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UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

**Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association
and the Special Rapporteur on the situation of human rights defenders**

REFERENCE: AL Assembly & Association (2010-1) G/SO 214 (107-9)
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26 August 2013

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on the situation of human rights defenders pursuant to Human Rights Council resolutions 15/21 and 16/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **situation of Human Rights House Voronezh**, a community centre which consists of several non-governmental organizations promoting and protecting human rights and whose work is largely recognized and respected at the international level.

Members of Human Rights House Voronezh were the subject of communications dated 13 April 2005 and 21 January 2013. We acknowledge receipt of the responses of your Excellency's Government dated 27 July 2005 and 18 March 2013, respectively.

According to the information received:

On 17 and 22 May 2013, the International Youth Human Rights Movement (IYHRM) and the Confederation of Free Labour (CFL), member organizations of Human Rights House Voronezh (HRHV) and signatories of the rental contract of the building where the organizations' members of this community centre are housed, were informed by the Department of Property and Estate Relations of the Voronezh City Administration that their leases had been ceased and that they had to leave the premises. The IYHRM, CFL and HRHV appealed the decision before the Voronezh City Administration, and several national and international organizations called on the authorities to allow the HRHV to remain in the premises or to relocate it to another building.

In early August 2013, the municipal authorities of Voronezh confirmed their decision not to extend the rental agreement, allegedly because the building housing the community centre would be used to host a soon-to-be established municipal youth centre, and that these premises were the only possible location

for the youth centre. The authorities did not propose to relocate the HRHV elsewhere.

To this day, the organizations' members of the HRHV have not received an official letter from the municipal authorities of Voronezh confirming their decision.

Concerns are expressed that the decision taken by the municipal authorities of Voronezh to evict the organizations' members of the HRHV may be linked to the legitimate human rights activities of the non-governmental organizations it consists of, in the exercise of their right to freedom of association.

While we do not wish to prejudge the accuracy of these allegations, we would like to refer your Excellency's Government to article 22 of the International Covenant on Civil and Political Rights, which provides that "[e]veryone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests".

We would like to further refer to Human Rights Council resolution 21/16, and in particular operative paragraph 1 that "reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law."

In addition, we would like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and in particular articles 1 and 2 which state that "everyone has the right individually or in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels" and that "each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice".

Furthermore, we would like to bring to the attention of your Excellency's Government the following provisions of the Declaration, and in particular to article 5 points b) and c) which provide that for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right to form, join and participate in non-governmental organizations, associations or groups, and to communicate with non-governmental or intergovernmental organizations.

Moreover, since it is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the summary of the case accurate?
2. Please indicate the legal basis for the decision of the municipal authorities of Voronezh to evict the organizations' members of Human Rights House Voronezh, and how such measure is compatible with the aforementioned international human rights norms and standards.
3. Please kindly indicate what measures have been taken to ensure that human rights defenders are able to carry out their legitimate work without fear of threats or acts of intimidation and harassment of any sort.

We would appreciate a response within sixty days. Your Excellency's Government's response will be made available in a report to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned persons are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

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

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

Margaret Sekaggya
Special Rapporteur on the situation of human rights defenders