests of protesters taking place. In the context of these reports, the Special Rapporteur reiterates his previous statements, including his calls on the authorities to ensure compliance with international standards on the use of force, to ensure that arbitrary detentions do not take place, and to ensure that communities’ serious grievances, including grievances impacting rights enjoyment, are addressed.

43. The Special Rapporteur is also concerned with the manner in which COVID-19 regulations have been used in Sri Lanka. While all governments have an obligation to protect public health, and certain restrictions on the conduct of assemblies are reasonable in this context, it is important that the authorities ensure the protection of public health is balanced with the need to respect, protect and fulfil the right to freedom of peaceful assembly. Politicized intent is apparent where protests that are critical of the Government or dominant viewpoints are broken up on the grounds of COVID-19 restrictions, while events understood to be aligned with the interests of the authorities are allowed to go ahead. In no circumstances can COVID-19 measures justify detention in facilities the location and existence of which are not disclosed to the public and the detainees, moreover.

44. The Special Rapporteur also called on Sri Lanka to “[e]nsure that all incidents in which the actions of security forces have resulted in human rights violations, in particular death and injury, are promptly, independently and transparently investigated and prosecuted, including the Rathupaswala, Welikada prison and Roshan Chanaka cases” (Rec 95(i)). While the Special Rapporteur notes a court case took place relative to the Rathupaswala case, he has not received information suggesting the other two mentioned cases were investigated, nor that full accountability has been achieved.

1. Association

45. In his report, the Special Rapporteur called on Sri Lanka to “[g]uarantee a vibrant civic space, where all civil society actors are able to carry out their work in a safe and enabling environment, free from threats or acts of violence, intimidation, surveillance, or any other form of harassment, including judicial harassment and reprisals” (Rec 84(j)). In contrast to this recommendation, however, the Special Rapporteur has received reports that Sri Lanka continues to engage in extremely restrictive practices relative to associations representing minority groups and viewpoints. The situation is made more worrying by reports that the Government is drafting a new law that would impose further restrictions on civil society’s ability to access funding.

1. Freedom of Peaceful Assembly and of Association at Work

46. As noted above, the police have responded to protests by workers in support of better working conditions by arresting peaceful assembly participants. In addition, while the authorities have a legitimate interest and obligation to ensure the provision of essential public services, a blanket ban on protests and calls for better working conditions, and a more equitable distribution of profits, in the public sector violates the right to freedom of peaceful assembly.

1. Protection and Inclusion of at Risk Groups

47. In his report, the Special Rapporteur called on Sri Lanka to “[e]nsure non-discriminatory application of legislation across communities, including ethnic, religious, LGBTQI+ and other groups, undertaking review of such legislation in order to prevent its discriminatory use, and providing guidelines to law enforcement on the application of legislation that might be prone to misuse” (Rec 94(d)), and to “[g]uarantee a vibrant civic space, where all civil society actors are able to carry out their work in a safe and enabling environment, free from threats or acts of violence, intimidation, surveillance, or any other form of harassment, including judicial harassment and reprisals” (Rec 94(j)). The Special Rapporteur has received reports that LGBTI rights defenders have been harassed, including in the media, due to their work.

48. The Special Rapporteur also called on Sri Lanka to “immediately end all forms of surveillance and harassment of and reprisals against human rights defenders, other actors, and victims of human rights violations” (Rec 94(f)). Despite this recommendation, reports have been received that Sri Lanka has continued surveilling, harassing and at times arresting human rights defenders, journalists, activists and critics, an issue addressed, *inter alia*, in previous communications.[[18]](#footnote-19) In light of what appears to be a pattern of surveillance, harassment and reprisals, the Special Rapporteur reiterates his call on Sri Lanka to immediately end all attacks on human rights defenders and victims of human rights violations with the utmost urgency.

49. The Special Rapporteur has received information suggesting that the rights to freedom of peaceful assembly and of association of certain religious groups have been infringed. In particular, the State appears to be curtailing the ability of members of certain religious communities to gather, by dispersing such gatherings on the grounds that the meeting places in question are unregistered. The Special Rapporteur underscores that the rights to freedom of peaceful assembly and of association of all groups must be respected, without discrimination.

1. Other Issues

50. In his report, the Special Rapporteur called on Sri Lanka to “[i]mplement comprehensive security sector reform and demilitarization, in line with the country’s transitional justice commitments” (Rec 94(f)); to “[m]aintain engagement with the United Nations peacebuilding architecture, in particular the Peacebuilding Commission, through regular updates on progress made in implementing the country’s Peacebuilding Priority Plan and the sharing of and benefiting from good practices and experiences related to transitional justice and reconciliation processes” (Rec 94(g)); and to “[p]rovide support to important institutions such as the Constitutional Council, the Office on Missing Persons, the Office for Reparations and the Human Rights Commission of Sri Lanka, ensuring that they are able to continue to work independently and with sufficient resources to discharge their mandates” (Rec 94(h)). As the Special Rapporteur and other mandate holders have, observed, however, information suggests transitional justice efforts have stalled or regressed, while several of the institutions the Special Rapporteur previously mentioned as in need of support have been undermined.[[19]](#footnote-20) In this context the Special Rapporteur reiterates his calls for engagement with the United Nations peacebuilding architecture to be maintained, and for support to be provided to independent, rights-oriented institutions.

 V. Zimbabwe

 51. The Special Rapporteur wishes to thank Zimbabwe for its collaboration with the work of the mandate, and the efforts it has made to ensure greater respect, protection and fulfillment of the rights to freedom of peaceful assembly and of association to date. The below points highlight several areas raised by concerned parties, in which further steps may be taken in support of fuller enjoyment of the rights.

1. Assembly

52. In his report, the Special Rapporteur called on Zimbabwe to “[a]dopt a clear presumption in favour of holding peaceful assemblies and demonstrations” and to “[e]ndorse a prior notification regime for all peaceful assemblies and demonstrations with a view to protect and facilitate peaceful assemblies and demonstrations” (Rec 124(a)(i-ii). In November 2019, Zimbabwe adopted a new law governing assemblies, the Maintenance of Peace and Order Act. The framework under the act violates the right to freedom of peaceful assembly in several ways, however, as detailed in the Special Rapporteur’s report.

53. Closely related to the above, the Special Rapporteur also called on Zimbabwe to “[r]ecognize and provide for the facilitation of spontaneous peaceful assemblies and demonstrations in law, which should be exempt from notification” (Rec 124(a)(iii)). Zimbabwe’s new law fails to recognize spontaneous peaceful assemblies, however. In May 2021, workers attempting to attend a Zimbabwe Congress of Trade Unions event in Chitungwiza were dispersed by the police, in violation of this recommendation and the State’s obligation to respect the right to freedom of peaceful assembly.

54. The Special Rapporteur also called on Zimbabwe to “[r]evise … sanctions so as not to dissuade the holding of future peaceful assemblies and demonstrations” and to “[u]phold the principle of individual liability, rather than vicarious liability, of [assembly] participants” (Rec 124(a)(v-vi)). The Maintenance of Peace and Order Act still imposes vicarious liability, however, as well as imposing penalties on assembly organizers where no harm has taken place, with the apparent intent of dissuading the holding of peaceful assemblies in practice.

55. The Special Rapporteur has received reports suggesting that Zimbabwe’s law on assemblies is selectively applied. Onerous and unjustified conditions have reportedly been applied to assemblies disfavoured by the authorities, while participants in such assemblies have been arrested and charged with public disorder. Members of the Citizens Coalition for Change, for example, were arrested and reportedly assaulted while protesting in Harare in January 2022.

56. The Special Rapporteur also called on Zimbabwe to “[e]nsure that the definition of the use of force by law enforcement officials complies with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials” (Rec 124(a)(vii)) and to “[d]evelop and revise law enforcement protocols with a view to ensuring their compatibility with international human rights norms and standards on the proper management of assemblies” (Rec 124(d)). Unfortunately, reports suggest the recommended reforms have not taken place. In practice, it appears police forces frequently use excessive force against peaceful protesters.

57. The Special Rapporteur further called on Zimbabwe to “[e]nsure that all allegations of excessive use of force against protesters by the security forces are promptly, thoroughly and independently investigated, that the alleged perpetrators are prosecuted and sanctioned and that adequate remedy is provided to the victims” (Rec 124(f)). The Special Rapporteur has not received any information suggesting this recommendation has been complied with.

58. The Special Rapporteur also called on Zimbabwe to “[e]nsure that those monitoring assemblies, including journalists, media workers and human rights defenders, are allowed to do so and are protected at all times during assemblies and that violations are duly investigated” (Rec 124(g)). The Special Rapporteur has received reports that journalists have been arrested while pursuing their work, however, including while covering the Zimbabwe Electoral Commission Stakeholders Meeting in September 2021.

59. The Special Rapporteur is also concerned that COVID-19 rules have been applied in a discriminatory manner in Zimbabwe, including by being used to prohibit gatherings of oppositional political parties, but not ruling party events.

60. The Special Rapporteur also wishes to reiterate the grave concern expressed by himself and other mandate holders with reports concerning the arbitrary detention, enforced disappearance, torture and ill-treatment of members of the MDC Alliance Youth Assembly in 2020, when they were planning to attend an assembly, an issue addressed in a previous communication.[[20]](#footnote-21) As observed in the communication, those allegations were not isolated, but rather part of a broader pattern. The Special Rapporteur stresses that any such actions must cease, accountability must be ensured and full remedies must be provided to individuals whose rights were violated.

61. The Special Rapporteur also underscores his concern with the arrest of human rights defenders following their calls for demonstrations against corruption and human rights violations.[[21]](#footnote-22)

1. Association

62. In his report, the Special Rapporteur called on Zimbabwe to “[a]dopt a regime of declaration or notification whereby an organization is considered a legal entity as soon as it has notified its existence to the regulating authorities” and to “[e]nsure that the registration procedure for national and international organizations is more simple and expeditious” (Rec 125(a)(i-ii)). Zimbabwe has not adopted a notification regime, however, nor have the registration procedures been simplified.

63. The Special Rapporteur also called on Zimbabwe to “[e]nsure that all administrative authorities at the national and local levels that are responsible for implementing the right to association receive training on international human rights standards in order to create a favourable and enabling environment for civil society” (Rec 125(b)) and to “[a]bolish the practice of using memorandums of understanding that render the operation of associations burdensome and limit their autonomy and independence” (Rec 125(a)(iii)). No trainings on international human rights standards appear to have taken place, nor has the practice of using memorandums been abolished.

64. The Special Rapporteur is concerned with reports of State agents seeking to infiltrate associations’ meetings, and with interference in the form of spot checks and raids. The Zimbabwe Congress of Trade Unions, for instance, has reportedly experienced many cases in which unidentified individuals as well as police officers have sat in their meetings and/or harassed, interfered with or attacked workers attending. The Special Rapporteur is also concerned that associations in Zimbabwe appear to operate under ongoing threat of deregistration, with 450 associations reportedly included on a list of associations which have received indications they might be deregistered by the authorities by March 2021, reportedly because they had been dormant. The Special Rapporteur is further concerned to have heard that the Harare Metropolitan Provincial Developments Coordinator called for associations to register with his office and submit their workplans and details relating to their work to his office by 9 July 2021, though that directive was subsequently nullified by the High Court.

65. The Special Rapporteur is seriously concerned the authorities are considering restrictive amendments to the Private Voluntary Organisations Act. When hearings on the bill took place in February 2022, persons raising concerns were reportedly heckled, harassed and attacked. The content of the bill, as gazetted on 5 November 2021, does not comply with the obligation to respect the right to freedom of association. The bill does not provide for a notification regime; adds onerous registration and re-registration requirements; allows for the discretionary imposition of enhanced reporting requirements; creates a governance structure that could be readily politicized; allows for illegitimate interference with associations’ internal functioning; imposes illegitimate limits on access to foreign funding; appears to unduly limit judicial appeal; and would back various of these elements with disproportionate and in many cases illegitimate criminal penalties. In this context, the Special Rapporteur reemphasizes the points made in the joint communication sent by himself, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism on this issue.[[22]](#footnote-23)

66. The Special Rapporteur also underscores the points he has previously made in a communication concerning actions taken against representatives of the Chitungwiza Residents Trust.[[23]](#footnote-24)

1. Freedom of Peaceful Assembly and of Association at Work

67. In his report, the Special Rapporteur called on Zimbabwe to “[i]ncrease efforts to promote the rights to form and join strong trade unions that could assist workers in claiming rights and better working conditions” (Rec 125(h)) and to “[r]evise the sanctions so as not to dissuade the holding of future peaceful assemblies and demonstrations” (Rec 124(a)(v)). Zimbabwe’s labour law still imposes a strict authorization framework, however, requiring workers who want to strike to notify the authorities in advance, with trade union decertification and criminal penalties imposed on those who don’t comply. Both 2021 and 2022 saw members of Zimbabwe’s Amalgamated Rural Teachers Union arrested during the course of strikes.

68. In addition, Zimbabwe has not yet complied with the recommendations of the ILO’s Committee on Freedom of Association, which has challenged the effects of Section 45 of Zimbabwe’s Labour Act, a provision that allows registered trade unions to challenge the registration of other unions. In its decision, the ILO Committee on Freedom of Association also called on Zimbabwe to “ensure that the conditions for the granting of registration are not tantamount to obtaining previous authorization from the public authorities for the establishment of a workers’ or employers’ organization.”[[24]](#footnote-25) In his report, the Special Rapporteur called on Zimbabwe to “ensure the full implementation of the recommendations laid out in the reports of the ILO Committee of Experts on the Application of Conventions and Recommendations [and] the Conference Committee on the Application of Standards” (Rec 125(h)). The Special Rapporteur reiterates his call on Zimbabwe to comply with these recommendations.

69. The authorities continue to interfere in the free functioning of associations in the labour sector, moreover, by vetting collective bargaining agreements on the basis of unclear standards. In addition, the authorities have the power under law to remove union officials without court approval. These powers enable inappropriate interference with the right to freedom of association.

70. Rather than ensuring the right to strike, amendments to the law under consideration in Zimbabwe would enhance the penalties potentially imposed on workers undertaking strike actions.[[25]](#footnote-26) In contrast, Zimbabwe should take steps to ensure all workers enjoy the right to strike to its full extent.

1. Protection and Inclusion of it Risk Groups

71. In his report, the Special Rapporteur called on Zimbabwe to “[c]ontinue enlarging the civic space for a wide range of civil society actors by combating hate speech and incitement to hatred, and condemn the use of discriminatory or threating statements in public discourse, including those by public figures” (Rec 125(f)). Reports suggest that hate speech, including on the part of government officials, remains common, however.

72. In his report, the Special Rapporteur also called on Zimbabwe to ensure “that there is no discrimination in the application of the laws governing the rights to freedom of peaceful assembly and of association, in particular regarding the groups most at risk and those expressing dissenting voices” (Rec 123(d)). Information from several sources suggests those expressing dissenting views—including journalists, members of civil society, those supporting opposition political parties, and human rights defenders—are subjected to prosecutions, surveillance and harassment, however.

73. The Special Rapporteur also wish to underscore his concern with the apparent arbitrary arrest, detention and levying of charges against human rights defenders, journalists, student unions leaders and politicians, following their attempts to gather information concerning, to denounce and to organize to oppose human rights violations.[[26]](#footnote-27)

1. Other Issues

74. In his report, the Special Rapporteur also called for Section 210 of the Constitution, requiring the establishment of an independent complaints mechanism in respect of security forces, to be complied with (Rec 123(c)). While the Special Rapporteur is encouraged to learn that a bill implementing Section 210 was gazetted in 2020, the Special Rapporteur is concerned with the inordinate delay in the process of its enactment.

75. The Special Rapporteur also called for “the observations and recommendations made by the Zimbabwe Human Rights Commission in relation to respect for human rights and particularly the rights to freedom of peaceful assembly and of association” to be implemented (Rec 123(j)). This recommendation appears not to have been complied with; as such, the Special Rapporteur reiterates this call.

76. The Special Rapporteur also called for the recommendations of the Motlanthe Commission to be implemented (Rec 124(c)). The recommendations of the Motlanthe Commission have not been fully implemented and as such the Special Rapporteur reiterates this call.

77. The Special Rapporteur also called for the “withdraw[al of] all criminal charges and [the] release [of] all those arrested because of their exercising the rights to freedom of peaceful assembly and of association, in particular those arrested in connection with the August 2018 and January 2019 protests” (Rec 123(g)). While some individuals were reportedly released, the State reportedly maintained the right to proceed should they desire to do so, limiting the ability of the individuals in question to exercise their rights to freedom of peaceful assembly and of association in future. In other cases, the charges in question appear not to have been dropped. The Special Rapporteur therefore reiterates this recommendation.

78. Going forward, the Special Rapporteur has called on Zimbabwe to “[e]nsure that no one is criminalized for exercising the rights to freedom of peaceful assembly and of association, nor subjected to threats, harassment, persecution, intimidation and reprisals” (Rec 123(f)). This recommendation has not been complied with. Numerous members of the Amalgamated Rural Teachers Union of Zimbabwe, for instance, have been charged with ‘promoting public violence, bigotry and breaches of the peace’ due to their participation in peaceful protests.[[27]](#footnote-28) The Special Rapporteur therefore reiterates his call that no one be criminalized, or otherwise penalized, for exercising their rights. In addition, the Special Rapporteur would like to underscore the ILO Committee of Experts on the Applications of Conventions and Recommendations’ call for Zimbabwe to remove those provisions of law that allow forced labour to be imposed as a punishment.[[28]](#footnote-29)

 VI. Conclusion

79. The Special Rapporteur thanks all the States addressed for their work to support the role of the mandate and to work to fully respect, protect and fulfill the rights to freedom of peaceful assembly and of association. He also thanks States together with all other concerned parties who responded to questionnaires or otherwise provided information in relation to this follow-up on the country visit recommendations. The Special Rapporteur calls on Tunisia, Armenia, Sri Lanka and Zimbabwe to take measures consistent with the recommendations produced through his country visits.

1. \* The present report was submitted after the deadline in order to reflect the most recent information. [↑](#footnote-ref-2)
2. *See* Joint Declaration on the Right to Freedom of Peaceful Assembly and Democratic Governance. [↑](#footnote-ref-3)
3. *See* COVID-19 and freedom of assembly and association, available at: <https://www.ohchr.org/en/special-procedures/sr-freedom-of-assembly-and-association/covid-19-and-freedom-assembly-and-association>. [↑](#footnote-ref-4)
4. *See* OL TUN 4/2022. [↑](#footnote-ref-5)
5. AL TUN 4/2018 & AL TUN 2/2019. Bien qu'un jugement positif ait finalement été rendu par la Cour de cassation de Tunisie, le Rapporteur spécial reste préoccupé par l'approche de la liberté d'association adoptée par les autorités bureaucratiques et le ministère public tout au long de l'affaire. [↑](#footnote-ref-6)
6. *See* AL TUN 3/2021, AL TUN 4/2021 & AL TUN 9/2021. [↑](#footnote-ref-7)
7. *See* AL TUN 3/2021, AL TUN 4/2021 & AL TUN 9/2021. [↑](#footnote-ref-8)
8. *See* AL TUN 2/2020. [↑](#footnote-ref-9)
9. *See* OL TUN 4/2019. [↑](#footnote-ref-10)
10. *See* https://www.arlis.am/documentview.aspx?docid=141094. [↑](#footnote-ref-11)
11. Reply of the Government of the Armenia to the Call for Inputs from the Mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association (2022). [↑](#footnote-ref-12)
12. *See* ILO, Freedom of Association: Compilation of decisions of the Committee on Freedom of Association (6th edition, 2018), paras. 805-11. [↑](#footnote-ref-13)
13. *See* Pink Armenia, The Human Rights Situation of LGBT People in Armenia During 2020: Annual Report (2021). [↑](#footnote-ref-14)
14. *See* OL LKA 7/2021 (9 December 2021). [↑](#footnote-ref-15)
15. *See* AL LKA 6/2020 (6 October 2020). [↑](#footnote-ref-16)
16. *See* OHCHR, Sri Lanka: Concern at measures in response to protests amid economic crisis (5 April 2022). [↑](#footnote-ref-17)
17. *See* OHCHR, Sri Lanka: UN experts condemn crackdown on protests (8 April 2022). [↑](#footnote-ref-18)
18. *See* AL LKA 5/2020 (13 July 2020); AL LKA 4/2021 (17 August 2021). [↑](#footnote-ref-19)
19. *See,* among other sources,AL LKA 7/2020 (9 November 2020). [↑](#footnote-ref-20)
20. *See* AL ZWE 1/2020 (2 June 2020). [↑](#footnote-ref-21)
21. *See* AL ZWE 3/2020 (24 August 2020). [↑](#footnote-ref-22)
22. OL ZWE 3/2021 (17 December 2021). [↑](#footnote-ref-23)
23. *See* AL ZWE 1/2021 (24 August 2021). [↑](#footnote-ref-24)
24. ILO CFA, Report in which the committee requests to be kept informed of development – Report No 377, March 2016 – Case No 3128 (Zimbabwe), para. 476(a)(i). [↑](#footnote-ref-25)
25. *See* The Health Service Amendment Bill 2021, Article 5; Labour Amendment Bill 2021, Article 33, 35. [↑](#footnote-ref-26)
26. For one example, *see* AL ZWE 2/2021 (27 October 2021). [↑](#footnote-ref-27)
27. Related issues are discussed in AL ZWE 2/2022 (15 February 2022). [↑](#footnote-ref-28)
28. *See* ILO CAS, Individual Case concerning Zimbabwe under the Abolition of Forced Labour Convention, 1957 (No. 105) (2021). [↑](#footnote-ref-29)