

FORUM:	Human Rights Council
ISSUE:	Measures to Secure the Freedom of Expression, Association, and Peaceful Assembly in the Middle Eastern Nations
STUDENT OFFICER:	Isabella Kim
POSITION:	Deputy President of Human Rights Council

Introduction

According to the well-known human rights activist and a proponent of nonviolent resistance Martin Luther King Jr., “Freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed.” Changes often happen through deliberate efforts, along with human rights activism and the development of our



society,” which never rolls in on wheels of *Journalists on World Press Freedom Day* inevitability.” It comes with commitments, such as protesting the morally wrong via nonviolent resistance and creating tension among the communities that have long refused to negotiate. However, this step can be made possible with freedom of expression, association, and peaceful assembly frequently stifled by authorities who disagree with the change’s purpose. Particularly in the Middle East, authorities continue to randomly arrest, detain, prosecute, and harass people for expressing critical views, participating in peaceful protests, and engaging in human rights work or political activism. The continuous violence represents challenges to secure freedom of expression, which is considered a tenet of freedom of peaceful assembly and association when people join for an expressive purpose. Unless systematically tackled at hand, the functioning of a more pluralistic and democratic society will be impugned.

Background

Although various efforts have been made spanning several decades, issues related to securing the rights mentioned in the topic still need to be explored. Especially in the Middle East, some of the worst records of freedom of expression, association, and peaceful assembly are held, exacerbated by the lack of



independent judiciaries. Most notably, the lack of these rights in the region came to international attention via the Arab Spring that began in Tunisia and spread to the rest of the Arab world in December 2010.



Women protesting on Jasmine Revolution

The protests in Tunisia, also known as the Jasmine Revolution, documented via various social media platforms spread to other Arab nations, which soon erupted into a chain reaction of anti-government demonstrations across the Middle East. Human rights and political activists in these nations demanded human rights reforms, and they

even succeeded in dissolving the parliament in

Kuwait and impeaching the then-president of Yemen. Although the conflict tore apart infrastructure and caused massive regression in development indicators across Yemen, Syria, Libya, Iraq, Iran, Egypt, Saudi Arabia, and Bahrain, it also emphasized the need for global awareness in securing freedom and human rights in the Middle Eastern nations that are usually taken for granted in the Western hemisphere.

On the darker side, however, Middle Eastern nations continued to demonstrate anti-human rights practices such as terrorism legislation and punitive measures to suppress freedom of expression in the name of national security. For instance, the Houthi militia in Yemen shut down at least six radio stations in the capital and imprisoned journalists, and Syria's government, in the midst of the newly broke-out civil war, passed a cybercrime law to detain people who criticized its constitution or government online. Furthermore, a new law in the United Arab Emirates (UAE) criminalized "anyone who mocks, insults, or damages the reputation, prestige or standing of the state" or "its founding leaders." Despite such punishments and impunity for them, some positive steps were taken at the international level that will be explored throughout this report. Although some conflicts related to securing the freedom of expression, association, and peaceful assembly remain unresolved in the Middle Eastern nations, global history is beginning to see some changes in recognizing these rights and practices to end unlawful oppression.

Problems Raised

Threatened Free Presses

Journalists in the Middle East are threatened with writing articles that annoy high-ranking government officials. In the conference in Amman that took place in 2006, the laws for the press and publication were found to be similar in countries that included the government being able to punish or



TIANMUN

criminalize press activities. Governments of Gulf countries - including Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates - are given the power to ban or suspend media outlets. Of these laws, many journalists were imprisoned, dated up to 488 media professionals, and killed.

Discrimination against Christians

Since Islam is the major religion in the Middle East, Christians are discriminated against Muslims. It is reported that Christians are converting to Islam to secretly and securely worship Christianity. To go in-depth, in Egypt, the right to repair churches is limited by a law requiring security agencies' approval. Since then, less than half of the applicants were granted, which is found that the churches that were not granted were Christians. In addition, the security forces arbitrarily arrest Christians or even atheists for “defamation of religion.”



Christianity

International Actions

International Covenant on Civil and Political Rights (ICCPR)

In Article 22, paragraph 1 of ICCPR provides that “everyone shall have the right to freedom of association with others, including forming and joining trade unions for the protection of his interests,” meaning that a community may enjoy the freedom of association recognized by ICCPR. Furthermore, article 19 and 21 recognizes the significance of ensuring freedom of expression and peaceful assembly and the fact that states should not arbitrarily prescribe biased laws that do not adhere to international and democratic standards. It is also to be noted that most of the Middle Eastern countries are signatories to this covenant and have ratified it.

Arab Charter on Human Rights

Arab Charter on Human Rights provides numerous traditional human rights, including the right to liberty and security of humans, equality of persons, protection of persons from torture, the right for people to own private properties, and the freedom to practice their religious beliefs. Sixteen countries have signed Article 28, which specifies “[c]itizens have the freedom of assembly and association in a peaceful manner.” Additionally, Article 32 states that the Charter guarantees “the right to information, freedom of opinion and expression, and the right to seek, receive and impart information and ideas through any medium, regardless of geographical boundaries.” The long-term aim of this charter to create a culture of awareness and respect



TIANMUN

for the human rights of others has gradually impacted Middle Eastern nations to develop a regional human rights regime for their people.

UN HRC Resolution 15/21

Resolution 15/21 that the United Nations Human Rights Council adopted states the right to freedom of peaceful assembly and association, reaffirming “everyone has the right to freedom of peaceful assembly and of association” and “freedom of peaceful assembly and of the association are essential components of democracy” while calling upon countries “to respect and fully protect the rights of all individuals to assemble peacefully and associate freely ... including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists, and others, including migrants, seeking to exercise or promote these rights and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of the association are in accordance with their obligations under international human rights law.”

Key Players

Lebanon

Since the mass protests in 2015, it was documented that there was an alarming increase in the attack on peaceful speech and expression in Lebanon, and the attacks have increased the nationwide protests that began on October 17, 2019, where more than 60 people were arrested for their social media posts. National News



People protesting in Lebanon for their Freedom

Agency of Lebanon reported that the country’s top prosecutor ordered a security agency to investigate social media posts that harm the president. Powerful political and religious figures have failed to provide the citizens with their basic needs and made people sign promising not to write content about offending content, limiting their freedom of expression. With this critical junction, the coalition in Lebanon thinks that Lebanon needs new laws to protect people from exposing corruption. On July 13, 2020, the “Coalition to Defend Freedom of Expression in Lebanon” was formed by fourteen Lebanese and international organizations. It is a measure to fight against the Lebanese authorities’ attempts to suffocate free speech and opinion in the country.

Saudi Arabia



Restricting freedom of expression and association is a problem in Saudi Arabia. Citizens and foreign nationals are sentenced to death due to unfair trials for their expression or association, such as making a speech online. The Specialized Criminal Court (SCC) has sentenced at least fifteen individuals and two women's right activist to both death and prison such that on August 9th, Salma al-Shehab, who supported women's rights on Twitter, was sentenced to 34 years in jail and was banned for her travel. As the problem of freedom of the right to expression and association is getting severe, the Kingdom of Saudi Arabia constantly strives to promote human rights for citizens. The Basic Law of Governance recognizes a few fundamental concepts that can aid in protecting human rights: "right to justice, equality, security, and respect." Article 8 states that the "governance in the Kingdom of Saudi Arabia shall be based on justice, counseling, and equality, in accordance with Islamic law."

Possible Solutions

Non-Discriminatory State Oversight

In order to function as a democratic and fair society, all member states must ensure that any restrictions on the rights to freedom of expression, association, and peaceful assembly are prescribed by law. States also must consider that the laws that delineate public expectations on these rights should represent the interests of national and international security, public order, and the protection of public morals, health, and freedom of others. All forms of discrimination that do not align with international laws or customary international laws should be avoided, and it is recommended that member states adjust their judicial review procedures or come up with new binding laws that could better promote the human rights of citizens necessary for making decisions and carrying out activities in an autonomous manner.

Prevention of Arbitrary Punitive Measures and Impunity

The State has a duty to guarantee that everyone can freely express their ideas without any hesitation and that people are not discriminated against in exercising the right to freedom of association, even though their beliefs sometimes lead to conflicts. It is the States' duty as well to end the coercion against civil society actors engaging with international forums like the United Nations or contributing to related events. To add to this, the State should be responsible for justice and sanction all assertions of acts of coercion in order to adopt a preventive solution.



Flags of countries that attend the GCC



TIANMUN

Furthermore, States should ensure that freedom of association can never be used to revoke citizenship and law enforcement officials, including judicial staff, who trained according to human rights norms. Those who violate the rights to freedom of peaceful assembly and association are held responsible for such violations by the courts of law.

Glossary

Freedom of Association

The Freedom of Association allows individuals to cooperate and organize to promote and continue their interests. Individuals have the right to associate with others that share a common belief.



Freedom of Expression

Freedom of Expression

Freedom of Expression allows people to express who they are. Freedom of Expression is the right to give speeches, to be heard, and to be able to participate in all perspectives of life. Also, this includes the right of individuals to seek knowledge and share information.

Freedom of Peaceful Assembly

The right to freedom of peaceful assembly allows everyone to hold offline and online meetings and protests freely. Freedom of Peaceful Assembly comes with the freedom of association and gives individuals the right to choose the location freely and when to hold an assembly.

Impunity

Impunity is the action of being free from punishments for things that have been done wrong that resulted in pain. In other words, impunity is the act of freeing criminals.

Source

“Chapter four: Freedom of Assembly, Association and Expression.” *International Commission of Jurists*.

N.d.,

<https://www.icj.org/sogi-casebook-introduction/chapter-four-freedom-of-assembly-association-and-expression/>.

“Egypt.” *Amnesty International*. N.d.,

<https://www.amnesty.org/en/location/middle-east-and-north-africa/egypt/report-egypt/>.

“Freedom of Association in the Middle East and North Africa Region.” *Office of the United Nations High Commissioner for Human Rights Regional Office for the Middle East and North Africa*.

<https://romena.ohchr.org/sites/default/files/2022-02/Freedom%20of%20Association%20Report%20.pdf>.

Giovanni, do Janine. “Why Local Voices Matter.” *Institute for War & Peace Reporting*. 9 Feb. 2021,

<https://iwpr.net/global-voices/why-local-voices-matter>.

“Human Rights.” *Gov.sa*. n.d.,

<https://www.my.gov.sa/wps/portal/snp/careaboutyou/humanright/?lang=en>.

“Middle East and North Africa.” *Amnesty International*. n.d.,

<https://www.amnesty.org/en/location/middle-east-and-north-africa/report-middle-east-and-north-africa/>.

“Middle East and North Africa.” *Article 19*. N.d.,

<https://www.article19.org/regional-office/middle-east-north-africa/>.

“Middle East: Serious violations against the right to peacefully assemble.” *Reliefweb*. 27 Jun. 2023,

<https://reliefweb.int/report/lebanon/middle-east-serious-violations-against-right-peacefully-assemble>.

“Lebanon: New Coalition to Defend Free Speech.” *Human Rights Watch*. 13 July 2020,

<https://www.hrw.org/news/2020/07/13/lebanon-new-coalition-defend-free-speech>.

Radcliffe, Damian. “Censorship and Freedom of Expression in the Middle East.” *Medium*. 8 Jul. 2019,

<https://medium.com/damian-radcliffe/censorship-and-freedom-of-expression-in-the-middle-east-eda09f372aee>.

“Saudi Arabia.” *Amnesty International*. N.d.,

<https://www.amnesty.org/en/location/middle-east-and-north-africa/saudi-arabia/report-saudi-arabia/>.

Talei, AL Rafia. “Challenges to Freedom of Expression in the Gulf and Yemen.” *Carnegie Middle East Center*. 19 Aug. 2008,

<https://carnegie-mec.org/sada/21016>.



TIANMUN

“The rights to freedom of peaceful assembly and of association.” *Rights Docs*. N.d,
<https://www.right-docs.org/doc/a-hrc-res-15-21/>.

