

# solidar

## CAMPAIGN FRAMEWORK

### MOBILISING FOR FREEDOM OF ASSOCIATION

#### **1. Freedom of association: Human rights and democracy at risk.**

Everyone has the right to freedom of peaceful assembly and association. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others, as enshrined in the International Covenant on Civil and Political Rights (ICCPR, March 1976)<sup>1</sup>. This Covenant gives protection to a wide variety of ways to associate and assemble, and should be interpreted to include any space where people can meet, including online spaces.<sup>2</sup>

The Arab Spring(s) of 2011 raised hopes amongst millions of people for the spread of democratisation all over the Middle East and North Africa (MENA) and the rest of the world. One year later, the main challenge is to consolidate and make permanent this democratic transition that was led by citizens and civil society in their multiple forms, using varied and innovative tools and showing multiple organizational frames, notwithstanding the difficulties, the tragedies and the contradictions existing. Regression, distortion and frustration of the democratic hopes raised is a danger for the whole MENA region and for the world.

In fact, during (and after) the Arab Spring, political leaderships in various countries around the world saw this popular uprising as a threat to their own hold on power. Consequently, governments actively undermined human rights defenders ability to get together and enforced severe restrictions on the freedom of peaceful assembly and of association. This was recognised by the UN Special Rapporteur Maina Kiai<sup>3</sup> in his 2012 report entitled “Minimum standards in a shrinking space for peaceful assembly and association”.

The Rapporteur recognises that the freedom of peaceful assembly and of association serves as a vehicle for the exercise of many other civil, political and social rights and are essential components of democracy allowing men and women to “express their political opinions, engage in literary and artistic pursuits and other cultural, economic and social activities, [...] form and join trade unions and cooperatives, and elect leaders to represent their interests and hold them accountable”<sup>4</sup> and calls upon the International Community to further promote and protect the right to freedom of peaceful assembly and of association

The SOLIDAR network wants to give its contribution to keep this hope alive.

SOLIDAR considers it a fundamental prerogative for everyone (individuals, groups and organizations from society) to peacefully assemble and associate – to come together and collectively express, promote, pursue and defend common interests. This right goes beyond merely to hold and participate in an assembly, but also entails the guarantee to be protected from undue interference. The right to freedom of peaceful assembly and association are a precondition for people, living often a life of powerlessness,

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<sup>1</sup> More information: [International Covenant on Civil and Political Rights](#)

<sup>2</sup> More information: [The Rights to Freedom of Peaceful Assembly and Association and the Internet](#) ACP 2012

<sup>3</sup> Mr. Maina Kiai is the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association. He took up his functions on 1 May 2011, for an initial period of three years.

<sup>4</sup> More information: [Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association](#) 21 May 2012

stigmatisation, discrimination, exclusion and deprivation, to hold (their) state (and private actors) accountable for violations and to mobilise collective efforts for economic justice, political participation, and equality. In our understanding **the freedom of association is a prerogative for democracy**.

## ***2. Mobilising for Freedom of Association – a cooperation initiative***

Since young Sahrawis organised a protest for dignity and social justice in the Gmeil Izik camp (Occupied Territories) in November 2010 and when, on 17 December 2010, a 28-year old Tunisian, Mohamed Bouazizi, doused himself in gasoline and burned himself to death in protest of the Tunisian regime, the Arab world has been aflame in what has become known as the *Arab Spring(s)*. People in Egypt, Libya, Yemen and Tunisia assembled to peacefully overthrow their regimes; while under popular pressure countries like Morocco and Algeria introduced some legal and democratic reforms – to some extent superficial<sup>5</sup>. This popular uprising was not limited to North Africa; it inspired millions of human rights defenders all over the world.

The SOLIDAR network actively supports the call of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, and launches a joint initiative in favour of the freedom of peaceful assembly and association.

A number of frameworks for development (Agenda, Busan, Istanbul etc. ...) We believe that the right to freely assemble and associate, as a crucial contributing factor for democratic development and social progress, is not reflected as it should in these policy frameworks. The freedom of association as a prerequisite for democracy should be emphasised also by strengthening participation, involvement and dialogue with civil society and social movements and the policy fields should promote more strongly an enabling environment for citizen participation.

On the EU level the *Strategic Framework and Action Plan on Human Rights and Democracy* the EU reaffirms its commitment to the promotion and protection of all human rights, whether civil and political, or economic, social and cultural. It sets out strong ambitions to strengthen human rights within EU policy making, step up efforts to monitor encroachments and violations and shall actively support human rights defenders all over the world. The new *Multiannual Financial Perspectives* of the European Union 2014-2020 is under development and includes the European Neighbourhood Instrument (ENI) and de European Instrument for Human Rights and Democracy (EIDHR). Both instruments concentrate on the operationalisation of the human rights and democracy, whilst the freedom of association is 'forgotten'. In parallel, the *Communication on the roots of democracy and sustainable development* (EU's engagement with civil society and social movements in external relations) should help in shaping the role and complementarities of CSOs in the Instruments and enhance de role of civil society and social movements in monitoring policies, democracy and protection of the human rights, while stressing the need for an enabling environment with respect for the freedom to assemble and associate freely.

### *Cooperation objectives*

The SOLIDAR network by this joint initiative will work to expose encroachments (i.e. legal gaps, exclusion processes, discrimination, lack of willingness, negligence, etc.) against freedom of peaceful assembly and of association and advocates for policy change:

1. In the '*field*' members of the SOLIDAR network work to empower civil society and social movements to expose the encroachments of freedom of peaceful assembly and association and struggle for the right to associate and assemble freely. Furthermore, we will promote dialogues between partners and EU delegations on the issue.

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<sup>5</sup> More information: SOLIDAR Briefing Paper [49 Mobilising for Social Justice in North Africa](#) June 2012

2. On *national* level SOLIDAR members will work to raise awareness of national decision makers on the encroachments of freedom of peaceful assembly and association. We will promote the adherence of European States to EU human rights strategies with a focus on the particular right to associate and assemble freely in their External relations, and will develop (bilateral) common actions at national levels.
3. On *European* level the SOLIDAR secretariat will enable our non-European partners to raise awareness amongst European decision makers on the encroachments of freedom of peaceful assembly and association, ensure the participation of civil society and social movements (from the field) in decision making process and the SOLIDAR network will advocate for policy changes directed at increasing the support for those struggling to gain their right to associate and assemble freely. We will work to ensure that EU instruments strengthen their focus on the empowerment of civil society and social movements and that they are geared at promoting human rights and social development objectives.

*Please see the separate discussion note on the cooperation in the field around freedom of peaceful assembly and of association within in the MENA region, which is integrated in the initiative Social Justice in Middle East and North Africa.*

### **3. Joint advocacy towards European Institutions**

The SOLIDAR network will launch an advocacy initiative towards European Institutions (Parliament, Commission, Council, External Action Service, and other relevant stakeholders).

#### *a. Overall objective*

The objective of this joint initiative 'Mobilising for Freedom of Association' is to advocate that European Institutions and European States incorporate in their External action frameworks conditionality clauses that include the freedom of peaceful assembly and association. And that European Institutions and European States, within their existing human rights strategies and cooperation instruments, prioritise initiatives that promote the freedom of peaceful assembly and association.

#### *b. Cooperation initiatives*

##### *(1) Documenting violations of the right to freedom of peaceful assembly and association*

SOLIDAR members will document encroachments on the freedom of association by collecting testimonies from civil society and social movements in developing countries and disseminate these testimonies to national and European decision makers. These testimonies will focus on policies and practices of governments, corporations and international financial institutions that (unjustifiably) limit – directly or indirectly, formally or informally – the freedom of peaceful assembly and association

In cooperation with civil society and social movements in developing countries, the SOLIDAR network will develop 'factsheets' explaining how the violation of the right to freedom of peaceful assembly and association undermines the realisation of civil, political and social rights, and how that induces inequalities and poverty. These factsheets should be based on cases that identify clearly Encroachments, main responsables and solutions. SOLIDAR members will work with these factsheets at state level while the secretariat in Brussels will target EU decision makers.

The SOLIDAR secretariat will establish an overview of relevant decision makers within the EU institutions on all levels, international bodies and amongst partner organisation, whilst the members will establish an overview of contact details for national decision makers. This database will be used for the dissemination of initiatives and when members' partners in the field record violations of their right to freedom of peaceful assembly and association.

*(2) Exposing impact of policies on human rights*

The SOLIDAR secretariat will develop a mapping on EU policies that are of relevance to promote the right to freedom of peaceful assembly and association, in particular policies regarding named in the EU Strategic Framework and Action Plan on Human Rights and Democracy (11855/12 Council) as Trade, Internet, Development, Employment and social affairs, and the area of freedom, security and justice. In this context, in cooperation with members and members' partners in the relevant countries, the secretariat will monitor the implementation of the European Commission democracy reports and plans of action and the local human rights country strategies, and will point in cooperation with civil society and social movements in developing countries at ongoing human rights violations that might be neglected or that are cause by relevant EU policies, from the angle of the freedom of peaceful assembly and association.

*(3) Working in partnership*

The SOLIDAR network will work together – through members – with FIDH, ITUC, EuroMed Human Rights Network and other relevant international networks. Furthermore, on the website [www.solidar.org](http://www.solidar.org) a space to showcase international campaigns that are focused freedom of peaceful assembly and association and economic, social and cultural rights, as the ITUC Campaign on Decent Work in Guatemala will be developed.

*(4) Advocacy and lobby towards EU institutions*

In the EU Strategic Framework and Action Plan on Human Rights and Democracy the EU pledges to continue promoting freedom of expression, opinion, assembly and association, both on-line and offline. Furthermore, the EU announces to intensify its efforts to promote economic, social and cultural rights. The SOLIDAR network will monitor the (policy) implementation of these pledges and will advocate for evidence based policy recommendations developed in cooperation with civil society and social movements in developing countries.

The following advocacy initiatives will be taken:

- Participate in the annual EU NGO forum organised by EEAS and The European Commission
- Contribute to shaping the EU's agenda on economic, social and cultural rights, and their cooperation with the UN and ILO
- Promote a human rights based approach in EU debates on post 2015, in particular focused on ensuring economic, social and cultural rights
- Promote the ratification and implementation of the ILO Convention on Freedom of Association and Protection of the Right to Organise (87)

*c. Timeline and planning 2013*

Dates	Action	Responsible
	Preparation of the campaign	Secretariat
20-21 February	Launch of the campaign during the International Cooperation Forum	Secretariat

	<ul style="list-style-type: none"> <li>- Visual identity</li> <li>- Video (Pakistan)</li> <li>- Factsheet</li> </ul>	
26-30 March	Freedom of association <b>workshop</b> at the WSF	Secretariat, in cooperation with GPF/FEPS/PES
30 March	Campaign action: video and factsheet	Secretariat
14-15 May	<b>Training</b> on decent work and social protection during the International Cooperation Forum: <ul style="list-style-type: none"> <li>- Campaign action: video and factsheet</li> </ul>	Secretariat
25 June	Campaign action: video and factsheet	Secretariat
16-17 October	<b>Conference</b> on Freedom of association in the European Parliament <ul style="list-style-type: none"> <li>- Round table debate with EEAS, Commission, MEPs and NGO networks</li> <li>- Launch of EU policy recommendations</li> <li>- Launch of the members' cooperation approach</li> </ul>	Secretariat