

**Mandates of the Special Rapporteur on the right to education; the Working Group of Experts on People of African Descent; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur in the field of cultural rights; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967; the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Special Rapporteur on violence against women and girls, its causes and consequences and the Working Group on discrimination against women and girls**

Ref.: AL USA 11/2025

(Please use this reference in your reply)

28 May 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the right to education; Working Group of Experts on People of African Descent; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur in the field of cultural rights; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967; Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; Special Rapporteur on violence against women and girls, its causes and consequences and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 53/7, 45/24, 53/3, 55/5, 52/9, 50/17, 52/4, 1993/2A, 52/36, 50/7 and 50/18.

In this connection, we would like to bring to the attention of your Excellency's Government the information we have received concerning events at the Massachusetts Institute of Technology (MIT) in the United States. These incidents include reported attacks, the suppression of academic freedom and political expression, the forcible dispersal of peaceful demonstrations, and the imposition of disciplinary measures against students and faculty members who voiced criticism of the war in Gaza or raised concerns about the university's internal and external policies.

Similar allegations have previously been considered by Special Procedure mandate holders in [OTH 71/2024](#) (Columbia University) and [USA 12/2024](#).

*According to the information received:*

The MIT Coalition Against Apartheid (MIT CAA) is a student group revived in 2021, drawing from the historical MIT CAA that opposed South African apartheid. MIT CAA is also the major MIT student activist organization advocating for the rights of Palestinians. The methods of political expression have varied widely, encompassing petitions, rallies, marches, posters, banners, flyers, strikes, and building occupations (e.g., sit-ins and die-ins). MIT's institutional responses to student activism have been infrequent, with significant

exceptions including the anti-Vietnam War protests of the 1960s and the anti-apartheid shantytown construction of 1987, which were met with disciplinary or police actions by MIT.

The MIT Ad Hoc Committee on Academic Freedom and Campus Expression (CACFE) succeeded the MIT Ad Hoc Working Group on Free Expression and is currently charged with implementing freedom of expression and academic freedom within the University.

### *Major events since October 2023*

In October 2023, the MIT Coalition Against Apartheid (MIT CAA) collaborated with several other MIT student organizations to establish the MIT Coalition for Palestine (MIT C4P). MIT C4P currently comprises 20 MIT student and faculty organizations, most of which are cultural, and advocacy groups dedicated to supporting minority students.

Since its formation, the MIT C4P has led multiple campus demonstrations against what it views as the institution's complicity in the genocide in Gaza and the settler-colonization of Palestine. In particular, it has criticized financial and research agreements between MIT and military companies, as well as collaborations, and financial and research agreements with the Israeli Ministry of Defense (IMOD).

Throughout the fall of 2023, campus protests primarily focused on terminating the collaboration between MIT and the Lockheed Martin Seed Fund. The Fund – established in partnership with Lockheed Martin, a U.S.-based aerospace, defense, and security company specializing in advanced military technologies – was designed to promote research collaborations between MIT faculty and institutions in Israel. It also financed joint research projects between MIT faculty and Lockheed Martin facilities. From March 2024 onward, the protests shifted their primary focus toward demanding an end to ongoing research contracts held between MIT faculty members and the Israeli Ministry of Defense (IMOD).

The university administration has responded to these demonstrations with disciplinary measures against students, university personnel, and student organizations; heightened policing – including instances of violent student arrests on campus – and the targeting of at least one faculty member advocating for peace and justice in Palestine.

On **2 November 2023**, approximately 20 members of the MIT C4P engaged in protests at several key locations, including: (i) the offices of the MIT International Science and Technology Initiatives (MISTI) program, which oversees the MIT-Israel Lockheed Martin Seed Fund; (ii) the MIT President's office; and (iii) the office of the faculty director of the MISTI-Israel program. The protesters demanded an end to the MIT-Israel Lockheed Martin Seed Fund. They delivered letters to the staff members of the MISTI program and chanted pro-Palestinian political messaging. The form and tone of the protest resembled previous campus demonstrations against MIT's ties to the fossil fuel industry or

its acceptance of financial contributions from Jeffrey Epstein, a convicted child sex offender.

On **9 November 2023**, at 8:00 a.m., the MIT C4P organized a sit-in at Lobby 7, the main campus entrance, to advocate for terminating the MIT-Israel Lockheed Martin Seed Fund. Within one or two hours of the sit-in's start, counter-protesters supporting the Israeli military operations in Gaza arrived and began disrupting the sit-in. Their actions included verbal harassment (i.e., threats made in both Hebrew and English, including sexually violent statements and antisemitic statements against Jewish MIT C4P members) and physically shoving MIT C4P members. Evidence of some of these interactions exists on video. MIT senior leadership arrived around 12:00 p.m. and ordered all students to disperse, handing out letters threatening suspension of any student who failed to comply. According to the information received, the threats of suspension did not adhere to the established MIT protocol for student discipline, which mandates that such actions be conducted by the faculty-led Committee on Discipline (COD), rather than by senior leadership. Moreover, the chair of the COD was not notified of the suspension threats, as confirmed in subsequent conversations between the chair and C4P student members and faculty supporters. MIT C4P members continued the sit-in despite the administrative threats. By 5:00 p.m., the MIT administration ordered MIT Police and student life administrators to block all entrances to Lobby 7, preventing students from re-entering the room if they left it for food or water. MIT C4P organizers had to negotiate access to bathrooms. The sit-in ended around 10:00 p.m. after the MIT administration rescinded the suspension threats.

On **10 November 2023**, MIT C4P planned a full-day teach-in event featuring multiple workshops to raise awareness about the situation in Palestine. The event included guest lectures by academic researchers in digital media, linguistics, indigenous identity, and history, to help spread awareness and political education. Although MIT CAA had properly booked the venue in advance of the event, MIT senior leadership deployed campus police to bar entry to the scheduled room, effectively preventing the event from taking place in person.

In **December 2023**, MIT CAA members started to face disciplinary measures for the protests on 2 and 9 November 2023. Among the charges levied against the MIT CAA was that of “discriminatory harassment” against Jewish and Israeli MIT members. The definition of antisemitism used by the staff of the MIT Institute Discrimination and Harassment Response Office (IDHR) investigating the matter appeared to conflate antisemitism with criticism of the Israeli Government.

In **January 2024**, MIT launched disciplinary processes against seven students who participated in the 2 November 2023 protest. It was noted that all seven students are people of color. Similar to the disciplinary case against MIT CAA as an organization, the individual disciplinary cases, conducted by the MIT Institute Discrimination and Harassment Response Office (IDHR), included allegations of “discriminatory harassment” against Jewish and Israeli MIT faculty and staff members, using a definition of antisemitism that conflated

antisemitism with criticism of the Israeli government. Students faced additional sanctions, including restrictions on their rights to report incidents of discriminatory harassment to IDHR, raise awareness, and peacefully protest the disciplinary cases. These cases, which started on 3 January 2024, were not resolved until 31 May 2024, despite repeated requests from students to learn the outcome of their cases.

On **12 February 2024**, in response to the overnight bombing of Rafah in Gaza, the MIT C4P organized an emergency rally outside the student center. The MIT CAA coordinated this event with the MIT Student Organizations, Leadership, and Engagement (SOLE) office.

On **13 February 2024**, the MIT CAA was suspended as a student organization, and several members were banned from holding any leadership roles in any MIT-recognized student organization. The MIT administration cited failure to comply with the requirement of a three-day notice for any protest as grounds for the suspension and sanctions, despite the emergency nature of the rally being communicated and coordinated with the appropriate MIT administrative office. The leadership ban was vague, overly broad, and without any disciplinary precedent. MIT refused to clarify the extent and rationale of the disciplinary sanctions.

On **21 April 2024**, the MIT C4P began an encampment in solidarity with Palestine in front of MIT's Kresge Oval auditorium, which eventually became known as the Scientists Against Genocide Encampment (SAGE). The core demand of SAGE was an end to MIT's research contracts with the Israeli Ministry of Defense (IMOD). SAGE was maintained by MIT students with the support of local community members, who often visited and attended political, religious, and educational programming organized at SAGE. The installation of barriers around SAGE was of particular concern to the protesters, who raised safety issues with MIT Police. These concerns stemmed from multiple instances of harassment, during which unknown perpetrators threw items into the encampment from outside the barriers, which were covered with a green tarp to prevent visibility. When SAGE organizers asked for the green tarps to be removed to ensure visibility for safety reasons, the MIT Police Chief explained that the barriers and tarps must remain because "other people don't like to see [the encampment]." Several more instances of harassment occurred after these concerns were reported, but no steps were taken by the MIT Police or administration to address them.

On **3 May 2024**, following weeks of provocations against SAGE and its students, counter-protesters organized a large protest against SAGE on the steps of MIT's main entrance at 77 Massachusetts Avenue, directly across from the walkway to SAGE. In stark contrast to her messaging about pro-Palestinian rallies on MIT's campus attended by non-MIT groups, the MIT President reacted positively to this counter-protest, stating that it was in "support of our Israeli and Jewish students." MIT C4P rallied students and community members to SAGE to protect the encampment from potential attacks by counter-protesters, resulting in two large opposing mobilizations in close proximity.

On **6 May 2024**, the MIT administration suspended a group of students for their participation in SAGE. According to the information received, the suspensions were levied on an "interim" basis and did not involve any disciplinary proceedings that would have provided due process. Multiple cases of misidentification occurred, primarily targeting Palestinian students. The timing of the suspensions coincided with the final week of classes, leaving these students unable to complete final projects and exams or receive final grades for the semester. Additionally, students were stripped of their meal plans for MIT dining halls and evicted from on-campus housing. A one-week extension for evictions was later negotiated following legal involvement. The suspensions were lifted on 31 May 2024, after MIT's 2024 Commencement Ceremony. MIT also attempted to suppress SAGE by barricading the site with fences and barring students from re-entry, but this effort failed due to the mass rallying of students and community members, which ultimately resulted in the destruction of the fences and the reclamation of SAGE.

On **7 May 2024**, the MIT Israel Alliance (MITIA), formed after 7 October 2023 to promote support for the Israeli government and its military campaign in Gaza, organized an MIT-approved celebration of "Israel Day" on a section of Kresge Lawn adjacent to SAGE. During the event, MITIA organizers played the song "Harbu Darbu" by Israeli musical group Ness and Stilla, which includes insulting and threatening lyrics. Multiple complaints were filed against MITIA with the MIT Institute Discrimination and Harassment Response Office (IDHR). The IDHR dismissed the complaints, stating that the playing of the song, though "hurtful and offensive to some" members of the MIT community, did not violate MIT policy.

On **10 May 2024**, starting at 4:00 a.m., the MIT administration sent a force of over two hundred police officers, including MIT, City of Cambridge, and Massachusetts State Police, to dismantle SAGE. MIT Facilities joined the police in clearing away and disposing of materials in SAGE, including tents, tarps, canopies, sleeping bags, art supplies, and blankets. In contrast to the Palestinian flags and pro-Palestinian posters contributed by SAGE members, which were disposed of without any outreach to potential owners, the Israeli flags that had been hung by counter-protesters against SAGE were returned to their owners by MIT Facilities and MIT Police.

As part of the interim suspensions from **6 to 31 May 2024**, the suspended students were threatened with eviction from on-campus housing. Multiple students left on-campus housing to prevent forcible evictions, placing them in a state of housing insecurity. Students who were suspended were also evicted from campus housing.

In **July 2024**, the members of the MIT Coalition for Palestine (C4P) organized a pop-up display in the MIT Stata Center on MIT's ties to the ongoing "scholasticide" (i.e., systematic destruction of academic capacity) against universities, students, teachers, and faculty in Gaza. Member organizations of MIT C4P, including Jews for Collective Liberation and MIT Taara, a platform that empowers and elevates the voices of South Asian women and gender non-conforming students at MIT, also received disciplinary notices. No such campus

ban was in place, and no further detainment occurred, but the students left the building out of caution.

On **29 August 2024**, the MIT administration altered the campus protest policies without granting a 30-day notice or engaging with the MIT Graduate Student Union/United Electrical Workers 256 (GSU), which as contractually required under the collective bargaining agreement between the MIT GSU and MIT administration. MIT GSU raised unresolved legal challenges to the 29 August amendments and asked that all disciplinary charges be paused until resolutions were reached. Nevertheless, the MIT administration continued targeting students, including unionized graduate students, under the contested policy. Additionally, the MIT Committee on Discipline (COD) and the IDHR repeatedly failed to honor graduate students' right to union representation in disciplinary processes, despite students explicitly invoking their rights under the United States Supreme Court Weingarten jurisprudence. Union representatives for graduate students were prohibited from speaking on behalf of or consulting with graduate students during disciplinary meetings.

On **18 September 2024**, the MIT Israel Alliance hosted an event featuring a soldier who was personally involved in the massacre at the Al-Shifa Hospital and presented an “academic analysis” of these acts. Several CAA students attended. According to the information received, in response to a dissenting remark about the injustices that Palestinian women face, two of the CAA students were personally targeted and sexually harassed by a male professor supporting the Israeli military campaign in Gaza.

One of the students filed a report against the professor, but the report was unilaterally dismissed by the Institute Discrimination & Harassment Response Office (IDHR) without due process or investigation, despite numerous individuals testifying that the behavior in question qualifies as sexual harassment. The student was also followed by a member of the audience who appeared to object to her remarks regarding the complicity of white women in the racialized sexual abuse of women of color by white men. A formal complaint filed by the student with the IDHR received no formal response.

On **20 September 2024**, MIT CAA and MIT Divest, a MIT C4P member organization that advocates for fossil fuel divestment, organized a joint protest at the 2024 Fall Career Fair (FCF). The protest opposed the presence of Lockheed Martin and Chevron at an MIT-sponsored career recruiting event. The protest included the following actions: (i) the distribution of flyers outside the venue of the FCF at the MIT Zesiger Center; (ii) the raising of a banner bearing the message “Lockheed Martin Kills Kids in Gaza” inside one of the rooms of the FCF; and (iii) critical questioning of recruiters by student attendees, specifically regarding the ethical and environmental implications of careers with the targeted companies. These tactics largely mirrored previous protests organized at past career fairs that had not resulted in any disciplinary sanctions. On the day of the event, police and security presence at the venue was notably higher than in previous years. In the afternoon, police surrounded a student who was speaking with Lockheed Martin recruiters.

In **October 2024**, MIT faculty members found that all cases of campus free expression policy violations brought to the Committee on Discipline (COD), in the 2023-2024 academic year involved pro-Palestinian student activism, despite the occurrence of student activism in support of the Israeli military attacks on Gaza and of other political causes (e.g., climate and sustainability) during the same period. Protests conducted by the MIT C4P led to disciplinary sanctions even when they largely resembled prior protests conducted by other student activist organizations. Multiple MIT students have faced disciplinary measures including suspension, for simply writing articles or chalkboard messages. An opinion article critical of the MIT Computer Science & Artificial Intelligence Laboratory (CSAIL) faculty director's IMOD research contract was retracted by "The Tech", the major MIT student newspaper. All this paints a picture of a "Palestine exception" to free expression on MIT's campus.

On **7 October 2024**, in commemoration of the victims of the Gaza genocide, the MIT C4P organized a rally in Kendall Square along a street bordering MIT's main campus that has several MIT-affiliated buildings. The rally focused on reflecting upon a year of pro-Palestinian campus activism and announcing the start of an "arms embargo" campaign, which seeks to end MIT academic ties to the private corporations involved in the Israeli military attacks upon Gaza. The rally continued for approximately two hours and the City of Cambridge Police threatened to use tear gas and conduct further arrests against protesters. MIT Police were seen and overheard by the student protesters collaborating with the Cambridge Police to disrupt the protest, directing the attention of the Cambridge Police toward organizers whom they recognized as leaders from the MIT CAA.

On **22 October 2024**, some protests took place calling for an end to the research contract held with the Israeli Ministry of Defense (IMOD). The protest resembled various prior protests, including the 2 November 2023 protest, and consisted of chanting, distributing flyers, and delivering a letter to the office of the faculty member and their graduate students. Several graduate students engaged in productive and amicable conversations with the protesting students. After approximately 15 minutes, MIT Police arrived and arrested two student protesters, both of whom were subjected to excessive force such as being pinned to the ground by multiple police officers. Students who were not arrested were also subject to police violence, including at least one student facing groping from multiple officers as the MIT Police pushed witnessing students away while forcibly transporting the arrested students into a police van. During the arrests, the MIT CSAIL facilities Director also physically attacked several students. Several students received disciplinary charges, including allegations of assault, for their involvement in the protest. There was also an issue where at least one student, who was never present at the protest, was misidentified as a protester.

From **24 to 29 October 2024**, MIT Taara, an MIT C4P member organization advocating for South Asian women and gender minorities, was unilaterally sanctioned by MIT Student Organizations, Leadership and Engagement (SOLE) for involvement in a pro-Palestinian protest involving the use of the suit of the official MIT mascot. MIT Taara was banned from reserving any on-campus spaces without due process through the formal student organization disciplinary system, which is conducted by MIT's faculty-led Committee on Discipline

(COD), not by MIT SOLE. This administrative action did not comply with any prior precedent, as acknowledged verbally by MIT SOLE representatives. The ban was reversed after MIT Taara members met with MIT SOLE, along with faculty members and representatives of the MIT Association of Student Activities, the student-led governing body of MIT student organizations. One student was sanctioned for, among other charges, "disorderly conduct" for wearing the mascot costume while displaying pro-Palestinian messaging (i.e., on the "shirt" of the suit and on a handheld sign).

On **1 November 2024**, an MIT graduate student was banned from campus for writing an article in the MIT Written Revolution (WR), a student-run publication focused on decolonization and liberation. The student's article contained a critical analysis of pacifism and a poster displaying Palestinian solidarity with the Land Back indigenous movement, and the logo of the Popular Front for the Liberation of Palestine (PFLP). This campus ban effectively prevented the student from completing research and other academic work. Because of the article, the student was labelled as a threat to campus safety, and the issue of the WR containing the article was banned from distribution on MIT's campus, with additional disciplinary threats made against the MIT WRA. A petition organized by C4P in support of the banned student garnered thousands of individual signatures and over 100 signatures from organizations.

On **13 November 2024**, one student was accosted by an associate head of their own on-campus dormitory for distributing pro-Palestinian and anti-censorship flyers in common spaces and to the doors of fellow residents. The student was told that such distribution of flyers was against MIT policy and instructed to stop. The student now faces an ongoing disciplinary case for the distribution of flyers. Notably, on other occasions, including a Fall 2021 Cambridge City Council election campaign for an MIT alumnus, MIT students and alumni had been able to distribute political flyers to MIT dorm residents, via both common spaces and individual room doors, without facing disciplinary sanctions.

In **December 2024**, multiple members of the MIT C4P received panel hearings and sanctions from the Committee on Discipline (COD) related to their involvement in pro-Palestinian campus activism throughout the fall 2024 term, particularly the 20 September 2024 and 22 October 2024 protests. Two students were suspended for multiple semesters. One student was suspended until 6 January 2026 on grounds of "harassment" due to their involvement in the 20 September 2024 protest, and their appeal of the suspension was rejected by the MIT Chancellor, who formally has sole jurisdiction over COD decisions. This student was a graduate student funded by a fellowship that revokes funding if students are suspended for even a single semester. The other student was suspended until the Fall 2027 semester for their participation in multiple pro-Palestinian campus actions, including the 22 October 2024 protest, over the Fall 2024 semester.

On **2 December 2024**, one student was threatened with arrest by MIT Police for chalking messages critical of MIT's political repression of pro-Palestinian students and ongoing research contracts with the Israeli Ministry of Defense (IMOD) on the sidewalks of MIT's campus; additionally, the student was falsely

accused of chalking similar messages in indoor locations and faces an ongoing disciplinary case for their chalking. Another student, due to the stress experienced as a consequence of a disciplinary notice that explicitly threatened eviction and suspension, broke down crying, and MIT Police were called. Despite there being no indication that the student was a threat to themselves or anyone around them, MIT Police placed them under involuntary psychiatric hold, resorting to their Section 12 authority to do so. The psychiatrist's evaluation, when the student arrived at the hospital, was that "there was nothing in the report that was worth a section."

On **11 December 2024**, the formal MIT faculty governance meeting passed a motion calling for oversight of disciplinary processes, particularly as conducted by the faculty-led Committee on Discipline (COD), by faculty-governance officers.

In **January 2025**, additional members of the MIT C4P were facing past and impending disciplinary panel hearings, which carry the possibility of sanctions, escalating to the level of suspensions and expulsions, for their activism during the Fall 2024 semester. One student was denied an extension for the date of the disciplinary hearing panel, despite the date falling within four days of the student's release from the hospital, which the student found to be an inadequate recovery period before the continued participation in the disciplinary process. The student received a sanction of a "suspension held in abeyance," which means suspension if found responsible for any other policy violation. The student was allowed to complete the degree, but faced a campus ban from the date of graduation to 1 December 2026 as well as no-contact orders with three faculty and staff members of the MIT Computer Science and Artificial Intelligence Laboratory.

The measures against students expressing their support for the people of Palestine and disagreement with MIT's internal and external policies were taken up by the MIT President and Senior Leadership, the MIT Police Department, the MIT Division of Student Life, the MIT Office of Student Conduct and Community Standards, the MIT Committee on Discipline, the MIT Discrimination and Harassment Response Office, the MIT Student Organizations, Leadership and Engagement and the MIT Committee for Academic Freedom and Campus Expression (CAFCE).

In addition, the MIT Critical Response Team (CRT) appears to be heavily involved in the disciplinary process while little information has been shared by the MIT administration about it, including its membership. The involvement of the CRT in disciplinary processes was unknown even to MIT faculty until the 16 October 2024 faculty governance meeting, which included the formal presentation of the annual report of the MIT's faculty-led Committee on Discipline (COD) for the 2023-2024 academic year. Based on the experiences of multiple students, the CRT is known to screen disciplinary complaints and allegations for severity and make recommendations to other bodies, including IDHR, about whether to respond.

While we do not wish to prejudge the accuracy of these allegations, we express our most serious concerns about the restrictions imposed on peaceful protests by students expressing solidarity with the Palestinian victims of the conflict in Gaza and opposing what they deemed to be MIT's support for Israeli policies and its relationships with companies that have ties to Israel or profit from the conflict or the occupation of Palestine. We are concerned about the allegations of physical abuse, verbal harassment, detentions and threats of arrest, involuntary psychiatric detention, campus bans and no-contact orders, suspensions for multiple semesters, threats of suspension without following the protocol for student discipline, as well as expulsions from student housing and withdrawals from meal programs for students. In addition to individual measures, collective measures have been reported, such as proceedings against registered student organizations and their suspensions, closure and bans. These measures, if confirmed, could amount to violations of the students' freedom of expression, freedom of assembly and association, academic freedom and their right to education. Their housing, food, physical and mental health, privacy, safety and union rights were also negatively affected.

We are most concerned that MIT's disciplinary processes and use of arrests are seriously disruptive to the **academic progression and education** of targeted students. Two students face suspensions that will prevent their academic progression for multiple semesters, and an additional student faces a suspension currently held in abeyance. These suspensions are severe, disproportionate and ongoing disruptions to their right to education, assembly and association, expression and housing. The MIT Police, in conjunction with the City of Cambridge and Massachusetts State Police, have already arrested several students, with multiple arrests involving disproportionate use of force by police, for their participation in campus pro-Palestinian activism. Despite concerns raised by MIT students, staff, and faculty, MIT senior leadership has made no commitments to end the use of the police, which has led to police violence against pro-Palestinian student activists and disproportionately targeted students of color.

Suspensions directly disrupt education as students are barred from all academic activities and face financial challenges due to potential loss of graduate fellowship funding, on-campus housing, and meal plans. Furthermore, the stress of being arrested by the police and undergoing disciplinary processes and receiving harsh disciplinary sanctions can trigger serious mental health conditions. Some students were suspended in the final week of classes, meaning that they were consequently unable to complete final projects and exams or receive final grades for the semester.

In addition, the reasons cited by the MIT Police for the arrests and detention of MIT C4P students have included disturbing the peace, disorderly conduct, trespassing (such as remaining in the Scientists Against Genocide Encampment on the MIT Kresge Lawn), suspected property damage (e.g., for hanging posters on campus walls), and tagging (i.e., graffiti, also in reference to hanging posters on campus walls). Following incidents of excessive use of force by police against students during arrests, some students have also been charged with assault and battery on a police officer, as well as resisting arrest. MIT Police have further detained members of the MIT C4P, demanding students to show their MIT-issued identification cards, and claiming that MIT policy requires students to always carry their identification cards and to show them to campus police upon request. However, no such requirement exists in the official guidelines on MIT-issued identification cards, within the *MIT Mind and Handbook*, the university's

official student policy guide.

We are seriously concerned about the reports of **physical and verbal violence** experienced by MIT C4P and CAA members from students and staff, as well as from the MIT Police. Several students were violently arrested by MIT Police and the City of Cambridge Police officers, who forcibly grabbed, shoved, and pinned them to the ground. This excessive use of force resulted in significant injuries to some students, requiring medical attention. Such actions would constitute a violation of the right to physical integrity, as protected under international human rights law.

The **lack of transparency** in decision-making by the MIT Critical Response Team (CRT) is another serious concern. It is crucial for universities, whether private or public, to ensure that any actions taken do not infringe upon the fundamental rights of their community members to engage in open dialogue and protest without fear of retaliation or academic consequences.

We are further concerned about the alleged **disproportionate targeting** of pro-Palestinian protesters and students of color in measures taken by the MIT administration and the failure to respond to complaints filed by pro-Palestinian students, faculty and staff. Universities, and the spaces they provide for the exploration of knowledge and exchanges of ideas and perspectives, are critical to the respect for and the protection of human rights more broadly, especially for individuals from groups historically subject to discrimination.

We also express our most serious concern about the dispersal of **peaceful protests** and reports of violent arrests of peaceful protesters, which risks creating a chilling effect on diverse views. We are concerned by the alleged violation of multiple principles related to the right to freedom of assembly, including content-neutrality and the ‘sight and sound’ standard. We are also concerned about the undue suspensions and sanctions imposed on student organizations, which significantly affect the right to **freedom of association and assembly**. Furthermore, we are troubled by allegations that these developments reflect a deliberate effort to suppress dissenting voices and criticism of the United States and Israeli Governments, as well as university policies regarding Israel.

While strongly denouncing **antisemitism** as a serious form of racial hatred and intolerance, we are disturbed by the reportedly vague and overly broad use of the term “antisemitism” to label, denounce and repress peaceful protests and other forms of expression of solidarity with Palestinian victims, calls for a ceasefire in Gaza, or the legitimate criticism of the Government of Israel’s policies and practices, including its conduct of the conflict in Gaza and allegations of genocide. Furthermore, all accusations regarding rising antisemitism on MIT campuses must be grounded in concrete, factual evidence and properly investigated with due process guarantees, with the aim of protecting all students from hate speech while upholding the right to freedom of expression in accordance with international human rights standards, including article 19 of the ICCPR and the Rabat Plan of Action.

Reportedly, in addressing the student protests, students of color have been disproportionately targeted for disciplinary sanctions, while their cultural and advocacy organizations have faced administrative attacks. During disciplinary processes, students

of color appeared to be frequently painted as violent, terroristic, and outsiders to MIT, and tended to receive comparatively harsher sanctions. Furthermore, MIT has allegedly failed to consistently respond to harassment and violence committed by students, faculty, and administrators who support the Israeli government's military attacks on Gaza, directed against pro-Palestinian students and those assumed to be Palestinian, Arab, Muslim, or simply in support of Palestine (e.g., wearing keffiyehs). Complaints filed by pro-Palestinian students against the harassment they have received from other students, faculty, and administrators who support the Israeli military campaign in Gaza have very rarely resulted in investigations or sanctions against the perpetrators, unlike complaints filed against pro-Palestinian students by those who support the Israeli government.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As 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 Excellency's Government's observations on the following matters:

1. Please provide any additional information and/or comments you may have concerning the above-mentioned allegations.
2. Please provide information regarding the measures your Excellency's Government has implemented or plans to implement to ensure the full enjoyment of human rights and their freedom of expression and participate in peaceful protests for all students and academic staff, including student human rights defenders, and those advocating for a ceasefire in Gaza, demanding accountability for gross human rights violations, and/or expressing support for Palestinian and/or Israeli victims.
3. Please indicate what constituted the urgent danger leading to the decision to remove protesters and their encampment, and how these measures comply with the state's responsibility to respect human rights, in particular articles 9, 19 and 21 of the ICCPR, especially the compliance with the requirements of legality, necessity, and proportionality.
4. Please indicate the charges behind the students' arrest and the status of any disciplinary measures.
5. Please provide details of any investigations, judicial or other inquiries conducted in relation to allegations of human rights violations during protests on university campuses, including at MIT. If no inquiries have been conducted, or if they have been inconclusive, please explain the reasons for this. Additionally, please indicate any measures taken by your Excellency's Government to ensure that victims of the alleged violations have access to justice and effective remedies, including regarding violations of their rights to education, academic freedom, freedom of expression, assembly, and association.

6. Please explain the measures undertaken to ensure the right to education for all students and staff, and to address any university disciplinary actions that have been developed in violation of students' academic freedom, freedom of expression and freedom of association, and that have affected students' academic development, including preventing them from completing their studies. If such measures have impacted staff or students' academic progress, please indicate how these actions can be reversed to ensure students' right to education and academic freedom, without any discrimination based on political opinion.
7. Please explain the steps taken to ensure that academic institutions respect human rights in line with the UN Guiding Principles on Business and Human Rights (UNGPs) including by requiring them to conduct human rights due diligence to prevent, mitigate and remediate the adverse human rights impacts throughout their activities. In particular, please provide details regarding measures adopted to ensure academic institutions respect the rights to participate in peaceful protests and to freedom of expression, and that any restrictions on these rights imposed on campus comply with international human rights standards, including the UNGPs.
8. Please provide any additional details on the measures taken to ensure that the response of both the university and the police to student activism on campus is proportional.
9. Please provide information on the measures Your Excellency's Government is taking or considering taking to ensure victims of human rights abuses by academic institutions domiciled in its jurisdiction have access to redress, through judicial or extrajudicial State-based mechanisms, in line with the UNGPs. In particular, please provide details on measures taken to ensure effective access to effective remedies for human rights abuses and the reversal of disciplinary sanctions, – such as suspensions – imposed on students solely for their pro-Palestine activism.
10. Please provide information on the legal and procedural safeguards afforded to the students from the outset of their arrest and detention, including their right to be informed of the reasons for their arrest and the charges against them, in conformity with articles 9 and 13 of the ICCPR.
11. Please provide any details on the measures taken to ensure that those who committed sexual harassment against students are held accountable and that such acts would not be repeated. Please provide information on how your Excellency's Government ensures that academic institutions operating under its jurisdiction respect the vital work of human rights defenders, including by ensuring that the legitimate activities of human rights defenders are not obstructed, in line with the UNGPs.

12. Please provide information regarding the measures taken to ensure that accusations and concerns of rising antisemitism at MIT and other university campuses are based on concrete, factual evidence and are properly investigated with due process guarantees, in accordance with articles 19(3) and 20 of the International Covenant on Civil and Political Rights. Additionally, please explain how these measures uphold the right to freedom of expression in line with international human rights standards.
13. Please provide information on the measures your Excellency's Government plans to implement to ensure that no university student or staff member loses their university accommodation or immigration status, or has their academic development adversely affected merely because of participating in peaceful protests. Additionally, please indicate how your Government intends to ensure the full enjoyment of human rights of student human rights defenders.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Please be informed that a letter on this subject matter has been also sent to the governing bodies of the Massachusetts Institute of Technology (MIT).

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

Farida Shaheed  
Special Rapporteur on the right to education

Bina D'Costa  
Chair-Rapporteur of the Working Group of Experts on People of African Descent

Lyra Jakulevičienė  
Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises

Alexandra Xanthaki  
Special Rapporteur in the field of cultural rights

Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

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

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Francesca Albanese  
Special Rapporteur on the situation of human rights in the Palestinian territory  
occupied since 1967

K.P. Ashwini  
Special Rapporteur on contemporary forms of racism, racial discrimination,  
xenophobia and related intolerance

Reem Alsalem  
Special Rapporteur on violence against women and girls, its causes and consequences

Laura Nyirinkindi  
Chair-Rapporteur of the Working Group on discrimination against women and girls

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would first like to refer to articles 9, 19, and 21 of the International Covenant on Civil and Political Rights (ICCPR), ratified by the United States of America on 8 June 1992.

Article 19 of the ICCPR guarantees the right to **freedom of opinion and expression**, which includes the right “to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media”. This right applies online as well as offline and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend. In its general comment No. 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including “political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse” (CCPR/C/GC/34, para. 11). The Committee asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant and restrictions must be “the least intrusive instrument among those which might achieve their protective function” (CCPR/C/GC/34, para. 34).

Article 20(2) ICCPR prescribes that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law. This prohibition has a high threshold as it requires the fulfilment of three components: a) advocacy of hatred; b) advocacy which constitutes incitement and c) incitement likely to result in discrimination, hostility or violence (A/67/357, para. 43).

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, key terms are defined as follows: “Hatred” and “hostility” refer to intense and irrational emotions of opprobrium, enmity and detestation towards the target group; the term “advocacy” is to be understood as requiring an intention to promote hatred publicly towards the target group; and the term “incitement” refers to statements about national, racial or religious groups which create an imminent risk of discrimination, hostility or violence against persons belonging to those groups (A/HRC/22/17/Add.4, appendix, footnote 5).

In the Rabat Plan of Action, a total of six factors were identified to determine the severity necessary to criminalize incitement (*ibid*, para. 29):

- (a) The “social and political context prevalent at the time the speech was made and disseminated”.
- (b) The status of the speaker, “specifically the individual’s or organization’s standing in the context of the audience to whom the speech is directed”.
- (c) Intent, meaning that “negligence and recklessness are not sufficient for an offence under article 20 of the Covenant”, which provides that mere distribution or circulation does not amount to advocacy or incitement.
- (d) Content and form of the speech, in particular “the degree to which the speech was provocative and direct, as well as the form, style, nature of arguments deployed”.
- (e) Extent or reach of the speech act, such as the “magnitude and size of its audience”, including whether it was “a single leaflet or broadcast in the mainstream media or via the Internet, the frequency, the quantity and the extent of the communications, whether the audience had the means to act on the incitement”.
- (f) Its likelihood, including imminence, meaning that “some degree of risk of harm must be identified”, including through the determination (by courts, as suggested in the Plan of Action) of a “reasonable probability that the speech would succeed in inciting actual action against the target group”.

The report on hate speech by the Special Rapporteur on freedom of expression noted that “the promotion and protection of the right to freedom of expression must, however, go hand in hand with efforts to combat intolerance, discrimination and incitement to hatred” and called on States to carefully construe and apply their laws to combat hate speech, in line with international standards ([A/67/357](#), paras. 75 and 76). Further, in her report on online hate speech, the Special Rapporteur on freedom of opinion and expression urged States to “actively consider and deploy good governance measures, including those recommended in Human Rights Council resolution 16/18 and the Rabat Plan of Action, to tackle hate speech” ([A/74/486](#), para. 57 (c)).

In her recent report on “Global threats to freedom of expression arising from the Gaza conflict”, the Special Rapporteur on freedom of opinion and expression stressed that “In the light of the advisory opinion of the International Court of Justice issued in July 2024, States should repeal – or refrain from adopting – laws and policies that penalize opposition to or impede advocacy against Israeli occupation and segregation”. The Special Rapporteur also reaffirmed that “States must not restrict the expression of support for Palestinian self-determination”, emphasizing that “Advocacy of Palestinians’ human rights, including the right to self-determination, is legitimate expression,” recognized under international law ([A/79/319](#), paras. 94 and 95).

The Special Rapporteur further noted that any decision to prohibit expressions in support of the Palestinian people on the grounds of incitement “must be done on a case-by-case basis, taking into account international legal standards as well as specific

contextual and other factors, as articulated 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” (para. 93). She further emphasized that States must respect, protect and fulfil the right to freedom of opinion and expression without discrimination of any kind and that any restriction of expression, including in relation to antisemitism, must follow strictly the criteria set out in articles 19(3) and 20(2) (para. 92).

Articles 21 and 22 protect the rights to freedom of peaceful assembly and of association. Article 21 states that “[t]he right of peaceful assembly shall be recognized. 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 (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.”

The Human Rights Committee previously affirmed that States “should effectively guarantee and protect the freedom of **peaceful assembly** and avoid restrictions that do not respond to the requirements under article 4 of the Covenant. In particular, it should refrain from imposing detention on individuals who are exercising their rights and who do not present a serious risk to national security or public safety” (CCPR/C/THA/CO/2, para. 40). We would also like to refer to the general comment No. 37 of the Human Rights Committee on the right of peaceful assembly (CCPR/C/GC/37), which stressed that “the possibility that a peaceful assembly may provoke adverse or even violent reactions from some members of the public is not sufficient grounds to prohibit or restrict the assembly. [...] States are obliged to take all reasonable measures that do not impose disproportionate burdens upon them to protect all participants and to allow such assemblies to take place in an uninterrupted manner”.

According to the general comment 37, participants in assemblies can freely determine its purpose and expressive content. Any restriction imposed to peaceful assemblies “must be, in principle be content neutral, and must not be based on the identity of the participants or their relationship with the authorities. Moreover, while the time, place and manner of assemblies may under some circumstances be the subject of legitimate restrictions under article, given the typically expressive nature of assemblies, participants must as far as possible be enabled to conduct assemblies within sight and sound of their target audience” (CCPR/C/GC/37, para. 22).

Besides, “while the right of peaceful assembly may in certain cases be limited, the onus is on the authorities to justify any restrictions”. Authorities must be able to show that any restrictions meet the requirement of legality (limitations must be imposed through law or administrative decisions based on precise laws that “may not confer unfettered or sweeping discretion on those charged with their enforcement”), necessity (“be necessary and proportionate in the context of a society based on democracy, the rule of law, political pluralism and human rights”), and proportionality (which requires individualized assessment “weighing the nature and detrimental impact of the interference on the exercise of the right against the resultant benefit to one of the grounds for interfering. If the detriment outweighs the benefit, the restriction is disproportionate and thus not permissible”). “The imposition of any restrictions should be guided by the objective of facilitating the right, rather than seeking unnecessary and disproportionate limitations on it. Restrictions must not be discriminatory, impair the

essence of the right, or be aimed at discouraging participation in assemblies or causing a chilling effect” (CCPR/C/GC/37, para. 37).

The prohibition or dispersal of peaceful assemblies must be considered measures of last resort, only applied in exceptional cases “if the assembly as such is no longer peaceful, or if there is clear evidence of an imminent threat of serious violence that cannot be reasonably addressed by more proportionate measures, such as targeted arrests. In all cases, the law enforcement rules on use of force must be strictly followed” (CCPR/C/GC/37, para. 85).

The Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests (A/HRC/55/60) includes detailed protocols for the action of law enforcement prior, during and after protests. Among others, the Protocol indicates that when facilitating protests, law enforcers need to ensure that containment tactics, such as “kettling”, or any other similar tactic (including creating barriers around encampments) “are used only when it is necessary and proportionate to do so to address actual violence or an imminent threat, while avoiding the disproportionate restriction of protestors’ rights” (para. 75).

As the Special Rapporteur on the rights to freedom of peaceful assembly and of association indicated in the recommendations sent in 2024 to Universities worldwide to safeguard these rights on campuses in the context of international solidarity with the Palestinian people and victims, since October 2023, the measures adopted by the governments and universities reveal a hostile environment for the exercise of the freedoms of assembly and of association. “Universities must recognize that their responsibility extends beyond campus borders, their actions have the potential to shape political discourse, culture, civic education and, ultimately, the future sustainability of democracy, freedoms and human rights”.

Besides, the Recommendations include ensuring “transparent and independent investigations into human rights violations that occurred in the context of the camps and other peaceful assemblies (...), sanctions unduly imposed on students and staff members should be reversed and institutions, including private universities, must establish processes for internal remedy and accountability, acknowledgment of the impact of their decisions or omissions, reparations and guarantee of non-repetition”.

Regarding the significant number of **arrests**, without expressing at this stage an opinion on the facts of the case and on whether the reported detentions were arbitrary or not, we recall that the Human Rights Committee’s general comment No. 35 affirms that arrest or detention as punishment for the legitimate exercise of the rights as guaranteed by the Covenant is arbitrary, including freedom of opinion and expression (art. 19), freedom of assembly (art. 21) and freedom of association (art. 22), freedom of religion (art. 18) and the right to privacy (art. 17). Arrest or detention on discriminatory grounds in violation of article 2, paragraph 1, article 3 or article 26 is also in principle arbitrary.

We draw your attention to article 9 of the ICCPR, whereby everyone has the right to liberty and security of person, no one shall be subjected to arbitrary arrest or detention and no one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law. We recall that a deprivation

of liberty is considered arbitrary when it constitutes a violation of international law on the grounds of discrimination, including discrimination based on the status of an individual as a journalist or a human rights defender.

**The Right to education** is guaranteed by article 26 of the Universal Declaration of Human Rights (UDHR) and article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), signed by the United States in 1977. Article 13 requests States to recognize the right of everyone to education which shall enable all people to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace. Non-discrimination is one of the key elements of accessibility of education. Punitive measures limiting access to higher education for students peacefully expressing their views, disproportionately affecting one group of protesters, can amount to discrimination in access to higher education, which is contrary to article 26 of the UDHR and article 13 of the ICESCR.

In this connection, we would also like to refer to the report of the Special Rapporteur on the right to education, on the right to academic freedom, A/HRC/56/58, and the principles for implementing the right to academic freedom, A/HRC/56/CRP.2, included therein and presented to the Human Rights Council in 2024. As stressed by the Special Rapporteur, highlights academic freedom comprises the freedom of individuals to access, disseminate and produce information, to think freely and to develop, express, apply and engage with a diversity of knowledge within or related to their fields of expertise or of study, whether inside (“intramural expression”) or outside the academic community, including with the public (“extramural expression”). The Special Rapporteur recommended that States ensure students’ right to academic freedom, including the right to express themselves on specific subjects without fear of reprisal (A/HRC/56/58, para. 84(g)(iii)). In addition, the Committee on Economic, Social and Cultural Rights, in its general comment 13 on the right to education, specified that academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfil their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction (para. 39).

We also refer to the report of the former Special Rapporteur on the right to freedom of opinion and expression on academic freedom. Within the corpus of civil and political rights, protected under the Universal Declaration of Human Rights and codified in the International Covenant on Civil and Political Rights, the rights to peaceful assembly and association, privacy, and thought, conscience and religious belief can promote and protect academic freedom. Articles 13 (right to education) and 15 (right to scientific advancements) of the ICESCR expressly promote rights at the center of academic freedom (A/75/261, para. 5).

The report also recommended that States recognize the vital importance of academic freedom by refraining from attacks on academic institutions and those who constitute academic communities, and by protecting them from attacks – insulating them from assault – by third parties. It stressed that States should at the minimum ensure “the institutional autonomy of universities, research institutes and other bodies that

constitute the academic community. The recognition of such autonomy includes recognition of the special autonomous space of academic campuses and the importance of allowing that space to be a vibrant space for the exercise of the rights to expression, protest and other fundamental freedoms.” (A/75/261, para. 56). Academic institutions, when assured of institutional autonomy and self-governance, take on special roles within societies, which see them as places to educate the coming generations of thinkers, leaders and bureaucratic and business elites among others. Self-governance means ensuring that, within the space for academic freedom, institutions also act in ways that reflect those roles. Academic institutions must: (a) Respect the rights of all members of their communities, including faculty, students, researchers, staff, administrators and outsiders who participate in academic pursuits. That respect must include the right of all members to freedom of opinion and expression, including peaceful protest on academic premises; (b) Ensure that members of academic communities have protection against coercion by third parties, whether the State or groups in society. This requires institutions to stand up for members of their communities who face attack or restriction owing to the exercise of their academic freedom. (A/75/261, para. 58)

Academic freedom also derives from article 15.1(a) of ICESCR, recognizing the right of everyone to take part in **cultural life** and requesting States to respect the enjoyment and development of cultural practices and respect the freedom indispensable for scientific research and creative activity.

In the context of reported evictions from student accommodation, we wish to draw your attention to the right to **adequate housing**, enshrined in article 25.1 of UDHR and article 11.1 of the ICESCR. In its general comment No. 7, the Committee on Economic, Social and Cultural Rights stressed that evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Those who are unable to provide for themselves must be provided with adequate alternative housing, among others.

In addition, we refer 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, also known as the **UN Declaration on Human Rights Defenders**. In particular, we would like to refer to articles 1 and 2 of the Declaration which state that everyone has the right 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. Article 5 (a) also provides for the right to meet or assemble peacefully.

Moreover, we would like to draw your attention to General Assembly resolution 68/181, which urges States to acknowledge publicly the important and legitimate role of **women human rights defenders** in the promotion and protection of human rights, democracy, the rule of law and development as an essential component of ensuring their protection, including by publicly condemning violence and discrimination against them. The report of the Special Representative of the Secretary-General on the situation on human rights defenders (A/62/225) recommends that States create a conducive environment that allows young adults to associate and express views

on matters affecting them as well as on broader human rights issues. Student protests have a high educational value as they are among the first experiences of public participation and human rights defense of students. Ensuring a conducive environment for student protests is not only a legal obligation but also a social investment (para. 101).

We would also like to recall to your Excellency's Government that the Working Group on Discrimination against Women and Girls, in its report on participation in public life (A/HRC/23/50) called upon States to eliminate all forms of violence against women in order to fulfil women's human rights and to improve the enabling condition for women's participation in political and public life, including by women human rights defenders. We would like to further recall that the Working Group on Discrimination against Women and Girls, in its report on girls' and young women's activism (A/HRC/50/25) expressed that the realization of girls' and young women's human right to participate in public and political life, including organizing and engaging actively with a variety of State and non-State actors, is essential for the protection of their human rights. The Working Group has called on States to take all appropriate measures to create safe and enabling spaces for girl and young women activists, where they can exercise their activism and express their views freely, equally, fully and meaningfully on all matters of relevance to them.

We would also like to draw the attention of your Excellency's Government to the report of the former Special Rapporteur on violence against women, its causes and consequences, on violence against women in politics (A/73/301), which underscores that women and gender minorities engaging in political expression, public advocacy, or protest are increasingly subjected to gender-based violence aimed at silencing dissent and discouraging participation in public life. The report highlights that such violence – whether verbal, physical, sexual, or psychological, often targets those who challenge dominant political narratives, especially in highly polarized contexts.

The afore-mentioned report stressed that political engagement includes not only formal political roles but also grassroots activism, student organizing, and protest. It highlights that women and girls participating in such spaces, especially those from marginalized backgrounds, are frequently subjected to gender-based violence, including sexual harassment, online abuse, and institutional retaliation. It called on States to recognize these forms of engagement as essential to democratic participation and to adopt measures that ensure safe and enabling environments for all women and girls involved in public life (paras. 21, 40, 55-58).

We invite you to refer to the Human Rights Council resolution 31/32 as well, in which States expressed particular concern about systemic and structural discrimination and **violence faced by women human rights defenders**. States should take all necessary measures to ensure the protection of women human rights defenders and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights.

In connection with the allegations of disproportionate effect of the measures taken by the University to stop the protests on **students of colour**, including Palestinian students we would like to stress obligations of the United States under the International Convention on the Elimination of All Forms of Racial Discrimination (ratified by the

US in 1994). Article 2 of the Convention prohibits all forms of racial discrimination and bestows broad duties upon States parties to prevent, eliminate and remedy all forms of such discrimination within their jurisdiction. Article 5 of the Convention provides for the right to equality before the law in the enjoyment of several economic, social and cultural rights, including education and training.

We bring to your attention the recommendations contained in the report by the International Independent Expert Mechanism to Advance Racial Justice and Equality in the Context of Law Enforcement following its visit to the US (A/HRC/54/CRP.7) and the report by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance following the official visit to the US (A/HRC/56/68/Add.1). Both experts expressed concern about the systemic racism in law enforcement in the US and recommended several solutions. Among them, refraining from restrictions deemed impermissible by international human rights law on the freedoms of expression or assembly based on the views expressed by the protesters, building the capacity of educational institutions, including colleges, to recognize and address antisemitism and Islamophobia to ensure that they are safe spaces for all students and implementation of the United Nations High Commissioner for Human Rights' four-point agenda towards transformative change for racial justice and equality, containing 20 actionable recommendations to end systemic racism and human rights violations by law enforcement against Africans and people of African descent (A/HRC/47/53, Annex).

We would also like to highlight the UN Guiding Principles on Business and Human Rights, which were unanimously endorsed in 2011 by the Human Rights Council in its resolution (A/HRC/RES/17/31) following years of consultations involving Governments, civil society and the business community. The Guiding Principles have been established as the authoritative global standard for all States and business enterprises regarding preventing and addressing adverse business-related human rights impacts. These Guiding Principles are grounded in recognition of:

- a. "States' existing obligations to respect, protect and fulfil human rights and fundamental freedoms.
- b. The role of business enterprises as specialized organs or society performing specialized functions, required to comply with all applicable laws and to respect human rights.
- c. The need for rights and obligations to be matched to appropriate and effective remedies when breached."

It is a recognized principle that States must protect against human rights abuse by business enterprises, including academic institutions, within their territory. As part of their duty to protect against business-related human rights abuse, States are required to take appropriate steps to "prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication" (guiding principle 1). This requires States to "state clearly that all companies domiciled within their territory and/or jurisdiction are expected to respect human rights in all their activities" (guiding principle 2). In addition, States should "enforce laws that are aimed at, or have the effect of, requiring business enterprises to respect human rights..." (guiding principle 3). The

Guiding Principles also require States to ensure that victims have access to effective remedy in instances where adverse human rights impacts linked to business activities occur. States may be considered to have breached their international human law obligations where they fail to take appropriate steps to prevent, investigate and redress human rights violations committed by private actors. While States generally have discretion in deciding upon these steps, they should consider the full range of permissible preventative and remedial measures.

The Guiding Principles also recognise the important and valuable role played by independent civil society organisations and human rights defenders. In particular, principle 18 underlines the essential role of civil society and human rights defenders in helping to identify potential adverse business-related human rights impacts. The Commentary to principle 26 underlines how States, in order to ensure access to remedy, should make sure that the legitimate activities of human rights defenders are not obstructed. In this regard, we refer to the Working Group on business and human rights' report on ensuring respect for human rights defenders (A/HRC/47/39/Add.2) which highlights the need for addressing the adverse impact of business activities on human rights defenders and unpacks for States and businesses the normative and practical implications of the Guiding Principles on Business and Human Rights in relation to protecting and respecting the vital work of human rights defenders.