

# THE ESSENTIAL ROLE OF SOCIAL MOVEMENTS IN BUILDING BACK BETTER



On 28 October 2022, the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association, Clément Nyaletsossi Voule presented his latest report to the General Assembly (A/77/171) on challenges to social movements' enjoyment of their rights to freedom of peaceful assembly and of association.

The report explores the important contributions social movements around the world have made in the past and continue to make today for rights advancement and societal betterment. It also highlights the vital role they play in ensuring a sustainable and resilient recovery and in building back better from the coronavirus disease (COVID-19) pandemic, as well as in the inclusive process for advancing the full implementation of the 2030 Agenda for Sustainable Development.

This brief extracts key findings and recommendations from the report.

**“ Instead of seeing social movements as a threat, States should adjust their mindset and view them as essential partners in promoting sustainable and inclusive development. States should create enabling environments that allow social movements to contribute to their full potential”**



## What are social movements?

Social movements are often grassroots and are deeply meaningful to those who participate in them: they are loosely organized groups that pursue collective efforts and act as drivers for the betterment of society. Social movements help the realization of rights and freedoms such as those enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights.

Social movements are predominantly informal in nature, which allows them to provide an inclusive platform for individuals from all walks of life in the defence of common causes. They play an essential role in fostering social engagement, democratic participation and responsive governance. The existence and ability of social movements to function freely is a key indicator of a healthy society.

## What's at Stake

Despite the vital role social movements have played and continue to play, they face many challenges and restrictions, in violation of numerous human rights obligations, including the rights to freedom of peaceful assembly and of association.



# SOCIAL MOVEMENTS' INVALUABLE CONTRIBUTIONS

Over the past centuries, social movements have made vast contributions in relation to every pressing issue faced by individuals, communities and humanity as a whole, including for the political, economic, social and environmental well-being.

## Political

On the political front, social movements helped to build democratic societies; to overthrow colonial rule and ensure self-determination; to combat racially discriminatory systems of political participation; to oppose authoritarian governance; and to build more peaceful societies. Just think of the international women's suffrage movement, or the Arab Spring movement that spread across the Arab world in the early 2010s resisting authoritarian regimes demanding democracy and human rights

## Social Justice

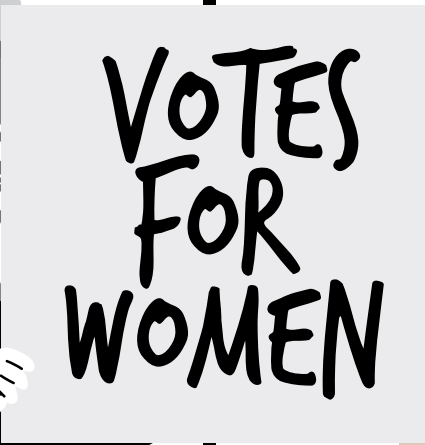
On the social front, among other struggles social movements have fought against all forms of sex and gender-based discrimination and violence, against race-based discrimination, violence and exclusion. They pushed for the advancement of the rights of indigenous peoples, immigrants and LGBTI communities. A modern-day example is the global #MeToo movement which dramatically raised awareness about sexual harassment and assault at the workplace, or the #BlackLivesMatter movement which helped draw attention in a number of countries to racist policies and abuses, and advocated for racial justice.

## Environmental

On the environmental front, social movements have raised awareness of and pushed for policies to combat the negative effects of environmental degradation, pollution and climate change. Fridays for Future and Extinction Rebellion are just two of the most prominent movements to have arisen in response to the climate crisis.

## Economic

On the economic front, social movements pushed for fairer and safer working conditions, for better access to social and economic rights, for sustainable approaches to development, and for achieving more free, open and egalitarian societies. Trade unions for example have been working to defend economic rights since the 18th century. More recently the 'Occupy' movement has gained momentum globally in its fight for more egalitarian polities and rights-respecting socioeconomic policies.



# THREATS TO SOCIAL MOVEMENTS

## Restrictions on and failure to recognize or register associations

Many States do not fully recognize the right to freedom of association. Moreover the ability of civil society to organize into and support social movements is limited by laws that restrict and fail to recognize unregistered associations.

## Unwarranted use of executive powers

Social movements' ability to function is also limited by laws granting the State extensive discretionary powers to determine whether or not particular associations may be legally recognized, and also allowing for the imposition of numerous restrictions and controls on those associations that are allowed to operate. Such laws include legal frameworks that fail to fully respect, protect and fulfil the rights to freedom of peaceful assembly, association and expression.

## Stigmatizations, intimidation and reprisals

Leaders and participants of social movements have frequently been targeted for reprisals by both State and non-State actors, in the form of extrajudicial killings, assault, threats and intimidation. They have also been subjected to arbitrary detention; excessive and unwarranted surveillance; have had their movements infiltrated by agents provocateurs; have been harassed; and have been subjected to stigmatization, including by being labelled as "threats to national security", "terrorists", "foreign agents" or otherwise. Social movement leaders and participants have often been forced into exile to protect themselves from abuses and attacks. Journalists have equally been targeted as part of States' tactics to suppress social movements.

## Criminalization

Social movements leaders and activists have also frequently been targeted for criminal prosecution; States often rely for this on overly broad and vague laws that infringe on individuals' and groups' rights to freedom of peaceful assembly, association, expression and to participate in public affairs. Large numbers of social movements participants have been unlawfully convicted and have faced serious penalties, as well as torture or ill-treatment while in detention.

## Inappropriate use of emergency measures

Where social movements engage in large-scale protests, states frequently engage in inappropriate and restrictive forms of response, including by declaring states of emergency or martial law, often accompanied with serious human rights violations, repression and violent dispersal of protests.

## Excessive use of force

Frequently, States have responded to social movements demonstrations and protests with violent dispersals to suppress such protest movements, using at times lethal force. Often such tactics lead to killings and to serious injuries inflicted on participants, by standers and observers.

**There is often little to no accountability for violations and attacks on social movements' leaders or protest movements.**

**“To combat and overcome the many serious contemporary challenges faced by the world today, States must treat social movements as partners, recognizing their legitimate rights and essential contributions they make to the functioning of healthy, prosperous and safe societies.”**



---

# Key recommendations *for States* to better enable social movements to contribute to ensuring a more just, sustainable and egalitarian development in the wake of the Covid19 pandemic.

---

Social movements can play a critical role in minimising the impact of the compounding crises the world faces today such as the Covid-19 crisis which has contributed to the deepening of economic and social inequalities. Social movement also are important for maintaining peace and security, and instead of repressing them, Governments must listen and address the grievances of communities voiced by these movements.

In his report the UNSR suggests five concrete measures States can take in this context:

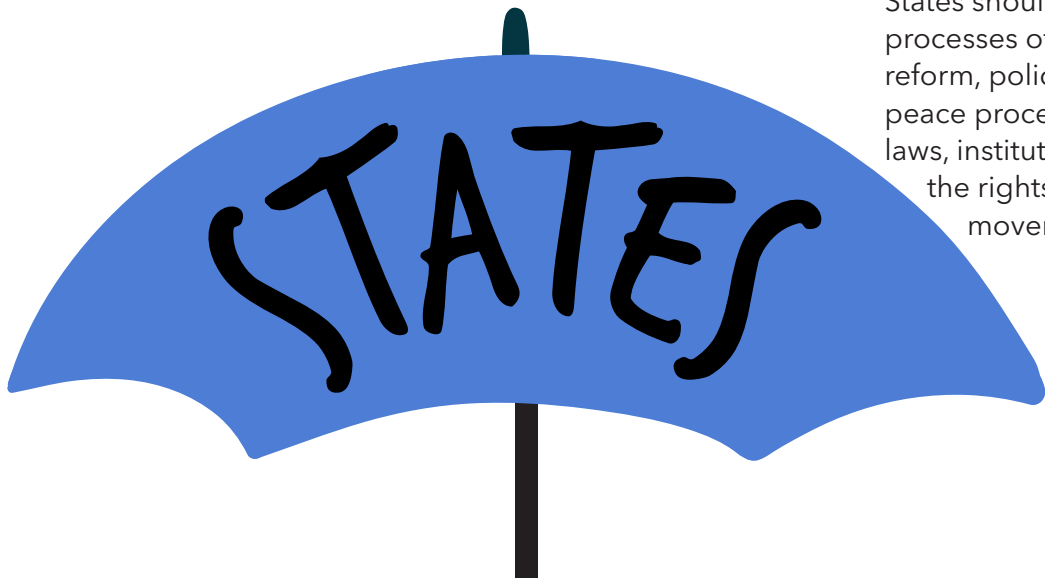
## 1 Create safe and enabling spaces

States must recognize and respect social movements and their informal nature and ensure social movements fully enjoy their rights to freedom of peaceful assembly, association, expression and to participate in public affairs. States should refrain from imposing legal or other restrictions including on unregistered associations, from attacks, detentions, prosecutions, harassment, surveillance and public stigmatization of social movements. Any such violations or attacks against social movement leaders and activists, including the use of force in the context of protests, must be promptly and independently investigated, perpetrators prosecuted, and victims granted reparations.

---

## 2 Ensure inclusive policy processes and responsivity to demands

States should involve social movements in processes of legislative drafting, institutional reform, policy setting, and in transitional and peace processes. States should also ensure that laws, institutions, policies and practices reflect the rights-based demands advanced by social movements.



STATES

### 3 Promote social movements and develop partnerships

States should take active steps to promote social movements' rights-supportive work. States should work to develop inclusive partnerships with social movements, which can be a valuable tool for information acquisition, policy development and the development of effective implementation measures

### 4 Provide support

States should support civil society and social movements by removing legal or other obstructions to their functions. States should further ensure social movements' right of access to funding, including foreign funding and public support, when applicable, in line with the recommendations the UNSR made in his report on access to resources presented to the Human Rights Council in June 2022.

### 5 Promote freedom of movement

States should take measures to enable members of social movements to effectively advocate for change on the local, provincial, national, regional and international levels, including by promoting maximal freedom of movement for participants in social movements. States should remove and cease the unlawful practice of imposing travel bans on human rights defenders and social movement activists.



# What can civil society organizations and other actors do to support and promote social movements?

## Civil Society Organizations can:

- ⇒ Build bridges with social movements working on similar issues and amplifying social movements' rights-oriented advocacy messages.
- ⇒ Provide legal advice and services to social movements' members as and where necessary.
- ⇒ Respect social movements' informal and disaggregated nature and engage with them, recognizing the importance of the perspectives, insights and policy positions of social movements and their diverse members.
- ⇒ Where possible, organisations can share information pertaining to the rights to freedom of peaceful assembly and of association with members of social movements, including through rights-trainings.

## Specialized CSOs

- ⇒ Can provide forms of mental health support to social movement activists and their family members who have suffered trauma as a result of abuses related to their social engagement.

## Lawyers

- ⇒ Can initiate litigation to challenge restrictive laws and regulations, abusive policies and improper detentions and prosecutions against social movements activists.

## Donors

- ⇒ Should respond to the needs of social movements, including their gender-specific needs; ensure flexibility in their funding policies and guidelines, taking into account rapidly evolving local contexts as well as the informal and fluid nature of social movements.

## The Special Rapporteur recommends

- ⇒ That Social Movements build alliances to advocate the causes that they defend, to open up avenues of dialogue with relevant authorities and the broader society, and always to prioritize non-violent means, including refraining from discriminatory and abusive messages.

