

Call for inputs from the mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association for his report to be presented at the 50th session of the Human Rights Council

The Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément N. Voule, conducted an official visit to Armenia from 7 to 16 November 2018 to assess the enjoyment of the rights to freedom of peaceful assembly and of association in the country, pursuant to Human Rights Council resolutions 15/21 and 32/32.

He delivered his report ([A/HRC/41/41/Add.4 \(13 May 2019\)](#)) to the 41st session of the Human Rights Council, which took place from 24 June to 12 July 2019.

In follow-up to that report, the Special Rapporteur wishes to solicit response to the following questions:

I. Freedom of Assembly

1. Have the provisions of the law on freedom of assemblies and other related regulations that violate the right to freedom of peaceful assembly been revised? In particular, have the provisions related to the use of special means been revised? Describe any revisions that have taken place, as well as those areas in which, in your view, revisions remain necessary (and why). (Rec 136(a))
2. Have law enforcement protocols been revised in accordance with international human rights norms and standards? Describe any revisions to the relevant protocols, as well as any ways they still fail to comply with international standards. (Rec 137(b))
3. Have law enforcement officers received clear, practical guidance and training on human rights law and standards pertaining to assemblies and the policing of assemblies? Provide any relevant available details of such training. (Rec 137(c-d))

II. Freedom of Association

1. Does existing legislation dealing with the right to freedom of association accord with international law and standards, in particularly in relation to:

Reporting requirements;

The independence and impartiality of the oversight body (the State Revenue Committee);

The right to privacy;

Suspension or dissolution of associations?

Provide details of any reforms made, or ways in which the law continues to fall short of standards, in these and/or other areas. (Rec 137(a-b))

2. Have all administrative authorities that deal with the right to freedom of association been trained on international human rights standards? Provide details of the training received, if available. (Rec 137(c))
3. Has an increased proportion of public funds been allocated, in an accessible, transparent and inclusive way, to civil society organizations representing the diverse views of society? Provide any relevant details. (Rec 137(d))

III. Freedom of Association and Assembly at Work

1. Is the right to form and join strong trade unions fully protected? (Rec 137(g))
2. Are labor laws and standards in Armenia in compliance with the recommendations laid out in the reports of the ILO Committee of Experts on the Application of Conventions and Recommendations? Detail any efforts made and protections afforded, and the areas of most pressing concern. (Rec 137(g))

IV. General Recommendations

1. Have the rights to freedom of peaceful assembly and of association been enjoyed without discrimination, especially by the groups most at risk, such as national and religious minorities, lesbian, gay, bisexual and transgender groups, children and women? Provide any relevant details. (Recs 135(d), 136(h))
2. Have hate speech, incitement to hatred towards minority groups and the use of discriminatory statements in public discourse, including by public figures, been combatted and condemned? Detail any measures taken, or instances of hate speech, discriminatory public statements or the like. (Rec 137(e))
3. Has the security of civil society actors, including human rights defenders, been ensured? Detail any protective measures taken, as well as any threats or attacks. (Rec 137(f))
4. What measures have been taken to increase participation and representation of women at the decision-making level in public and political life? (Rec 135(f))
5. Have civil society actors been consulted on new legislative initiatives, and in particular on all legislative measures impacting on human rights? (Rec 135(g))

V. Specific recommendations

1. Has Armenia ratified 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? (Rec 135(a))
2. Is the National Council on Sustainable Development functional, and are civil society actors able to consistently and freely participate in its work? (Rec 135(h))
3. Have all (i) cases of violations to the right to peaceful assembly and (ii) other allegations of excessive use of force against protesters by the security forces, that were pending when the Special Rapporteur released his report, been promptly, impartially and effectively

investigated, perpetrators prosecuted and redress provided for victims? Provide any relevant details. (Recs 136(e-f))