



General Assembly

Distr.: General
15 July 2022

Original: English

Seventy-seventh session

Agenda item 69 (b) of the provisional agenda*

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Rights to freedom of peaceful assembly and of association

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, submitted pursuant to Human Rights Council resolutions [15/21](#), [32/32](#) and [41/12](#).

* [A/77/150](#).



Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule

Essential role of social movements in building back better

Summary

In the present report, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule, highlights the important role social movements around the world play in creating more just and inclusive societies. Social movements have a key role to play in helping States to build back better from challenges related to the coronavirus disease (COVID-19) pandemic and to achieve the full implementation of the 2030 Agenda for Sustainable Development. Unfortunately, many States have not fully respected social movements' rights to freedom of peaceful assembly and of association. The Special Rapporteur therefore recommends several measures that States and other actors can take to create an open and enabling space for social movements to enhance their ability to contribute to the construction of a more open, inclusive, equitable and sustainable future.

I. Introduction

1. The rights to freedom of peaceful assembly and of association are important in their own right. They allow concerned individuals to come together, organize and advocate for causes that are important for their communities, society and humanity as a whole. They are, moreover, valuable tools that can and have been used to recognize and realize a wide range of other rights, including civil, political, economic, social and cultural rights. They are key tools in allowing marginalized individuals and groups to realize and defend their rights. Together with the rights to freedom of expression and to participation in public affairs, those rights are essential components of democratic societies, as they enable them to be responsive to the needs, rights and desires of their populations.

2. The present report explores the vital contributions social movements around the world have made in the past and continue to make today for rights advancement and societal betterment. It also highlights the important role social movements play in ensuring a sustainable and resilient recovery and in building back better from the coronavirus disease (COVID-19) pandemic, as well as in the inclusive process for advancing the full implementation of the 2030 Agenda for Sustainable Development.

3. In the present report, the Special Rapporteur on the rights to freedom of peaceful assembly and of association draws on multiple sources. Those include: State and civil society submissions to the Special Rapporteur in response to his issuance of a questionnaire;¹ insights shared by members of civil society and activists through consultations, including a global consultation held in Kampala; and communications sent by the Special Rapporteur to States. The Special Rapporteur thanks all those who have supported the mandate, including by providing information and by organizing and facilitating consultations.

II. Conceptual framework

4. For the purposes of the present report, the Special Rapporteur employs a broad definition of social movements as loosely organized groups that pursue collective efforts in support of objectives that may include legal, institutional and policy reforms and/or broader cultural shifts, whether on the local, provincial, national, regional or international levels. Social movements may adopt various forms and levels of organization, and a wide variety of strategies and techniques to advance their broader goals. Among other advocacy and community-building techniques, social movements have put forward draft laws, regulations and policies, participated in constitutional reforms and legislative lobbying, prepared and presented petitions, held advocacy campaigns in the press and on social media, staged stationary and mobile protests, vigils, direct actions and civil disobedience campaigns, and have occupied spaces and held strikes.²

5. Social movements are predominantly informal in nature, which allows them to provide an inclusive platform for individuals from all walks of life to get involved, for as little or as long as they choose, in the defence of common causes. Social movements often emerge from the grassroots, and many are leaderless and horizontal

¹ Submissions are on file with the Secretariat.

² See Charles Tilly, *Social Movements, 1768–2004*, London, 2004. Tilly defines social movements as consisting of sustained, organized public efforts making collective claims on target authorities and employing certain forms of political action, including associations and coalitions, public meetings, processions, vigils, rallies, demonstrations, petition drives, statements to and in public media and pamphleteering, and concerted public representations regarding the strength of the movement.

in nature. They are often deeply meaningful for those who take part in them, providing sites of agency and solidarity. In that regard, they play an essential role in fostering social engagement, democratic participation and responsive governance. Social movements are important in strengthening the connection between the State and communities. The existence and ability of social movements to function freely is a key indicator of a healthy society.

6. Social movements provide members of society an important opportunity to participate in public affairs and a means of ensuring that a variety of viewpoints are reflected in State policies. Social movements are also important in that they can provide particular communities, including those marginalized, the ability to raise their voices and make their concerns visible. Social movements enable those communities to address issues that they face and to work to reconstruct and reform their broader communities along more inclusive, egalitarian lines.

7. Central to the understanding of the Special Rapporteur of social movements as drivers for the betterment of society and the achievement of rights and freedoms is the conformity of those movements to the aims and principles of the Charter of the United Nations and the Universal Declaration of Human Rights.

8. Individuals taking part in social movements enjoy numerous rights guarantees, including those protected under articles 19, 21, 22 and 25 of the International Covenant on Civil and Political Rights, on the rights to freedom of expression, to freedom of peaceful assembly and association and to participation in public life. The Special Rapporteur also recalls General Assembly resolution [73/173](#), in which the Assembly encouraged States to recognize the important and legitimate role that social movements play in shaping governance and the rule of law, inclusiveness and development across all regions.

9. Article 20, paragraph 2, of the International Covenant requires States parties to prohibit any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. Such prohibitions must be in strict conformity with other rights and obligations, including the right to freedom of expression, and should take into account the guidelines laid out in the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. It is important to ensure that any measures adopted in that context are not and may not be used to target social movements and individuals for exercising their rights, including their rights to freedom of peaceful assembly, association and expression. Moreover, in a broad sense, the best means through which to prevent the emergence of discriminatory and/or violent social movements are laws and policies that enable and support social movements and that complement their efforts to achieve open and participatory democratic institutions, economic opportunity, economic equality, social inclusivity, social justice, and clean, healthy and sustainable environmental practices.

III. The invaluable contributions of social movements to the betterment of societies

10. Social movements have made vital contributions in numerous areas for centuries and in relation to every pressing issue faced by individuals, communities and humanity as a whole. They continue to play an essential role around the world today, including in support of the world's efforts to recover from the pandemic and to build back better and more sustainably. Because the contributions of social movements are invariably cross-cutting in nature, any attempt to map them is necessarily limited. Bearing that in mind, they are classified below into four broad thematic areas: political, economic, social justice and environmental.

A. Political

11. Democratic societies have been built by the concerted efforts of individuals coming together to insist that their collective voices be heard in the processes of representation and policy formation. Social movements calling for greater popular participation in governance have gathered strength around the world from the eighteenth century onwards. Those movements have helped to launch an era in which populations at large had a greater voice in determining the political structures, laws and policy choices of their communities.

12. Initial democratic reforms were often narrow, with the franchise, where it existed, extended to only limited subsets of populations, often demarcated by lines of gender, race and class. Over time, those restrictions have been confronted by various new social movements. Among the social movements that tackled those challenges was the international women's suffrage movement, which for centuries has been winning extensions of the franchise to women in countries around the world. Suffrage and political inclusion movements continue to play a key role today in promoting a greater political voice and greater political equality for women in numerous States that exclude women from full participation in public life.

13. The development of more democratic governance structures in a limited subset of countries was, for many decades, deeply inequalitarian from an international perspective, all the more so because of the persistence of colonial rule across much of the world for much of the twentieth century. In response, various social movements developed in opposition to colonialism. The efforts of those movements, which worked both in their national contexts and transnationally, collectively helped to bring about the end of direct colonial rule in many parts of the world.

14. While democratic governance advanced in many areas, formally democratic States were often marked by deep internal inequalities, including in the form of racially discriminatory laws and policies. Social movements were at the forefront of the fight against those unequal structures. In the United States of America, the civil rights movement achieved major progress in the struggle against racial disenfranchisement and segregation in the 1960s. In the case of South Africa, the struggle against racist governance was supported by the global anti-apartheid movement, which helped to bring about the end of the apartheid regime in the 1990s and a transition to a more inclusive and democratic State.

15. Social movements in support of more democratic governance and in opposition to authoritarian rule have been organized in numerous locations around the world over the past several decades. They have been the driving force behind democratic transitions in many states, helping to produce more inclusive, rights-responsive and supportive societies. One major example can be found in the Arab Spring movements in numerous States beginning in the early 2010s. Where electoral systems already existed, social movements have served to broaden and deepen democratic institutions and inclusivity.

16. Social movements have also mobilized to push back against forms of antidemocratic consolidation of power and electoral interference, including, for example, when presidents sought to extend their rule by removing constitutional term limits or when political parties sought to strengthen their power through exclusionary electoral systems and disenfranchisement. Social movements resisting attempts by presidents to run for unconstitutional third terms have been organized in Malawi in 2002, Burundi in 2015 and Guinea in 2019, among other places. Social movements have been also organized to resist military coups. The civil disobedience movement in Myanmar resisting the military coup of February 2021 has created an inclusive platform connecting ethnic groups, economic classes, trade unionists and religious

groups. In the Sudan, following the coup d'état of October 2021, grassroots protest groups known as “resistance committees” have organized peaceful protests and strikes to press for a transition to civilian rule.

17. Social movements have also been instrumental to the construction of more peaceful societies. Major social movements have been organized to stop military invasions, including the military invasion of Iraq by the United States, which drew millions from around the world in 2002 and 2003, and protests against the military invasion of Ukraine by the Russian Federation in February 2022, which has also led to anti-war protests around the world. In conflict-ridden countries, individuals have joined social movements seeking an end to conflict, such as groups calling for the inclusion in peace processes of marginalized groups. Often, those movements have been led by women, who bear the brunt of conflicts but are often marginalized during political settlements and peace talks. In Afghanistan, a social movement mostly made up of women, MyRedLine, took off in 2019 with the aim of defending human rights amid a peace process that excluded women. Afghan women continue to mobilize to demand their rights and their inclusion in public life and decision-making processes, following the curtailment of women’s rights in the wake of the assumption of power by the Taliban.

B. Economic

18. Historically, trade union movements have played a key role in opening up democratic representation along class lines and in fighting for more egalitarian legal, institutional and political structures and a more egalitarian distribution of resources. Today, trade unions work to support sustainable development, decent work – meaning work that is productive and delivers a fair income, security in the workplace and social protection for all, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men – and fairer and more equal societies.³

19. The Amalgamated Rural Teachers Union of Zimbabwe fights for the rights of teachers and students and for better conditions in schools around the country. In Western Sahara, the Group of Unemployed Saharawis protests in support of greater civil, political, social and economic rights. In the Islamic Republic of Iran, the Iranian Teachers Trade Association advocates for the rights of teachers to better conditions of work and of students to greater access to education. Many similar unions and workers’ rights organizations, both formal and informal, fight for the rights of their members and for more rights-respecting policies in communities all over the world.

20. In addition to the work of trade unions, important social movements have arisen that are dedicated to supporting more egalitarian societies and, more broadly, the rights of the poor. Religious-aligned social movements often play a major role in pushing for policies that address the needs of the poor, as well as in providing direct services to the poor. The Occupy movement has fought for more egalitarian polities and rights-respecting socioeconomic policies in numerous States around the world. Various groups around the world have fought against forced labour, child labour and other abusive and harmful labour practices. In Uzbekistan, for example, a long-term campaign has been effective in combatting forced labour and child labour in the cotton industry.⁴ In Brazil, the Landless Rural Workers Movement, and the Homeless

³ The definition of the term “decent work” has been taken from the International Labour Organization (ILO); available at www.ilo.org/global/topics/decent-work/lang--en/index.htm.

⁴ See ILO, *2020 Third-Party Monitoring of Child Labour and Forced Labour during the Cotton Harvest in Uzbekistan*, Geneva, 2021.

Rural Workers Movement have long fought for greater access to land and housing for the country's poorest.

21. At times, social movements have come forward to press broad social and economic demands. Major protests in support of, inter alia, more egalitarian polities have taken place in more than 100 States around the world since 2017.⁵ In Colombia, in 2021, a broad coalition of forces went on strike in support of more progressive social and economic policies. In 2022, major strikes in support of both better sectoral conditions and progressive societal policy developments were staged in numerous States including Ecuador, Greece, India, Lebanon, North Macedonia, Spain, Sri Lanka, Tunisia, the United Kingdom of Great Britain and Northern Ireland, the United States and Zimbabwe.

22. Other social movements work to support development at the national and international levels, a subject on which the Special Rapporteur has previously focused in depth (see [A/73/279](#)). The Italian Alliance for Sustainable Development, for instance, brings together almost 300 member organizations with the aim of supporting the achievement of the Sustainable Development Goals. Scholars have identified several ways in which social movements may have an impact on poverty, such as by challenging processes of exploitation and dispossession, by challenging the cultural politics of poverty and by providing access to land, water and shelter.^{6,7}

C. Social justice

23. Social movements have contributed to and supported a range of reforms oriented towards social justice and towards equality in society more broadly.

24. Essential achievements have been made in that area in support of gender equality. Women in numerous countries have fought for equal representation, social equality, an end to harmful discriminatory practices and greater respect, as well as for fulfilment and protection of their fundamental rights, including the right to equal pay. Movements around the world have fought and continue to fight for women's rights to sexual and reproductive health and equality in civil, family and probate law. Movements in numerous States have achieved significant reforms in abortion laws. Following extensive popular mobilizations, Chile lifted its ban on abortion in 2017, Ireland did the same in 2018; Argentina legalized abortion in 2020; the Mexican Supreme Court found the criminalization of abortion by states unconstitutional in 2021; and the Colombian Supreme Court decriminalized abortion up to 24 weeks of pregnancy in 2022. Elsewhere, as in Poland and the United States, regressive State action on reproductive rights has sparked the development and growth of major protest movements.

25. Other movements, such as Take Back the Night, have fought against gender violence. In Indonesia, a long-running social advocacy campaign has been effective in securing passage of the Sexual Violence Act, which criminalizes forced marriage and sexual abuse and enhances protections for victims of physical and sexual violence.⁸ Among other effective techniques, social movements engaged in the

⁵ See Carnegie Endowment for International Peace, "Global protest tracker". Available at <https://carnegieendowment.org/publications/interactive/protest-tracker>.

⁶ See Anthony Bebbington, "Social movements and the politicization of chronic poverty", *Development and Change*, vol 38, No. 5 (September 2007).

⁷ See Anthony Bebbington, "Poverty reduction and social movements: a framework with cases", paper prepared for the United Nations Research Institute for Social Development, 2009, available at: <https://www.gov.uk/research-for-development-outputs/poverty-reduction-and-social-movements-a-framework-with-cases/>.

⁸ See CIVICUS Lens, "Indonesia: breakthrough on gender-based violence", 19 May 2022.

#Gerak Bersama campaign (“gerak bersama” means “move together” in Indonesian) raised awareness of the issue and promoted public discussion. The #MeToo global social movement, which began in 2017, has empowered millions of survivors of sexual violence around the world to speak out. #MeToo dramatically raised public awareness and increased pressure for accountability and reform in the area of sexual harassment and assault at the workplace. The movement also helped to lead some States to adopt protective laws and undertake prosecutions of perpetrators, although accountability has been limited. In some States affected by high levels of violence against women, women continue to mobilize in support for stronger protection. In Mexico, a movement against femicide and the abuse of women began in 2019 with the so-called glitter revolution, which has mobilized thousands in support of justice and accountability. In Nigeria, the social movement #BringBackOurGirls advocates for the recovery of girls abducted by insurgent groups.

26. Essential work has also been done in support of racial equality. The Black Lives Matter movement, which has been joined and supported by individuals around the world, has drawn attention to racist policies and widespread and systematic abuse committed by police forces that includes the excessive use of force, discriminatory enforcement of the law and reliance on overly carceral, community-undermining policies. While the movement originated in the United States, similar policy structures elsewhere have attracted protest as well, including in Australia, Brazil, France, Indonesia, Mexico and the United Kingdom.

27. Indigenous peoples’ movements have achieved major progress in numerous jurisdictions, fighting for, inter alia, greater self-determination and control over traditional lands. For decades, indigenous peoples in the Amazon basin have fought against fossil fuel extraction, pollution, logging, rainforest destruction and other harms, while fighting for communal sovereignty and communal rights. The NDN Collective, based in South Dakota in the United States, fights against climate change, for an end to violence against Native communities and for land return. Minga Indigena, a collective of indigenous groups from across the Americas, fights for similar objectives. These and many other movements have made huge contributions to the creation of more just, sustainable and equitable communities around the world.

28. Around the world, youth and student movements have also been important, reflecting the fact that many countries have large populations of young people. The twenty-first century has seen a major rise in youth movements globally, in terms of both the number of participants and the scope of the issues covered. Young people and students have pushed for more inclusive societies and more responsive forms of governance generally, as well as for more progressive social policies. In India, for example, students have advocated on behalf of the rights of indigenous people, against the deployment of an abusive emergency law and for women’s equality in education. In Nicaragua, students have fought for civil, political, social and economic rights, and for the release of political prisoners. In the Islamic Republic of Iran, students have organized and have protested for freedom of expression and for equality in education, and against violent and repressive government security practices. In Cambodia, students have fought for greater respect for human rights.

29. Social movements supporting lesbian, gay, bisexual, transgender and intersex (LGBTI) rights have made enormous strides in tackling discriminatory cultures and overcoming discriminatory, rights-violating aspects of national legal systems. In 2015, the Supreme Court of the United States, in its decision in *Obergefell v. Hodges*, guaranteed the right to marry to same-sex couples. In Taiwan, same-sex marriage was legalized in May 2019. In Chile, the Equal Marriage Law, authored by civil society, was passed in December 2021. In Thailand, in June 2022, initial legislative approval was given to a measure that would legalize same-sex unions. All those steps were produced by and are a tribute to decades of hard work by individuals involved in

LGBTI rights-supporting social movements. Advocates and social movements continue to work around the globe to promote greater respect for the rights of LGBTI persons. Often, as for example in Burundi, Rwanda, South Sudan, Uganda and the United Republic of Tanzania, they face serious push-back, challenges, attacks and personal risks.

30. Social movements have also played a key role in fighting against several forms of human rights abuse. Movements such as Asociación Madres de Plaza de Mayo in Argentina and the Coalition of Families of the Disappeared in Algeria have mounted effective campaigns against policies of torture and enforced disappearance. Similar movements of families of victims of enforced disappearance have been organized in Mexico and Pakistan. In Nigeria, the End SARS movement has fought for security service reform and accountability, highlighting abusive actions undertaken by State security services. In the Democratic Republic of the Congo, Lutte pour le changement (LUCHA) has fought for social justice, human rights, accountability and free, fair and timely elections.

31. Other movements have won important victories in relation to core social and economic rights, including the rights to healthcare, education and housing. In South Africa, the Treatment Action Campaign has brought about important advancements in relation to the right to healthcare.⁹ Social movements supporting the right to housing have achieved important advances in numerous campaigns around the world, even though far more work remains to be done.

32. Social movements also work to end violent, cruel, illegal and rights-violating policies towards migrants and refugees. Those include movements led and/or principally consisting of migrants themselves, as well as other concerned citizens. They have fought against overly restrictive entry conditions, violence at borders, illegitimate push-backs, the criminalization of migrants within States, abusive working conditions and conditions of transit, poor socioeconomic conditions and other issues faced by migrant communities.

D. Environmental

33. The impacts of the environment and of environmental degradation on human life and human rights enjoyment have long been recognized. Awareness of climate change as the major negative impact of human activity on the environment has increased in recent decades. The Special Rapporteur has devoted concerted attention to this issue (see [A/76/222](#)).

34. Numerous social movements have arisen in response to these challenges. They include Extinction Rebellion and the youth-led Fridays for Future movement, which has attracted millions of members from all over the world and has conducted thousands of strikes. In Switzerland, tens of thousands have regularly taken part in climate protests since 2018, making those protests some of the largest in Swiss history and helping to prompt authorities at multiple levels to declare a state of climate emergency.

35. At the local level, communities, including, prominently, indigenous peoples, have protested companies' destructive environmental actions around the world.¹⁰ In

⁹ See Steven Friedman and Shauna Mottiar, "Seeking the high ground: the treatment action campaign and the politics of morality", in *Voices of Protest: Social Movements in Post-Apartheid South Africa*, Richard Ballard and others, eds. (Pietermaritzburg, South Africa, University Of KwaZulu-Natal Press, 2006).

¹⁰ See Débora Leão and others, "Defenders of our planet: resilience in the face of restrictions", CIVICUS Monitor, 2021.

Tunisia, the Green Tunisia Network has been able to halt destructive construction works. In Solomon Islands, social movement protests led to the rescinding of a bauxite mining company's exploitation license in 2018. In Albania, social movement protests helped to halt the construction of a new hydropower plant in 2019. In Japan, in 2020, pressure from social movements led the Mizuho Financial Group, one of the largest global supporters of coal power, to pledge to cease all financing of new coal power plants by 2050. In Serbia, a social movement was effective in halting a lithium mining project in 2021. In East Africa, an ongoing campaign supported by numerous social movements challenges construction of the East African Crude Oil Pipeline.

IV. Threats and challenges

36. Despite the vital role social movements have played and continue to play, as highlighted above, they face numerous challenges and restrictions, in violation of numerous human rights obligations, including the rights to freedom of peaceful assembly and of association. Instead of seeing social movements as a threat, States should adjust their mindset and view them as essential partners in promoting sustainable and inclusive development. States should create enabling environments that allow social movements to contribute to their full potential.

37. Many States do not fully recognize the right to freedom of association, failing as they do to fully respect the freedom to operate of associations that are not registered. In Algeria, the Ministry of Interior ordered the dissolution of several associations on the basis of broad and vague charges of undermining the sovereignty and security of the State.¹¹ In Belarus, authorities disbanded a number of registered public associations without giving prior notice, without communicating their reasons and without a court order, stating that the activities of the organizations in question did not match the goals and subject matter specified in their charters.¹² Criminalization and penalization in this area is excessive and almost always inherently broad and vague; in addition, measures of this kind are taken for the illegitimate purpose of limiting individuals' freedoms to associate as such.

38. States have also adopted measures designed to control the civil society sector, giving extensive powers to the executive authorities to regulate civil society. Troubling developments in that context include decree No 4-2020 in Guatemala, by which the Government was granted extensive powers over civil society space and which survived a constitutional challenge in 2021;¹³ the adoption of the General Law for the Regulation and Control of Non-Profit Organizations in Nicaragua, which entered into force on 6 May 2022 and imposes tight controls on civic space;¹⁴ a draft law on the operations of non-governmental organizations and a draft law on the promotion and development of civil society organizations in Thailand, by which the authorities are to be granted extensive oversight powers;¹⁵ a new draft law on international cooperation in the Bolivarian Republic of Venezuela, which would grant the Government broad powers over civil society organizations' access to funding;¹⁶ amendments to the Law on Non-Commercial Organizations in Kyrgyzstan, which

¹¹ See communication No. AL DZA 13/2021.

¹² See communication No. AL BLR 8/2021.

¹³ See International Federation for Human Rights Leagues, Guatemala, "Constitutional Court ruling restricts freedom of association", 26 May 2021.

¹⁴ See communication No. OL NIC 1/2022. See Office of the United Nations High Commissioner for Human Rights (OHCHR), "Oral update on the situation of human rights in Nicaragua", 16 June 2022.

¹⁵ See communications Nos. OL THA 7/2021, OL THA 5/2021 and OL THA 2/2021.

¹⁶ See International Service for Human Rights, "Venezuela: 500 civil society organisations express alarm at bill limiting access to foreign funding for NGOs", 18 May 2022.

impinge on the right to freedom of association;¹⁷ and draft amendments to the Decree-Law on the Organization of Associations in Tunisia.¹⁸ In Libya, in July 2021, the Government of National Unity proposed a draft regulation on the work of civil society organizations under which the executive would be granted extensive and excessive powers to restrict, suspend and dissolve associations. In addition, by circular No. 10 of 2021, the President of the Government of National Unity in Libya imposed several restrictions on civil society, including by limiting their collaboration with the United Nations.

39. Particularly concerning are reports that leaders and members of social movements have been targeted for violent reprisal on the basis of their mobilization and advocacy efforts. In States such as Brazil, Colombia, Guatemala, Honduras, India, Mexico, Nicaragua, Peru and the Philippines,¹⁹ trade unionists, social movements leaders, members of marginalized and indigenous communities and land defenders have been harassed, attacked, disappeared and killed on the basis of their work in support of human rights.²⁰ The Special Rapporteur and other mandate holders have recently sent communications to several States, including Bangladesh, Colombia, Egypt, Mexico, Nigeria, Sri Lanka, Tajikistan and Togo,²¹ in which they expressed their concern about attacks on social movements and rights defenders whose activities are oriented towards securing better rights for minorities, marginalized, discriminated against and historically targeted communities, and called for security sector reform, accountability for security forces and steps to combat corruption.

40. Frequently, States have met large-scale social movements engaged in mass demonstrations and protests with declarations of states of emergency and other severe restrictions accompanied by repressive measures. In addition to being illegitimate responses to pro-democracy and rights-supporting movements as such, emergency measures are often accompanied by widespread and serious human rights violations, including violations of the right to freedom of peaceful assembly, through blanket bans and arbitrary, violent dispersals – which lead to killings and to injuries inflicted on participants, bystanders and observers – unlawful detentions and prosecutions, and the use of lethal force. The Special Rapporteur has previously expressed concern about the misuse of emergency measures to stifle peaceful protests and about the use of unlawful force during crisis situations (see [A/HRC/50/42](#)). Among other places, over the past 10 years, the Special Rapporteur has raised concerns of alleged unnecessary or excessive force deployed to suppress social movements in Algeria, Bahrain, Bangladesh, Belarus, Burundi, Cambodia, Cameroon, Chad, Chile, China, Colombia, Cuba, the Democratic Republic of the Congo, Djibouti, Egypt, France, Honduras, India, Iran (Islamic Republic of), Iraq, Israel, Kazakhstan, Kenya, Lebanon, Myanmar, Nicaragua, Nigeria, Pakistan, Peru, the Philippines, the Russian Federation, Saudi Arabia, Sri Lanka, the Sudan, the Syrian Arab Republic, Thailand, Tunisia, Türkiye, Uganda, the United Arab Emirates, the United Republic of

¹⁷ See communication No. OL KGZ 5/2021.

¹⁸ See communication No. OL TUN 4/2022.

¹⁹ See communications Nos. UA COL 5/2019, AL GTM 9/2021, AL GTM 8/2021, AL HND 4/2017, AL IND 14/2021, AL IND 2/2021, AL MEX 14/2020, AL NIC 2/2018, AL PER 6/2021, AL PER 9/2020, AL PHL 10/2018 and AL PHL 1/2016. See OHCHR, “Brazil: UN expert decries erosion of democracy, urges safe space for civil society”, press release, 11 April 2022.

²⁰ See communication No. AL PHL 1/2022. See Global Witness, *Last Line of Defence: The Industries Causing the Climate Crisis and Attacks against Land and Environmental Defenders*, September 2021.

²¹ See communications Nos. UA BGD 2/2022, AL COL 1/2022, AL EGY 1/2022, AL MEX 2/2022, AL NGA 2/2022, AL LKA 1/2022, AL TJK 1/2022 and AL TGO 2/2022.

Tanzania, the United States, Venezuela (Bolivarian Republic of) and Zimbabwe.²² In the majority of those cases, there has been little to no adequate investigation, accountability or remedies for victims, nor have the policies that enabled serious violations to take place been reformed or the demands of rights and democracy-supporting social movements been met.

41. Social movements have frequently been criminalized, and their leaders and members targeted for detention and prosecution, because they exercised their rights to freedom of peaceful assembly, association, expression and participation in public affairs. In Myanmar, thousands of protesters have been detained and charged since the 2020 military coup.²³ In the Democratic Republic of the Congo, members of Conscious Generation of Équateur Province have been detained following their calls for access to clean water, access to land and an end to forced evictions. In the Russian Federation, anti-war protesters have been arrested in large numbers. In Egypt, activists and human rights defenders have been targeted with asset freezes, travel bans and arrest under vague counter-terrorism and national security legislation. In Viet Nam, activists supporting human and environmental rights have been charged and sentenced. In Türkiye, students calling for greater academic freedom have been arrested and charged with offences. In China, activists have been detained and allegedly disappeared. In the Islamic Republic of Iran, activists have been imprisoned, including for taking part in peaceful assemblies, and charged with propaganda against the State and assembly and collusion to act against national security, which has often led to serious health consequences and even death. In Iraq, activists and human rights defenders have been imprisoned, often for little more than posting critical messages online, and have faced charges under anti-terrorism laws. In Uganda, activists denouncing harms connected with oil and gas exploitation have been threatened and subjected to criminal charges. In Belarus, pro-democracy protesters have been arbitrarily detained. In Honduras, human and environmental rights defenders have faced criminal charges.²⁴

42. Journalists covering social movements and protests have been targeted for detention and other types of attacks and abuse, including in Afghanistan, Belarus, Kazakhstan, the Russian Federation, Sri Lanka and Tunisia.²⁵ Journalists have a vital

²² See communications Nos. AL DZA 6/2021, AL DZA 5/2021, AL DZA 3/2021, UA BHR 10/2014, UA BHR 2/2013, UA BHR 7/2013, UA BGD 2/2016, AL BLR 4/2021, AL BLR 1/2021, AL BLR 5/2020, UA BDI 3/2015, AL KHM 8/2021, AL KHM 8/2020, UA CMR 4/2020, AL TCD 2/2022, AL CHL 10/2021, AL CHL 8/2021, UA CHN 10/2021, AL CHN 9/2021, AL COL 6/2018, AL COL 4/2017, AL CUB 3/2021, AL COD 3/2022, UA DJI 1/2017, AL DJI 1/2014, UA EGY 6/2016, AL FRA 2/2019, AL HND 7/2017, AL IND 2/2021, AL IRN 37/2021, AL IRQ 3/2021, AL ISR 2/2022, AL ISR 4/2020, AL KAZ 1/2022, UA KEN 13/2017, UA KEN 5/2016, AL LBN 3/2020, AL LBN 6/2019, AL MMR 1/2021, UA NIC 3/2018, AL NIC 2/2018, UA NIC 1/2018, AL NGA 6/2020, AL NGA 5/2019, UA PAK 5/2012, AL PER 8/2020, AL PHL 10/2018, AL PHL 5/2018, AL RUS 3/2022, AL RUS 2/2021, UA SAU 8/2015, AL LKA 1/2022, UA SDN 6/2021, UA SDN 1/2019, UA SDN 9/2016, UA SYR 9/2011, UA SYR 8/2011, UA SYR 7/2011, AL SYR 6/2011, AL THA 6/2021, AL THA 11/2020, AL THA 4/2018, AL TUN 5/2021, AL TUN 1/2012, AL TUR 6/2020, AL TUR 1/2020, UA TUR 6/2016, UA TUR 3/2013, AL UGA 1/2021, AL ARE 7/2020, UA ARE 4/2013, UA ARE 7/2012, AL TZA 6/2020, AL TZA 3/2020, AL TZA 3/2018, AL USA 31/2020, AL USA 25/2020, UA USA 14/2016, UA USA 23/2011, AL VEN 2/2019, AL VEN 4/2017, AL VEN 2/2017, UA VEN 3/2016 and AL ZWE 2/2021.

²³ See Free Expression Myanmar, “505A act of revenge: review of Myanmar coup speech ‘crimes’”, 2022. See communication No. AL MMR 1/2021.

²⁴ See communications Nos. AL COD 3/2022, AL RUS 3/2022, AL EGY 2/2022, AL VNM 2/2022, AL TUR 1/2022, AL CHN 2/2022, AL IRN 1/2022, AL IRQ 1/2022, AL IRQ 3/2021, AL UGA 1/2022, AL BLR 1/2021 and AL HND 8/2021.

²⁵ See United Nations News, “Taliban response to protests increasingly violent, warns OHCHR”, 10 September 2021. See OHCHR, “Sri Lanka: UN experts condemn crackdown on protests”, press release, 8 April 2022. See communications Nos. AL BLR 1/2021, AL KAZ 2/2022, AL RUS 3/2022 and AL TUN 5/2021.

role to play in ensuring that the public is accurately informed about the actions, concerns and messages of social movements, as well as the responses by States and any rights violations that take place. Therefore it is crucial that media freedom be fully respected. The Special Rapporteur reiterates that journalists and other observers have a right to monitor and report on assemblies even where an assembly is declared unlawful or is dispersed.²⁶

43. Members of the trade union movement have often been targeted because of their union organization and support for better working conditions. Violations of the rights to establish and join trade unions and to strike have been widespread in recent years.²⁷ In Zimbabwe, for instance, trade union members have faced surveillance, harassment, detention and criminal charges.²⁸ In several cases, additional violations of the rights to freedom of peaceful assembly and of association in the workplace have taken place in relation to the pandemic. In Türkiye, trade union members were reportedly forced to go on unpaid leave;²⁹ in South Africa, Volkswagen stewards were reportedly dismissed after they exposed the high rate of COVID-19;³⁰ in Zimbabwe, union leaders were prosecuted after striking to secure pandemic allowances;^{31,32} and in Peru, warehouse workers were reportedly dismissed after requesting better health precautions.³³

44. Broadly speaking, it is important that States recognize the value of social movements' expression of the viewpoints of various segments of the population and their invaluable work in support of a greater attainment of rights. States must ensure that the rights of social movement participants to freedom of expression, peaceful assembly and association and their right to participate in public affairs, including as expressed through mass demonstrations, protests and strikes of various sorts, are fully respected at all times, without discrimination. Recognizing the value of social movements requires that States not only respect individuals' rights to take part in such assemblies, but also that they recognize the valuable contribution such actions can make towards more inclusive, egalitarian and rights-respecting societies, and that they take the messages expressed through such actions seriously.

45. Unfortunately, many States have failed to adopt that attitude and have failed to develop legal systems that support and enable the positive contributions of social movements. Popular assemblies and protests of various sorts constitute an important means for social movements to express their points of view and exert pressure both in support of those points of view and to advance social and policy suggestions. Many States have laws that penalize or allow the dispersal of assemblies held without official approval from the authorities. In Sri Lanka, for example, under section 77 of the Police Ordinance, organizers, promoters and participants in assemblies of which the authorities have not been notified may be found guilty of an offence (see [A/HRC/44/50/Add.1](#)). The existence of such laws suggests the desire to suppress and control civil society rather than to allow it to function freely.

46. In other States, preventing the inconvenience and the interruption of everyday routines that frequently accompanies social movement actions such as protests has taken precedence over the right of citizens to participate in public affairs and express their viewpoints. Such an attitude may be seen, for instance, in the recently passed

²⁶ See Human Rights Committee, General Comment No. 37, para. 30.

²⁷ See International Trade Union Confederation (ITUC), "2021 ITUC global rights index: COVID-19 pandemic puts spotlight on workers' rights".

²⁸ See communication No. AL ZWE 2/2022.

²⁹ Submission from ITUC to the Special Rapporteur of June 2022, on file with the Secretariat.

³⁰ Ibid.

³¹ Ibid.

³² See communication No. AL ZWE 2/2022.

³³ ITUC submission.

Police, Crime, Sentencing and Courts Act 2022 and the Public Order Bill in the United Kingdom, which appear to prioritize the prevention of loosely defined “disruption” over individuals’ right to freedom of peaceful assembly.³⁴

47. The Special Rapporteur reiterates his call on States to repeal criminal measures not taken in pursuit of legitimate aims, as well as measures that are overly broad and vague, and measures that have frequently been used to target social movement activists. Among the forms of law that have been applied to limit the rights to freedom of peaceful assembly and of association in recent years are counter-terrorism, national security and anti-money-laundering laws. The Special Rapporteur and other mandate holders have addressed communications to several States, including to China, Israel, New Zealand, Nicaragua and Qatar, expressing concern about such laws.³⁵ While such measures may be taken in pursuit of *prima facie* legitimate purposes, they are frequently drafted in overly broad and vague terms and have often been abused in practice, including by being used to repress critical voices and social movements activists. Executive and prosecutorial authorities should in all cases refrain from utilizing such laws to target civil society and social movements actors engaged in legitimate activities, including human rights defence and advancement. Moreover, as the Special Rapporteur has previously urged, it is crucial that such laws be revised and narrowly defined in order to foreclose possible abuse and avoid casting a chilling shadow on the exercise of the rights to freedom of peaceful assembly and of association.

48. In many States, laws allowing for loose forms of criminal penalization are used to target members of social movements in violation of national and international guarantees of due process, liberty and freedom of peaceful assembly and association. Measures and approaches in that vein have a long history and often stem from the colonial period. They violate the fundamental principle of individual responsibility and may be considered a form of collective punishment. A number of States have employed mass trials over the past several years and/or have charged individuals under criminal provisions that penalize loose forms of affiliation. Such approaches are often taken against members of social movements that the authorities perceive as oppositional. In Saudi Arabia, 41 individuals were among those put to death in mass executions in 2022 following their involvement in protests in support of a more inclusive polity in 2011 and 2012.³⁶ In Israel, Palestinians have faced collective punishment after calling for greater respect for their civil, political, social and economic rights.³⁷ Collective punishment constitutes a serious human rights violation. All laws authorizing collective punishment must be repealed, and executive and judicial actors must ensure that the fundamental principle of individual responsibility is complied with at all times.

49. In many contexts, social movements have been undermined by agents provocateurs, individuals who are not sincere participants but who infiltrate to derail a movement either by encouraging destructive actions in others or by conducting such actions themselves so that those actions can be attributed to the movement. Agents provocateurs have often been deployed by State actors, have acted on their behalf or have been facilitated by them. States must refrain from using agents provocateurs to undermine social movements, as doing so violates the rights to freedom of peaceful assembly and of association. In the context of assemblies, States have an obligation to protect assembly members as well as others from violence, whether committed by

³⁴ See communication No. OL GBR 7/2021.

³⁵ See communications Nos. UA CHN 10/2021, OL ISR 6/2022, OL NZL 1/2021, OL NIC 4/2020 and OL NIC 3/2020 and OL QAT 1/2022.

³⁶ See United Nations News, “UN rights chief decries mass execution of 81 people in Saudi Arabia”, 14 March 2022.

³⁷ See communication No. AL ISR 2/2022.

individuals inside or outside the assembly.³⁸ Authorities should also cease the practice of undermining social movements by creating government-affiliated civil society organizations and/or organizing counter-protests to confront critical social movements. Those are dangerous practices that further polarize societies and create the potential for violence and escalation. Instead, authorities should engage in dialogue with rights-supporting social movements and respect them as partners in governance.

50. Social movements are often stigmatized by being labelled threats to national security and/or public order, foreign agents or otherwise owing to their advocacy in favour of, among other things, accountability, better governance, enhanced democratic institutions and greater respect for human rights. Negative characterizations of that kind are often used to justify illegitimate crackdowns and criminalization and serve to incite and encourage acts of vigilante violence. States must refrain from such negative characterizations, which are contrary to States' obligations to provide an enabling environment for the exercise of the rights to freedom of peaceful assembly and of association. In that regard, States should refer to General Assembly resolution [73/173](#), in which the Assembly encouraged States to end the persecution and repression of civil society and social movements.

51. Leaders and activists of social movements have often been forced into exile to escape retribution, violence or criminalization for exercising their fundamental freedoms. In that context, the Special Rapporteur stresses the obligation of States to refrain from driving human rights defenders and activists into exile and underscores the importance of host States' support to such individuals, paying due attention to the specific protection needs of particularly vulnerable persons.

52. Social movements are often targeted with surveillance measures. Surveillance of various forms often creates a hostile environment, which can be particularly disruptive and threatening for social movements. Social movements typically encompass numerous actors and have loose, horizontal organizational structures that rely heavily on trust and open communication. In addition to violating individual participants' privacy, surveillance technologies interfere with individuals' freedom to participate in and advocate for better rights protection and fulfilment through social movements. Such practices violate individuals' rights to freedom of expression, peaceful assembly, association and participation in public affairs.

53. Social media platforms and communications technologies are essential to the ability of social movements to organize, mobilize and promote their causes. During crises that limit in-person interactions, such as pandemics, online platforms are particularly important as spaces through which social movements may conduct advocacy and campaigns. It is therefore essential that social media platforms and communications technologies be accessible and free from illegitimate limitations such as internet shutdowns, and that appropriate measures be taken to limit threats and harassment. In that regard, the Special Rapporteur recalls his previous emphasis on the importance of fully respecting the rights to freedom of peaceful assembly and of association in the digital space (see [A/HRC/41/41](#)). The Special Rapporteur also recalls communications that he and other mandate holders have previously addressed on such issues, including, for example, a recent communication to Libya concerning the need to carefully delimit legal measures adopted relative to cybercrime and the like.³⁹

V. Lawyers and social movements

54. The relationship between lawyers and social movements is a crucial one. As was set out in the previous section, while Governments have, on many occasions,

³⁸ See Human Rights Committee, general comment No. 37 (2020), para 18.

³⁹ See communication No. OL LBY 3/2022.

recognized the value of social movements, in many other cases social movements have faced serious challenges and restrictions, including in the form of State-led attacks, detentions, prosecutions, harassment, surveillance. Lawyers have a crucial role to play in helping to protect members of civil society and social movements from such attacks by representing those who have been detained or charged with criminal offences and by providing them legal support and services. In that context, the Special Rapporteur recalls the guidelines that he has issued regarding lawyers who act in support of peaceful assemblies, in which he urged better protection for lawyers' and others' ability to observe, record, document, and/or report on assemblies and measures adopted in response to assemblies (see [A/HRC/47/24/Add.3](#)).

55. Beyond providing forms of legal support and assistance in the face of attacks, lawyers have an important role to play insofar as they can help to give a more precise, legal form to the various demands social movements may seek to advance. It is important in that context that lawyers recognize the virtue of working alongside social movements with recognition of the need for progressive visions and policy suggestions to be generated and vetted through processes in which social movements play a leading role.⁴⁰

VI. Building back better with social movements

56. To ensure that the process to build back better from COVID-19 is sustainable, the Secretary-General has called on States to avoid returning to business as usual and instead to pursue a strategy of a more inclusive and sustainable recovery from the pandemic and introduce transformative reforms to improve health, social protection and other systems (see [E/2022/57](#)). The Special Rapporteur stresses that social movements are crucial for the achievement of inclusive and sustainable development and that they are linked directly to building back better and the full implementation of the 2030 Agenda for Sustainable Development. Social movements have a crucial role to play in pushing States to address and eradicate poverty and hunger, to improve healthcare; to end social inequalities, including racial and gender inequalities, and to take action on climate justice. States must ensure that social movements' views and demands are incorporated into development policy.

57. To ensure that the process to build back better from the pandemic is inclusive, States must treat social movements as partners and should create a more open, enabling and cooperative relationship with civil society and social movements, recognizing the essential contributions that social movements have made to the functioning of healthy, prosperous and safe societies. Grassroots, national and international efforts should be united in support of political and social inclusivity, justice, economic equality, decent work for all and a cleaner and more sustainable environment.

58. Below are concrete measures that States can take to better enable social movements to contribute to ensuring a more just, sustainable and egalitarian development in the wake of the global pandemic.

A. Creating safe and enabling space

59. States must ensure that social movements fully enjoy their rights to freedom of peaceful assembly, association and expression, including by refraining from attacks, detentions, prosecutions, harassment, surveillance and public stigmatization. In

⁴⁰ See Amna Akbar, Sameer Ashar and Jocelyn Simonson, "Movement law", *Stanford Law Review*, vol. 73, No. 4, April 2021.

contrast, Governments should fully respect the rights of social movements and civil society organizations, including non-registered associations, should refrain from negative interference in civic space, should create a positive environment by publicly acknowledging the contributions of social movements to the creation of prosperous, egalitarian and sustainable communities, and should take legislative and policy measures to promote and fully protect the rights of those organizing and joining social movements.

60. Other actors, including social media platforms, can contribute to the creation of safer space for social movements in various ways, including by helping to create a more favourable public image of rights-promoting social movements in order to tackle stigmatization. One positive example was the launch by Twitter in 2021 of an emoji to express solidarity with the Milk Tea Alliance, a decentralized social movement aiming to advance regional solidarity between grassroots movements for democracy, freedom and self-determination in Asia.

B. Ensuring inclusive policy processes and responsivity to demands

61. States should develop and employ inclusive participatory policymaking processes, including by involving civil society and social movements in processes of legislative drafting, institutional reform and policy setting, as well as in security measures and in transitional and peace processes. By their nature, social movements have high levels of awareness and knowledge of grassroots realities, as they often emanate from those grassroots. Thus they can provide a wealth of information and insight regarding necessary and effective policy initiatives. Regularized participatory and input-receipt processes are particularly valuable, as they are more likely to be genuinely available, publicly known and effective in practice. Promising examples of participatory policymaking processes include a platform in Sierra Leone that has enabled civil society to interact with the President and government ministers,⁴¹ as well as the inclusion of representatives of civil society on a national taskforce on COVID-19 in Malawi.

62. States should also adopt a bottom-up approach to ensure sustainable development, including by ensuring that laws, institutions, policies and practices reflect the rights-based demands of social movements. Such good-faith demonstrations of responsivity not only serve the communities in question, they are vital to constructing healthy communities and demonstrating to the population at large that public engagement and public action are meaningful. They build public trust and prevent constructive forms of social engagement from being rebuffed. As some States undertake voluntary national reviews of their implementation of the 2030 Agenda in support of building back better, the Special Rapporteur urges Governments to take into account the rights-based demands of social movements and to reflect them in their recovery policies.

C. Promoting social movements and developing partnerships

63. In addition to recognizing the value of social movements, States follow up with active steps to promote social movements' rights-supportive work. In Ecuador, for instance, the government has set up a website with information about constructive engagements by civil society actors across the country. Similar initiatives taken at the local level are also highly valuable.

⁴¹ See Sierra Leone, State House, "Sierra Leone's President Julius Maada Bio initiates public dialogue with civil society groups, promises openness in governance", 30 October 2020.

64. States should also work to develop inclusive partnerships with social movements and civil society. Such partnerships can be valuable tools for gaining insights into popular concerns, for policy development and for the design of effective implementation measures. They are all the more valuable and inclusive when multiple partner organizations and movement representatives are brought in. It is vital in such processes that government actors in no way infringe on the free and independent nature of civic space or attempt to exert control over it, and instead treat their relationships with social movements and civil society as genuine partnerships to which all parties can meaningfully contribute their perspectives, expertise and capacities, knowing that their contributions will be taken into account.

D. Providing support

65. States should support civil society and social movements by ensuring their right of access to funding, including to foreign funding and public support, where applicable. Any public support provided should be allocated by impartial and independent bodies in accordance with clear and transparent criteria following a clear and transparent process, without infringing on the independence of civil society. Civil society and social movements should be able to access resources without undue obstructions, in line with the recommendations to States made recently by the Special Rapporteur in his report to the Human Rights Council on access to resources ([A/HRC/50/23](#)).

E. Promoting freedom of movement

66. States should take measures to enable members of social movements to effectively advocate for change at the local, provincial, national, regional and international levels. Such measures should include steps that promote maximum freedom of movement for participants in social movements, including by removing and ceasing the imposition of unlawful travel bans on human rights activists.

VII. Conclusions and recommendations

67. Economic and social inequalities have deepened during the pandemic, leaving the contemporary world facing a compound crisis. Social movements have a critical role to play in responding to those challenges, including by working to advance equality, social justice, human rights, sustainable development and climate justice. In working to recover from and overcome COVID-19 and other crises, States must treat social movements as respected partners in the process of building back better through the construction of physically, politically, economically, socially and environmentally healthier societies. The Special Rapporteur offers recommendations to States and other actors through which they may improve their respect for social movements and better work with them to build a more inclusive and sustainable future.

68. States should comply with the following recommendations:

- States must recognize and respect the importance of social movements and their contributions to the development of healthy and prosperous societies.
- States should ensure that social movements have avenues through which they can participate in processes of legal, institutional and policy design, as well as of budgeting and implementation.

- States should adopt protection measures, such as human rights defender protection laws, that help to protect and enable the progressive engagement of social movements.
- States must fully recognize in law and in practice the right to freedom of association of unregistered associations and refrain from imposing restrictions on or criminalizing unregistered associations, including by illegitimately obstructing their access to funding.
- States must refrain from declaring states of emergency or adopting or implementing repressive measures in response to social movements.
- States must not adopt laws to seek to control civil society and civic space, nor laws to seek to impose undue or overly broad and vague limitations on the rights to freedom of peaceful assembly and of association.
- States must refrain from any form of attack on, prosecution of and detention of members of social movements on the basis of their rights-supporting work.
- States must revise laws targeted at terrorism, corruption, money-laundering and other concerns to ensure that those laws are narrowly and specifically defined and that they are not used or capable of being used to target the leaders or members of rights-defending social movements and civil society.
- States must respond to any attacks on members of social movements with prompt, transparent and independent investigations, processes of accountability and the full provision of remedies.
- States must ensure that the principle of individuality of liability is fully respected at all times when responding to social movements. States must refrain from any forms of collective punishment, including mass arrests and mass trials, as those constitute serious human rights violations.
- States must recognize and respect the right of all workers to unionize, engage in collective bargaining and take part in strikes.
- States and their authorities must respect at all times the ability of journalists to report freely on social movements, as well as to report without intimidation on State responses to social movements.
- States must ensure that they do not export technologies that can be used to violate human rights, including weapons and surveillance equipment, to States engaged in widespread or systematic human rights violations and/or the repression of social movements.
- States must not attack or penalize activists and members of social movements engaged in human rights promotion or protection, whether through harassment, stigmatization, surveillance, physical attacks, detention, prosecution, travel bans or asset freezes.
- States must train law enforcement in facilitating and protecting social movements to ensure the safe exercise of the right to peaceful assembly.
- State law enforcement authorities must refrain from the use of and be accountable for any unlawful force, including sexual and gender-based abuse, in the context of social movements.

69. National human rights institutions should monitor social movements and, without obstruction from the State, should document government responses, visit detained activists, monitor trials of activists engaged in social movements and

report on and take measures to address violations against social movement activists.

70. Actors in the private sector should:

- **Ensure that they do not violate human rights, including the rights to freedom of peaceful assembly and of association, including as expressed in the rights to unionize, engage in collective bargaining and strike.**
- **Ensure that neither they nor their subsidiaries or affiliates are engaged in human rights violations affecting social movements, in compliance with business and human rights guidelines, principles and obligations.**
- **Engage in open consultations with civil society and social movement representatives to ensure that policies do not violate human rights, and respect the rights and interests of communities.**
- **Support social movements' rights-oriented campaigns.**

71. Technology companies must ensure that neither their software nor their hardware is used for surveillance purposes against rights-supporting social movement activists.

72. Donors should:

- **Prioritize the needs of social movements, including gender-specific needs, and the issues social movements represent, as determined through ongoing consultations.**
- **Develop relationships with social movements and civil society in which funded organizations are recognized as partners, rather than simply as the recipients of support.**
- **Ensure flexibility in their policies and guidelines, and responsiveness to the needs of social movements, taking into account rapidly evolving local contexts and gender-specific needs.**
- **Recognize that social movements are not and do not necessarily aim to be formal organizations, ensure that resources are available to support social movements, including grassroots associations embedded within social movements, and ensure that their policies and approaches to funding do not distort the dynamic nature of such movements.**
- **Support the ability of members of social movements to meet, share best practices and form coalitions and solidarity networks at the national, regional and global levels.**
- **Support trainings of social movements in organizational best practices, the documentation and dissemination of information concerning rights violations, and effective advocacy measures, including best practices in non-violent public campaigning.**
- **Work to build, share and train members of social movements in the use of secure digital tools.**
- **Support members of social movements with resources and with rapid response and safety and security measures to protect individuals in case of attack, and with legal aid.**
- **Provide forms of mental health support for members of social movements, including those in exile.**

- **Design specific programmes to assist members of social movements forced into exile and to ensure that they can continue their human rights activities, including support in the asylum process.**
73. **Civil society organizations and legal service providers should:**
- **Support social movements by facilitating access to information, building solidarity and building bridges with social movements working on similar issues, and amplifying social movements' rights-oriented advocacy messages.**
 - **Support social movements by providing legal advice and services to their members as and where necessary.**
 - **Support social movements with respect for their informal and disaggregated nature and engage with them recognizing the importance of the perspectives, insights and policy positions of social movements and their members.**
 - **Share information pertaining to the rights to freedom of peaceful assembly and of association with members of social movements, including through rights-trainings.**
74. **Specialized civil society organizations should provide forms of mental health support to social movement activists and family members who have suffered trauma as a result of social engagement.**
75. **Lawyers should initiate litigation to challenge restrictive laws and regulations, abusive policies and improper detentions and prosecutions that are adopted, enacted, carried out or undertaken in violation of the rights to freedom of peaceful assembly and association.**
76. **The Special Rapporteur invites social movements around the world to build alliances to advance the causes that they defend, to open up avenues of dialogue with relevant authorities and the broader society, and always to prioritize non-violent means when pursuing their objectives, including refraining from discriminatory and abusive messages. Social movements should also ensure inclusiveness to defend social justice equality and to abide by the principles enshrined in the Universal Declaration of Human Rights.**
77. **International organizations should:**
- **Support the efforts of civil society at the national, regional and international levels by providing them with networking, coalition-building and advocacy opportunities and promoting their work.**
 - **Support the efforts of social movements and civil society at the local, community and provincial levels through forms of direct support, including monetary support and protection measures.**
78. **The United Nations system as a whole, including through its human rights mechanisms and political bodies, should use its leverage to protect rights-supporting social movements, including through monitoring and reporting on violations against social movements, engaging in dialogue with Governments; ensure that social movements are included and provided a space within political and transitional processes; establish forums in which civil society and social movement actors can freely participate and share their views and concerns; and support human rights defenders and activists, including by setting up emergency communication channels.**