

Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the right to education; 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 and the Special Rapporteur on the human rights of migrants

Ref.: AL OTH 128/2025

(Please use this reference in your reply)

14 October 2025

Dear Mr. Inch,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the right to education; 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 and Special Rapporteur on the human rights of migrants, pursuant to Human Rights Council resolutions 52/4, 53/7, 52/9, 59/4 and 52/20.

We are independent human rights experts appointed and mandated by the United Nations Human Rights Council to report and advise on human rights issues from a thematic or country-specific perspective. We are part of the special procedures system of the United Nations, which has 60 thematic and country mandates on a broad range of human rights issues. We are sending this letter under the communications procedure of the Special Procedures of the United Nations Human Rights Council to seek clarification on information we have received. Special Procedures mechanisms can intervene directly with Governments and other stakeholders (including companies) on allegations of abuses of human rights that come within their mandates by means of letters, which include urgent appeals, allegation letters, and other communications. The intervention may relate to a human rights violation that has already occurred, is ongoing, or which has a high risk of occurring. The process involves sending a letter to the concerned actors identifying the facts of the allegation, applicable international human rights norms and standards, the concerns and questions of the mandate-holder(s), and a request for follow-up action. Communications may deal with individual cases, general patterns and trends of human rights violations, cases affecting a particular group or community, or the content of draft or existing legislation, policy or practice considered not to be fully compatible with international human rights standards.

In this connection, we would like to draw your attention to the information we received regarding Mr. **Mohammed Hoque**, a student at Minnesota State University, as well as the cases of Ms. Rümeyza Öztürk, Mr. Mohsen Mahdawi, Mr. Mahmoud Khalil, Dr. Badar Khan Suri, Mr. Momodou Taal, Mr. Amandla Thomas-Johnson, Ms. Yunseo Chung, and Ms. Leqaa Kordia, who have reportedly been subjected to surveillance, arrest, detention, or forced departure in retaliation for their peaceful expression and advocacy related to the Gaza conflict. These individuals, many of whom held valid immigration status, have faced violations of their rights to liberty, due process, freedom of expression, peaceful assembly, religion, and access to justice. Reports indicate a pattern of arbitrary detention, transfers to remote facilities, denial of

Minnesota State University

medical care, religious discrimination, and the use of unsubstantiated national security justifications to initiate removal proceedings.

In this regard, we also wish to draw attention to the alleged arbitrary arrest and physical assault of students who were assembling peacefully at Columbia University on 7 May 2025, as well as the surveillance, detention and attempted removal of non-citizen students and scholars at various universities for peacefully protesting and speaking about the Gaza conflict. We are highly concerned over reports that students were arrested, suspended, and expelled, and lost their university accommodation, campus access, and their immigration status merely because of assembling peacefully to express their solidarity with victims of the conflict in Gaza.

Special Procedures mandate holders have previously raised concerns about the suppression of political expression, dispersal of peaceful demonstrations and the imposition of disciplinary measures against students and faculty members at the Massachusetts Institute of Technology (MIT) in communication [USA 11/2025](#).

Additionally, Special Procedures mandate holders also raised concerns about the dispersal of peaceful protests against the war in Gaza and universities' ties with companies implicated in alleged war crimes and the arrests of peaceful student protesters at various university campuses in the United States, including Columbia University, New York University in Manhattan, Yale University, University of Southern California, Emerson College in Boston, Massachusetts, Washington University in St. Louis, Texas University in Austin, among others ([USA 12/2024](#)). Some of the students in these and other universities also faced suspension, loss of university-based housing and their immigration status.

According to the information received:

Context for recent trend on immigration policies

Since 7 October 2023, students have protested in various university campuses across the United States against the human rights violations deriving from Hamas's attack on Israel and the subsequent Israeli military attacks in Gaza and part of the West Bank.

Since the inauguration of President Trump on 20 January 2025, we have received reports regarding the shrinking space of free speech and assembly rights through policies by the Executive Branch (executive order 14161; executive order 14118) targeting non-citizen students that engaged in pro-Palestinian protests.

It has been reported that federal officers have conducted arrests and confronted non-citizen students outside their residences or followed them on their way home in unmarked cars, wearing plainclothes and masks.

Reports also indicate that during the bond hearings before an immigration judge, non-citizens had to bear the burden of proving that they were not a flight risk or danger to the community. Furthermore, the government allegedly uses a tactic to ensure that the non-citizen students remain in detention: they immediately

appeal the immigration judge's order to the Board of Immigration Appeals (BIA) which imposes an automatic stay on the order, keeping the non-citizen in detention while the government appeals. Some of the abovementioned victims were held at detention facilities incommunicado, and without neither them nor their lawyers or families knowing about their location.

As to statutory bases of removal, INA provision 8 U.S.C. § 1227(a)(4)(C)(i) allows for the deportation of non-citizens when the U.S. Secretary of State has "reasonable ground to believe" their presence or activities "would have potentially serious adverse foreign policy consequences for the United States." However, there is no evidence that the activity of the students whom the State has targeted have compromised U.S. foreign policy. For instance, Ms. Öztürk was one of several authors in a student opinion piece in the Tufts University student newspaper, in which they called for the university to "acknowledge the Palestinian genocide" and to divest from Israeli tied companies. Mr. Mahdawi was an organizer and participant in various pro-Palestinian protests at Columbia University, committed to peaceful protest and advocating for the plight of Palestinians.

The US administration is also reportedly targeting non-citizen students who have engaged in protected speech or expression but is using separate, minor legal violations as a pretextual basis to initiate removal proceedings (either in tandem with 8 U.S.C. § 1227(a)(4)(C) charges or without them). Students have been declared deportable, persecuted, arrested, or detained on these statutory grounds for past unlawful conduct such as overstaying visas or minor omissions on immigration applications. Special Procedures mandate holders raised concerns over deportations inconsistent with international human rights law in the communication [USA 14/2025](#).

Actions against judicial independence and the rule of law

Since his inauguration day, President Trump has fired the acting director of the Executive Office of Immigration Review (EOIR), the agency that manages the U.S. immigration court system, as well as its chief immigration judge, the head of policy, and the general counsel for the agency. Further, the Trump administration has also fired twenty immigration judges and another probationary immigration judge without explanation or notice. The size of the Board of Immigration Appeals (BIA) has also decreased from twenty-eight permanent Board members to fifteen.

In addition, reports indicate that on 20 January 2025, the day of President Trump's inauguration, around 20 senior career lawyers at the Department of Justice (DOJ) were reassigned, including officials from the civil rights and environmental divisions, who were moved to a newly formed task force on "sanctuary cities". At least two subsequently resigned. On the same day, more than a dozen prosecutors working on criminal investigations related to the President were summarily dismissed, and dozens of prosecutors in the Washington D.C. office, including those pursuing prosecutions linked to the 6 January 2021 Capitol attack, were either terminated or transferred. These actions appear to have been taken in reprisal for their prior work on cases

involving the President or his supporters.

Reports also highlight that White House staff have been directly involved in employment decisions concerning career civil servants, including monitoring social media accounts to identify employees' political leanings, raising concerns about discrimination on the basis of political opinion.

In parallel, judges and prosecutors have been subjected to public attacks by the President and his allies. Judges overseeing cases against him have been labelled "corrupt puppets", "deranged", or presiding over "kangaroo courts". Prosecutors have similarly been demeaned and, in some cases, targeted with racist language. Such rhetoric has triggered waves of online harassment, including death threats, and at least one instance of "swatting" against federal officials. These incidents demonstrate a broader pattern of intimidation and harassment of justice officials, undermining judicial independence and the rule of law.

The administration has reportedly taken steps to retaliate against lawyers representing non-citizens in immigration proceedings. Attorneys have faced threats of prosecution, executive action, or ethics complaints when providing legal support to students targeted under recent immigration policies. These measures not only undermine the independence of lawyers but also directly obstruct non-citizens' access to justice, as individuals are deprived of effective legal representation in proceedings that may result in their detention or removal. Special Procedures mandate holders raised concerns over the Trump administration's targeting of judges, lawyers and law firms in an apparent organized effort to interfere in the independence of the U.S. legal and judicial system in their communication [USA 15/2025](#).

Actions against non-citizen students and scholars

Mr. **Mohammed Hoque** is a student at Minnesota State University holding a F 1 visa. Mr. Hoque lawfully entered the United States in 2021. Mr. Hoque has spoken out against the violence in the Gaza Strip and has supported Palestinian human rights, attending peaceful protests at the university campus and sharing related posts and media sources.

In 2023, he was charged with disorderly conduct and assault but was not arrested or convicted. Mr. Hoque pled guilty, received a stayed sentence, and completed his probation in mid-2024.

On 28 March 2025, Mr. Hoque was arrested outside his home and detained in Freeborn County Jail, Minnesota. His visa was revoked based on claims of being a possible threat to public safety regarding his disorderly conduct and assault.

However, on 1 April 2025, he received a letter stating that his visa had been revoked due to "additional information [becoming] available".

During his detention, he suffered heavily due to his preexisting medical conditions.

On 5 May 2025, a federal judge ordered his release on bail pending adjudication. Mr. Hoque was released on 6 May 2025, yet removal proceedings remain pending.

Ms. **Rümeysa Öztürk** was an F-1 visa holder and fifth-year Ph.D. student from Türkiye studying as a Fulbright scholar at Tufts University in Medford, Massachusetts. She co-authored an article in March 2024 for the Tufts Daily, in which she criticized the university's response to pro-Palestinian student demands and called on the institution to divest from companies tied to Israel.

On 25 March 2025, Ms. Öztürk was arrested by six Immigration and Customs Enforcement (ICE) Officers. The officer that approached her reportedly wore face coverings. According to reports, during the arrest they grabbed Ms. Öztürk and told her that her visa status had been revoked. Four days before her arrest the State Department had revoked her student visa without providing notice to Tufts University or Ms. Öztürk.

After the arrest, she was driven to Methuen, Massachusetts; then to Lebanon, New Hampshire; and then to St. Albans, Vermont, where she spent her night in an ICE detention cell. For twenty-four hours, her attorneys were unable to locate her, and she was unable to communicate with them.

On 26 March 2025, Tufts University received a notice that Ms. Öztürk's visa had been revoked based on the reasons that she was a "non-immigrant status violator" (citing 237(a)(1)(C)(i) of the INA) and/or that the United States believed that her presence in the country would result in "potentially serious adverse foreign policy consequences for the United States (citing 237(a)(4)(C)(i) of the INA). The Department of Homeland Security (DHS) also accused her of engaging "in activities in support of Hamas" yet has not provided evidence supporting these accusations.

After her arrest, Ms. Öztürk's legal representatives filed a habeas corpus petition for her release that was transferred then paused on 28 April 2025, allowing the court to review the government's appeal. It has been reported that while her case was pending, Ms. Öztürk remained at the South Louisiana ICE Processing Centre under horrendous conditions without access to counsel. She was held in crowded confinement with twenty-three other women, without adequate access to medical care. [REDACTED]

[REDACTED] Her deportation case and federal detention case are both still proceeding.

Mr. **Mohsen Mahdawi** is a lawful permanent resident (LPR) who was arrested by masked agents in jackets of the Department of Homeland Security on 14 April 2025, after arriving at a U.S. Citizenship and Immigration Services (USCIS) office for his naturalization appointment in Colchester, Vermont.

He was pursuing a degree in philosophy at Columbia University and had been involved in pro-Palestinian protests on university campus. He was also a co-founder of Columbia's Palestinian Student Union. Due to his involvement with

on-campus protests, several online pro-Israel groups, such as Betar and Canary Mission, doxed and targeted him.

After Mr. Mahdawi's arrest, his legal team filed a habeas corpus petition with the District Court of Vermont. In April 2025, the ruling judge issued an order that Mr. Mahdawi may "not be removed from the United States or moved out of the territory of the District of Vermont pending further order of this Court." In response the Department of Justice submitted new filings, including a two-page letter from Secretary of State Marco Rubio stating that the "activities and presence of Mr. Mahdawi in the United States undermine U.S. policy to combat antisemitism." The letter added that protests such those at Columbia University "potentially undermine the peace process underway in the Middle East." It has been reported that the filing did not provide any evidence supporting the accusations against Mr. Mahdawi.

On 30 April 2025, a federal judge released him from detention and on 19 May 2025, he graduated from Colombia.

Mr. **Mahmoud Khalil** is an outspoken advocate for Palestinian rights, presiding several Palestinian groups at School of International and Public Affairs at Columbia University. Mr. Khalil holds an LPR status in the U.S., which he obtained in 2024.

On 8 March 2025, Mr. Khalil was arrested by two individuals in plain clothes inside of his apartment building without showing an administrative warrant for his arrest. While in custody on the same night, he was presented with a copy of a Notice to Appear for removal proceedings and a custody determination document that stated that he was ordered to appear before the immigration judge of the Department of Justice. However, he was allegedly handcuffed and transported to the Elizabeth Contract Detention Facility in Elizabeth, New Jersey, and could not speak to his lawyer. He informed authorities that he has an ulcer and needed to take his medication, but he was not given any. On 9 March 2025, he was moved between different facilities with no opportunity to call his lawyer or his wife. According to reports, authorities relocated Mr. Khalil from New York to Louisiana to place him in a jurisdiction of judges who would be more favourable to the U.S. government in reviewing his deportation proceeding.

On 19 March 2025, a federal court ruled that his habeas corpus petition must remain in New Jersey, rejecting his transfer. On 11 June, a judge found his detention unconstitutional and ordered his release.

Mr. Khalil was released on 20 June 2025 after more than 100 days in custody, although deportation proceedings remain ongoing. On 12 September 2025, an immigration judge in Louisiana denied Mr. Khalil a waiver of removability and ordered his deportation. This decision was issued without a hearing and thus in violation of Mr. Khalil's due process rights. Mr. Khalil intends to appeal this decision within 30 days of receiving the deportation order.

The arrest, detention and the threat of deportation of Mr. Khalil in connection with his advocacy of Palestinian rights and participation in protests were addressed by Special Procedure mandate holders in a previous communication ([USA 15/2025](#)) and [press release](#) on 20 March 2025.

Dr. Badar Khan Suri is a visiting scholar and postdoctoral fellow at the Alwaleed Bin Talal Center for Muslim-Christian Understanding at Georgetown University. He is a citizen of India and is in the United States on a J-1 visa as a visiting scholar. He has been residing in the United States since December 2022.

On 17 March 2025, Dr. Khan Suri was arrested, detained and charged with removability under 8 U.S.C. § 1227(a)(4)(C). After confirming his identity to an officer, he was handcuffed and put into an unmarked vehicle.

Between 17 and 21 March 2025, Dr. Khan Suri was transferred successively to the ICE Washington Field Office, Virginia, Farmville Detention Center, ICE office in Richmond, Virginia, and Prairieland Detention Center, Alvarado, Texas. During this time, he had no opportunity to inform his wife or lawyers about his location. Authorities allegedly moved him from Washington D.C. to a jurisdiction of judges more favourable to the government's ambitions to deport non-citizens.

While Dr. Khan Suri was in detention, on 20 March 2025, the assistant secretary of the Department of Homeland Security tweeted that he had allegedly been detained for his "close connections to a known or suspected terrorist, a senior adviser to Hamas." Dr. Khan Suri denied these allegations.

On 14 May 2025, Dr. Khan Suri was released from detention. His detention is considered a violation of the First Amendment, the right to free speech, and the Fifth amendment, the right to due process. Dr. Khan Suri was able to successfully obtain an order to move his case to an immigration court in Virginia and will contest his deportation order in July.

Mr. Momodou Taal was, at the time of events, a Ph.D. candidate in Africana Studies at Cornell University, where he authored academic articles, lectured, and was a panellist at academic conferences. He has also criticized U.S. foreign and domestic policy, both in the classroom and on social media. Mr. Taal is a citizen of the United Kingdom and the Republic of The Gambia and lawfully resided in the United States on a F-1 student visa.

As President Trump's executive orders target the kinds of lawful speech and activity that Mr. Taal was associated with, he refrained from attending protests and public political meetings, reduced his activity on social media, and no longer discussed politics with associates from Cornell University. On 15 March 2025, he filed a lawsuit against the Trump administration, claiming that the President's executive orders violated his First and Fifth Amendment rights. Six days later, on 21 March 2025, Mr. Taal was notified that his F-1 student visa had been revoked. The Department of State listed his revocation date as 14 March 2025. On 31 March 2025, Mr. Taal fled the United States, announcing his decision on X.

Mr. **Amandla Thomas-Johnson** was, at the time of the events, a Ph.D. candidate in the Department of Literatures in English at Cornell University. Mr. Thomas-Johnson is a dual citizen of the United Kingdom and Trinidad and Tobago.

After participating in a September 2024 student-led protest, Cornell University suspended Mr. Thomas-Johnson. The university's administration charged him with violence and complicity in organizing the demonstration, yet without providing any evidence until after his suspension had been ordered.

On 17 April 2025, Mr. Thomas-Johnson fled the U.S. after having received a tip off that authorities were looking for him. He self-deported to Canada before flying to Switzerland.

Ms. **Yunseo Chung** is an LPR attending Columbia University. On 5 March 2025, Ms. Chung, who was born in the Republic of Korea, attended a protest at Barnard College, protesting the university's disciplinary actions against pro-Palestinian activists and demanding reversals of these actions.

During the protest, a false bomb alert occurred. Because of her position in the demonstration, Ms. Chung could not comply with the police's orders. She was then arrested by the NYPD and charged with obstruction of governmental administration and disorderly conduct, before she was released. Based on her arrest, Columbia University placed her on interim suspension on 7 March 2025.

On 20 March 2025, Ms. Chung was arraigned in NY County Criminal Court and was cleared of all charges against her.

On 8 March 2025, Secretary of State Marco Rubio determined Ms. Chung's deportability based on her participation and roles in "antisemitic protests and disruptive activities, which fosters a hostile environment for Jewish students" and her criminal citation. On 9 March 2025, federal agents went to Ms. Chung's parents' home and said they were looking for her. Federal officials also contacted Ms. Chung, and her lawyers were told her LPR status was being revoked. On 13 March 2025, officials executed a judicial search warrant and searched Ms. Chung's dorm.

On 24 March 2025, Ms. Chung filed a lawsuit in federal district court on various grounds, such as the violation of First and Fifth Amendment due process rights, among others. She was granted a temporary restraining order the next day, barring ICE from detaining Ms. Chung or transferring her to another jurisdiction. On 5 June 2025, a newly issued preliminary injunction prevented ICE agents from detaining her.

Ms. **Leqaa Kordia** lawfully entered the United States in 2016 on a B-2 visa. She lawfully changed her status to F-1 student in 2017. Ms. Kordia is of Palestinian origin and resides in New Jersey. On 30 April 2024, she participated in a protest at Columbia University in support of Palestinian rights where she was arrested.

In June 2017, Ms. Kordia's mother filed a family-based immigration petition to give Ms. Kordia access to the green card process, so she could become an LPR. U.S. Citizenship and Immigration Services (USCIS) approved the petition on 6 May 2021, and she awaits visa availability. On 24 January 2022, Ms. Kordia signed a termination notice withdrawing from the F-1 program as her teacher advised that approval of the LPR petition gave her lawful status; the school approved her termination on the 26 January 2022.

From 5-13 March 2025, federal agents investigated and surveilled Ms. Kordia by, amongst others, tracking her WhatsApp account and subpoenaing money transfer records. On 13 March 2025, Ms. Kordia and her attorney voluntarily met with immigration officials in relation to her immigration status. She appeared in an immigration court in New York for removal proceedings. Subsequently, federal officials allegedly placed her in a van and transferred her to Prairieland Detention Facility in Alvarado, Texas.

Her bond hearing was held on 3 April 2025. On 16 April 2025 the court's decision concluded that Ms. Kordia had not threatened police, engaged in dangerous activity, or sent money to her family in Palestine that allegedly supported a terrorist group. These accusations were filed by the Department of Homeland Security, which promptly appealed, automatically staying the effectuation of the release-on-bond order (from 90-120 days) to keep her confined in detention pending appeal.

It has been reported that the conditions of Ms. Kordia's detention are particularly severe. Due to overcrowding, she sleeps on the floor where cockroaches and other bugs abound, and many showers and sinks do not work.

[REDACTED]

In addition, Ms. Kordia has allegedly not been accommodated to her religious dietary requirements. She must eat food wrongly marked as halal cannot keep her food and eat it at night during Ramadan. One officer allegedly told her: "This food is not meant to fill you up. You should be lucky that you are even getting food. People cross the border illegally and then complain about the food". She is also not given materials her faith requires to have to pray, and she is not allowed to wear a hijab in the presence of men as her religion requires.

On 30 April 2025, Ms. Kordia filed a federal habeas corpus petition requesting her release from confinement since her continued confinement violates the First and Fifth Amendments, or requesting a show cause order, along with declaratory or injunctive relief for Religious Freedom and Restoration Act (RFRA) violations.

The Butler Library Incident at Columbia University on 7 May 2025

On 7 May 2025, over 100 students entered Butler Library Reading Room 301 at Columbia University to hold a teach-in on Palestinian liberation and

decolonisation to express solidarity with the Palestinian victims of the ongoing conflict in Gaza.

Within minutes of entry, Public Safety officers of Columbia University began blocking exits and violently preventing additional people from entering the room. Officers immediately positioned themselves at all doors, preventing protesting students from leaving while selectively allowing non-protesters to exit. When students attempted to disperse peacefully, Public Safety officers fully locked all remaining doors and began aggressively pushing students backward, shoving them to the ground, and grabbing their clothing while preventing their departure. Students repeatedly requested permission to leave. Public Safety officers refused these requests and maintained complete control of all exits, effectively kettling the students inside.

During this forced confinement, Public Safety officers physically assaulted multiple students. Officers pushed protesters to the ground, inflicting injuries including diagnosed concussions. Video evidence documented officers stepping on students' bodies, pulling off their clothing, and choking and striking students.

Despite multiple concussions and injuries occurring inside the room, Public Safety officers systematically denied medical attention. When faculty, bystanders, and students reported injuries and asked for medical assistance, officers ignored these requests. Emergency Medical Services personnel were repeatedly denied entry to treat injured students. Officers explicitly stated they would not permit medical care unless protesters provided identification.

The situation escalated further when a building-wide fire alarm sounded throughout Butler Library. Regardless, Public Safety officers continued kettling students inside the room.

After nearly four hours of forced confinement, Columbia University officials invited New York Police Department (NYPD) Strategic Response Group officers to the university campus and into the library. NYPD officers proceeded to arrest 81 individuals who had been trapped inside the room. One student who had sustained a concussion was separately arrested after being moved from under a table where they had sought shelter. The incident concluded with hundreds of NYPD officers surrounding the library and adjacent streets.

Columbia University subsequently requested that law enforcement pursue criminal misdemeanour charges rather than violations against the arrested students, escalating potential penalties to include jail time rather than citations. Columbia University subsequently imposed the harshest disciplinary sanctions in its modern history for the Butler Library incident, targeting nearly 80 students with:

- Suspensions ranging from 1.5 to 3 years;
- At least 15 permanent expulsions;
- Degree revocations for graduates;

- Designating students as “persona non grata,” threatening arrest for trespass if found on campus.

Federal funding has been used to coerce universities nationwide, including Columbia University, into suppressing Palestine-related expression of solidarity. The federal government revoked \$400 million in grants and contracts, threatening additional cuts of over \$5 billion. Columbia University complied with federal demands by:

- Hiring 36 campus police officers with arrest powers;
- Implementing mask bans during protests;
- Placing Middle East studies departments under “academic receivership”;
- Adopting controversial definitions of antisemitism that conflate criticism of Israel with discrimination;
- Providing immigration authorities with information about international students facing discipline.

Columbia University accepted ongoing oversight in July 2025 to restore partial funding.

The restrictive measures at Columbia University reflect nationwide structural changes at universities to suppress Palestine solidarity movements. This has been recorded in a report by the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association.¹

At Columbia University, these include:

- Disciplinary system overhaul: Columbia University dismantled its University Judicial Board and centralized all disciplinary authority under presidential control at federal demand;
- Academic surveillance: Appointment of federal-approved oversight of Middle East studies programs;
- Policing expansion: Universities compelled to expand campus police forces with arrest powers and implement restrictive protest policies;
- Speech code modifications: Adoption of expansive antisemitism definitions that classify criticism of Israeli policies as discriminatory conduct.

¹ Statement from the UN Special Rapporteur on the rights of freedom of peaceful assembly and of association: [Recommendations for universities worldwide for the second semester of 2024: Safeguarding the right to freedom of peaceful assembly and association on campuses in the context of international solidarity with the Palestinian people and victims](#)

While we do not prejudge the accuracy of these allegations, we express our serious concern over the reported human rights violation against Mr. **Mohammed Hoque**, as well as Ms. Rümeysa Öztürk, Mr. Mohsen Mahdawi, Mr. Mahmoud Khalil, Dr. Badar Khan Suri, Mr. Momodou Taal, Mr. Amandla Thomas-Johnson, Ms. Yunseo Chung, and Ms. Leqaa Kordia. In particular, their rights to freedom of expression, assembly, and association; freedom from arbitrary detention; protection against enforced disappearances; and their right to education.

We are equally concerned over the reports of physical violence and arbitrary arrests of students at Columbia University and the measures taken against students after their arrest, including suspensions, expulsions, and criminal charges. These measures not only deprive students of their right to education but could also substantially damage their career prospects and financial situation as several students lost or must repay their scholarships.

Students and scholars at universities nationwide face these repercussions merely because of exercising their rights to freedom of expression, freedom of assembly, and to protect and promote human rights by expressing solidarity with the Palestinian victims of the ongoing conflict in Gaza.

Concerning the rights to freedom of expression, assembly, and association

We are alarmed that the US government persecutes non-citizens who have been exercising their freedom of expression, assembly and association.

We also express our concern over the restrictions imposed on peaceful protests by students expressing solidarity with the Palestinian victims of the ongoing conflict in Gaza. The dispersal of peaceful protests and violent arrests of peaceful protesters create a chilling effect on the protection and promotion of human rights. In the case of youth and students, its impact is even deeper as “it risks alienating an entire generation, damaging their participation and perception of their role in democratic processes.”² We are troubled by allegations that these developments reflect a deliberate effort to silence criticism of the United States and Israeli Government, as well as U.S. universities’ policies regarding Israel.

We are equally concerned over the coercive measures taken by the US government against universities and the consequent actions by, for instance, Columbia University. The State has a responsibility to respect and protect academic freedom, including the autonomy of academic institutions by virtue of their special role in society, which is underpinned by a range of human rights, including the rights to freedom of opinion, expression, association and peaceful assembly. In this context, we would like to express our deep concern at the political pressure exerted on university administrators and academics to take certain positions and actions regarding the student protests on campuses on the situation in Gaza. We fear that such pressure and public attacks on scholars and institutions can result in repression of free expression and in self-censorship, thus damaging academic freedom and the autonomy of universities.

² <https://www.ohchr.org/sites/default/files/documents/issues/association/statements/20241004-stm-sr-association.pdf>

In this regard, we also highlight that the structural changes at universities to systematically repress expressions of solidarity with Palestine has created a climate of fear and intimidation. Students report self-censoring political expression, and particularly international students are withdrawing from activism due to deportation fears. Campus organizing has diminished significantly, with activists reporting less attendance from international students who had to quit their activism because of the potential risk of repercussions. This intimidating effect extends beyond issues concerning Israel and Palestine, with students reporting reluctance to engage in any political activism. Regarding the allegation of enforced speech code modifications, particularly concerning the expansion of antisemitism definitions, we affirm that we strongly denounce anti-Semitism as a most serious form of racial hatred and intolerance, and underline that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence must be prohibited by law in accordance with article 20(2) of the International Covenant on Civil and Political Rights (ICCPR). Universities must act firmly against all forms of racial and religious harassment, including antisemitism and Islamophobia. However, we are disturbed by the vague and overly broad use of the term “antisemitism” to label, denounce and repress peaceful protests and other legitimate forms of expression of solidarity with Palestinians 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. We stress firmly that any restriction of freedom of expression must meet the conditions of legality, necessity and proportionality and strictly follow the criteria set out in articles 19(3) and article 20 of the ICCPR. Furthermore, all accusations and concerns of rising antisemitism at Columbia Universities and other campuses must be grounded in concrete, factual evidence and properly investigated with due process guarantees, with the objective of protecting all students from hate speech while upholding the right to freedom of expression in accordance with international human rights standards.

Concerning the right to be free from arbitrary detention and enforced disappearance

We express our grave concern regarding reports that non-citizen students and scholars have been subjected to arbitrary arrests and enforced disappearances. Individuals were allegedly arrested by plainclothes officers, transferred across multiple facilities in rapid succession, and denied the ability to communicate with their families or legal representatives, creating conditions of uncertainty, fear, and effective incommunicado detention. Such practices not only violate the prohibition of enforced disappearance under international human rights law but also generate a chilling effect on other students, who fear arbitrary arrest and disappearance because of exercising their rights to freedom of expression and peaceful assembly. We are also concerned over potential arbitrary arrests and detention, as well as other reprisals, in the future, especially for the students facing criminal charges as article 9 of the ICCPR states that “no one shall be subjected to arbitrary arrest or detention” or “shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.” We also express our deepest concerns over the attempted deportation and self-deportation of the above-mentioned non-citizens.

In this context, we would like to address the information received concerning the health conditions of detained students and scholars. If these allegations are correct,

the detention conditions constitute a violation of the right to health and highlight the State's failure to safeguard minimum standards of health in detention facilities. Reports indicate that detention facilities are overcrowded, unsanitary, and fail to provide adequate medical treatment or accommodate religious dietary requirements. Several of the above-mentioned individuals have suffered [REDACTED]

[REDACTED] due to lack of timely care.

Concerning the right to education

We are alarmed that disciplinary processes, arrests, suspensions, expulsions and degree revocations are seriously disruptive to the academic progression affecting the right to education of targeted students. These measures contravene the rights to education enshrined in article 26 of the Universal Declaration of Human Rights (UDHR) and article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

In this context, we would also like to mention the UN Guiding Principles on Business and Human Rights (A/HRC/17/31), which also apply to academic institutions. The Guiding Principles were unanimously endorsed in 2011 by the Human Rights Council in its resolution (A/HRC/RES/17/31) after years of consultations involving governments, civil society, and the business community. The responsibility to respect human rights exists regardless of the capacity and/or willingness of States to fulfill their own human rights obligations and does not diminish those obligations. The principles outline that business enterprises, including academic institutions, must avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur.

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 observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information about the measures your university intends to take to protect the rights of students and scholars, particularly Mr. Mohammed Hoque as well as other student activists and human rights defenders at Minnesota State University expressing their solidarity with victims of human rights violations in Gaza and the West Bank.
3. Please provide detailed information how freedom of expression and freedom of assembly according to international human rights standards will be safeguarded on your university campus in the future. In particular, please indicate how you intend to prevent or revert the

systematic repression of expressions of solidarity with Palestine that is protected under articles 19 and 21 of the ICCPR.

This communication and any response received from you 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. We also urge you to uphold the fundamental right to freedom of expression and the right to peaceful assembly in line with the international norms and standards and thus ensure a free and safe environment for all those peacefully expressing solidarity with Palestinian people, in particular regarding Mr. Mohammed Hoque. We encourage you to “adopt and enforce policies that ensure the protection of the free expression rights of the members of their communities, resisting official or social pressure and promising human rights compliance institutionally” (A/HRC/75/261, para. 12).

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with you to clarify the issue/s in question.

Please be informed that a letter on this subject matter has also been sent to the Permanent Mission of the United States of America to the United Nations Office and other international organizations in Geneva, as well as the presidents of Cornell University, Tufts University, Georgetown University, and Columbia University, with copies sent to the provosts.

Please accept, Mr. Inch, the assurances of our highest consideration.

Mary Lawlor
Special Rapporteur on the situation of human rights defenders

Farida Shaheed
Special Rapporteur on the right to education

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

Gehad Madi
Special Rapporteur on the human rights of migrants

Annex

Reference to international human rights law

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

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.

Article 19(3) of the ICCPR requires that any restriction on the right to freedom of expression (i) is provided by law; (ii) serves a legitimate purpose; and (iii) is necessary and proportional to meet the ends it seeks to serve. In this connection, we wish to recall that the arbitrary arrest or torture of individuals because of the exercise of their freedom of expression will under no circumstance be compatible with article 19 of the ICCPR, CCPR/C/GC/34 para. 23.

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.” In this regard, we would also like to refer to the recently adopted 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.”

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.

Further, we would like to refer you to the report on academic freedom of the former Special Rapporteur on the right to freedom of opinion and expression, Mr. David Kaye. The Special Rapporteur stressed that although there are many ways in which the freedom of opinion and expression protects and promotes academic freedom, there is no single, exclusive international human rights framework for the subject.

Within the corpus of civil and political rights, protected under the UDHR and codified in the ICCPR, 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 International Covenant on Economic, Social and Cultural Rights, signed by the United States in 1977, expressly promote rights at the centre of academic freedom (A/75/261, para. 5).

The right to education is guaranteed by article 26 of the UDHR and article 13 of the ICESCR. 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 to education. Punitive measures limiting access to higher education for students peacefully expressing their views can amount to discrimination in access to higher education, which is contrary to article 26 of the UDHR and article 13 of the ICESCR.

We further 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. While the United States has signed but not ratified the ICESCR, as a signatory it remains obligated to refrain from acts that would defeat the object and purpose of the treaty, in accordance with article 18 of the Vienna Convention on the Law of Treaties. 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.

With regard to reports of enforced disappearance, we recall article 9 of the ICCPR, which prohibits arbitrary detention, and the Declaration on the Protection of All Persons from Enforced Disappearance, adopted by General Assembly resolution 47/133. In particular, article 2 defines enforced disappearance as the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, placing them outside the protection of the law. Article 8 of the Declaration further provides that no State shall expel, return (refouler) or extradite a person to another State where there are substantial grounds to believe that they would be in danger of enforced disappearance. We note that the prohibition of enforced disappearance has attained the status of *jus cogens* under international law.

We also refer to article 12 of the ICESCR, which recognizes the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. In this regard, we recall that the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), which reflect binding customary norms, require States to provide adequate medical care to all persons deprived of liberty without discrimination (rules 24–35). In particular, rule 27 obliges authorities to ensure that prisoners who require specialized treatment are transferred to appropriate facilities or treated by qualified health professionals. The Human Rights Council has also emphasized, in its resolution 24/6, the importance of ensuring that the right to health is upheld in all places of detention, including immigration detention

facilities. We further echo the pertinent observations of the former Special Rapporteur on the right to health regarding the complexities and sensitivities that make meeting the right to health particularly difficult in detention settings, which are “often characterized by inhumane physical and psychosocial environments and unequal structures of power frequently rooted within racist and violent pasts” (A/HRC/38/36, para. 35).

As noted by the former Special Rapporteur on freedom of opinion and expression, “the willingness of universities to submit to public pressure can erode academic freedom and freedom of expression” (A/HRC/75/261, paras. 39 and 41). Finally, we wish to underscore that the right to express views on a campus inside or outside of class is at the heart of academic freedom, which is a key part of the right to education.

In her report on “Global threats to freedom of expression arising from the conflict in Gaza”, the Special Rapporteur on freedom of opinion and expression concluded that “the most fundamental principle of human rights – that all persons have an equal right to enjoy all human rights – has been endangered by an extensive pattern of unlawful, discriminatory and disproportionate restrictions and repression of freedom of expression, primarily of Palestinian activists and their supporters in Western Europe and North America” (A/79/319, para. 85). In this regard, she called on academic institutions to “respect the freedom of opinion and expression of students, faculty and staff without discrimination, and should not permit the use of force to disperse peaceful advocacy, protests or civil disobedience on campuses”, “abstain from retaliation against students and other members of the academic community for their peaceful advocacy and protests, including non-violent civil disobedience, or participation in boycott movements,” “actively promote an inclusive, safe and enabling environment for academic, evidence-based enquiry, debate and discussion on the Israel-Palestinian question,” “condemn hate speech, including antisemitism, Islamophobia and anti-Palestinian racism” and “if they have adopted the International Holocaust Remembrance Association’s “working definition” of antisemitism, they should review their policy in the light of the serious human concerns regarding the definition” (paras. 108-111).

Finally, we draw attention to the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. Article 1 affirms 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, while article 2 establishes the duty of each State to protect, promote and implement all human rights and fundamental freedoms. Article 5(a) affirms the right of individuals and groups to meet or assemble peacefully.