

**NATIONS UNIES**  
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**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS**  
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**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

**Mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association**

REFERENCE: OL Assembly & Association (2010-1)  
KEN 3/2012

27 August 2012

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the rights to freedom of peaceful assembly and of association pursuant to Human Rights Council resolution 15/21.

In this connection, I would like to bring to the attention of the Chief Justice and President of the Supreme Court of Kenya the information I have received in relation to a decision *Randu Nzai Ruwa & 2 Others v. Internal Security Minister & Another Miscellaneous* of the High Court of Mombasa, which I consider to be a great step for the respect of the right to freedom of association.

In light of the Court's legal reasoning and its implications on the right to freedom of association in Kenya, I would be most grateful if you could transmit the attached letter, together with my first thematic report A/HRC/20/27, which is also available online at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A-HRC-20-27\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A-HRC-20-27_en.pdf), to Hon. (Dr.) Willy Mutunga, Chief Justice and President of the Supreme Court of Kenya.

I remain at your disposal, through Mr. Thibaut Guillet from the Office of the High Commissioner for Human Rights ([freeassembly@ohchr.org](mailto:freeassembly@ohchr.org) ; +41 22 917 93 29) for any question you may have in this regard.

Please accept, Excellency, the assurances of my highest consideration.



Special Rapporteur on the rights to freedom of peaceful assembly and  
of association