

GCMUN 25 UNHRC

Information about the Committee

The United Nations Human Rights Council (UNHRC, hereon) is an intergovernmental body within the United Nations system that focuses on upholding and protecting Human Rights around the world, in line with article 1.3 of the UN Charter, which frames the organisation's interest in "encouraging respect for human rights and fundamental freedoms." The Human Rights Council was established by the United Nations General Assembly (UNGA hereinafter) on 15 March 2006, through its resolution 60/251. One year after its creation, the Council itself adopted the Institution-Building package to set up the necessary procedures to guide its operations and work. From this package, the Complaint Procedure deserves due notice, as it incorporates the mechanism that allows individuals and organisations to report human rights violations to the Council. Furthermore, the UNHRC also counts on the UN Special Procedures that were put in place by the former Commission on Human Rights. These processes engage different actors, including special representatives and independent experts, who are in charge of monitoring, evaluating, and addressing particular themes or Human Rights situations in specific areas, contributing to a more thorough and comprehensive understanding of abuses around the world. Regarding its composition, the Council is composed of 47 Member States, which are elected by the majority of the UNGA members through direct and secret ballot. During this election, the General Assembly considers the candidate states' commitment to the promotion of Human Rights, as membership necessarily entails an obligation to uphold high standards for Human Rights and fundamental liberties. This last requirement was introduced by the same resolution that created the Council, given the potential contradictions that could arise with the membership of States with poor Human Rights records. On a final note, in contrast with other formations, such as the UN Security Council, the UNHRC's composition truthfully reflects the geographical weight of each region. In this sense, seats are distributed equitably among 5 regions, as follows: African and Asia-Pacific States are allocated 13 seats each, Latin American and Caribbean States are given 8 seats, Western European and other States occupy 7 seats, and the remaining 6 seats are filled by the Eastern European States. Each Member is elected for 3 years and cannot be re-elected immediately after having served two consecutive terms. Argentina, Armenia, Benin, Bolivia, Brazil, Cameroon, China, Côte d'Ivoire, Cuba, Czech Republic, Eritrea, Finland, France, Gabon, Gambia, Germany, Honduras, India, Indonesia, Japan, Kazakhstan, Libya, Lithuania, Luxembourg, Malawi, Malaysia, the Marshall Islands, Mauritania, Mexico, Montenegro, Namibia, Nepal, Netherlands, Pakistan, Paraguay, Poland, Qatar, the Republic of Korea, the Russian Federation 1, Senegal, Somalia, Sudan, Ukraine, the United Arab Emirates, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela are today, the 47 members of the UNHRC. Their mandates expire at different times, meaning that the UNGA only elects a portion of the Council every year.

ADENDA

Safeguarding Freedom of Expression and Peaceful Assembly in Restrictive Regimes — Strengthening UNHRC's Investigative Mechanisms

I. Introduction to the Topic

Freedom of expression and peaceful assembly are cornerstone civil liberties that empower individuals to participate in public discourse, hold governments accountable, and advocate for societal change. These rights are enshrined in international human rights instruments but are often under attack in restrictive regimes. Such regimes typically use legal, technological, and violent tools to suppress dissent, curtail protests, and silence opposition.

The United Nations Human Rights Council (UNHRC) plays a pivotal role in protecting these freedoms by investigating abuses, issuing recommendations, and supporting country-specific mechanisms. However, its impact is often limited by political constraints, underfunding, and non-cooperation from member states.

Key Definitions:

Freedom of Expression: Includes the right to seek, receive, and impart information and ideas through any media (ICCPR, Art. 19).

Peaceful Assembly: Encompasses the right to organize and participate in gatherings to express collective views (ICCPR, Art. 21).

International Covenant on Civil and Political Rights (ICCPR), Articles 19 & 21
[<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>]

II. International Legal Frameworks and Treaties

1. Universal Declaration of Human Rights (UDHR)

Article 19: Right to freedom of opinion and expression

Article 20: Right to peaceful assembly and association

Adopted by the UN General Assembly in 1948

[<https://www.un.org/en/about-us/universal-declaration-of-human-rights>]

2. International Covenant on Civil and Political Rights (ICCPR)

Entered into force in 1976

Article 19(3) allows limitations only when provided by law and necessary for the respect of others' rights or national security

Article 21 restricts assembly only in the interest of national security, public safety, or public health

[\[https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights\]](https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights)

3. UNHRC Resolution 12/16 (2009)

Outlines permissible restrictions on expression under international law

Urges states to refrain from arbitrary arrests and censorship

[\[https://digitallibrary.un.org/record/673444\]](https://digitallibrary.un.org/record/673444)

4. General Comment No. 34 and No. 37 (Human Rights Committee)

GC 34: Emphasizes that freedom of expression includes political discourse, commentary on public affairs, journalism

GC 37: Stresses that authorities must avoid the arbitrary use of force during assemblies

GC 34, GC 37

5. Regional Instruments

European Convention on Human Rights (Articles 10 & 11)

American Convention on Human Rights (Articles 13 & 15)

African Charter on Human and Peoples' Rights (Articles 9 & 11)

III. Key Problems & Challenges

1. Criminalization Through Domestic Legislation

Laws that penalize defamation, sedition, "fake news," and unauthorized protests eg, Egypt's Anti-Terror Law used to detain peaceful activists and journalists

Amnesty International Egypt Report 2023

Human rights in Egypt: Amnesty International

2. Digital Repression and Censorship:

The CHALLENGES TO FREEDOM IN THE DIGITAL AGE The digital age has created new opportunities for exercising freedoms of the press, assembly, and association, but has also introduced significant challenges. Governments increasingly use digital tools for surveillance, censorship, and internet shutdowns to suppress dissent, particularly in authoritarian regimes. Even in democracies, algorithmic biases, misinformation, and corporate control over online platforms raise concerns about press freedom and impartiality. The right to assembly is curtailed by digital surveillance and restrictions on online mobilization, while NGOs and advocacy

groups face cyberattacks, restrictive laws, and data breaches. These challenges underscore the need for balanced frameworks that protect fundamental rights while addressing legitimate concerns like public safety and national security.

Surveillance technologies used to monitor dissent (e.g., spyware like Pegasus)

Countries like China and Iran heavily censor the internet and social media

Freedom House, Freedom on the Net 2023

<https://theacademic.in/wp-content/uploads/2025/02/42.pdf>

[<https://freedomhouse.org/countries/freedom-net/scores>]

3. Use of Force and Arbitrary Detention

Repression of Activists' Rights: Building on the experiences shared during the Protest Under Pressure conference and on a review of continental bodies working in defence of human rights, we have been able to witness how the rule of law, and more particularly, the right to protest, is dealt by the various incumbents that play a role in the democratic theatre. Throughout this piece, we purport that national governments are increasingly seeking to weaken the rule of law standards, which are designed to ensure that governments serve the interests of their citizens. This includes violating the requirements of the rule of law to reduce legal and democratic control over political power holders. Examples of this weakening of norms sprout up on all continents

Security forces often use excessive force against peaceful protesters eg, Iran's crackdown in 2022 led to 500+ protester deaths. Amnesty International [<https://www.amnesty.org/en/latest/news/2022/12/iran-protesters-facing-death-penalty/>]

4. Political Control of Media and Judiciary

DEMOCRATIC VS. AUTHORITARIAN APPROACHES TO REGULATION
Democratic and authoritarian approaches to regulation differ in their balance of individual freedoms and state control, particularly in the digital age. Democracies focus on safeguarding rights like free speech and privacy while addressing issues such as misinformation and online harm, aiming for a balance between regulation and freedom. For example, Germany's Network Enforcement Act targets hate speech but is subject to judicial review. In contrast, authoritarian regimes prioritize state control, using censorship, surveillance, and restrictive laws to suppress dissent and maintain political power. China and Russia exemplify this approach, with heavy controls over digital spaces to limit criticism and opposition. Ultimately, democracies protect civil liberties, while authoritarian regimes use regulation to consolidate power and control public discourse.

State control over national media narratives. Judicial systems used to suppress

opposition and delay justice, eg, Turkey jailing journalists under anti-terror laws
Reporters Without Borders (RSF) 2023 [<https://rsf.org/en/index>]

5. Limited Capacity of UNHRC

Dependence on voluntary state cooperation and political consensus

The non-binding nature of resolutions undermines enforcement

UN Watch, 2022 [<https://unwatch.org/unhrc-failures/>]

IV. Major Countries Violating These Rights

Country	Violations	Sources
Iran	Mass arrests, internet blackouts, protester executions	Amnesty International, 2022
Russia	Censorship laws, crackdown on protests, persecution of the opposition	HRW World Report 2023
China	Surveillance, digital censorship, and repression of ethnic minorities	Freedom House 2023
Saudi Arabia	No legal right to protest, harsh penalties for dissent	OHCHR 2021
Egypt	Detentions of NGO workers, protest bans, use of military courts	Amnesty 2023
Myanmar	Post-coup repression, suppression of peaceful protest, and media shutdowns	UN OHCHR 2023

V. Conflict Regions with Emphasis on the Middle East

1. Syria

Syria represents a catastrophic case of state violence against peaceful expression. The civil war began in 2011 after the Assad regime violently repressed peaceful protests. The UNHRC's Commission of Inquiry has documented crimes against humanity, including torture and mass executions, particularly in facilities like Saydnaya prison. Protests in 2011 met with extreme violence, leading to civil war

UNHRC Commission of Inquiry reports include widespread torture, executions

UNHRC Syria Inquiry Reports [<https://www.ohchr.org/en/hr-bodies/hrc/iici-syria/index>]

2. Israel/Palestine

In Israel and Palestine, the use of live ammunition by Israeli forces during the Great March of Return protests in Gaza resulted in over 200 deaths and thousands of injuries, often among unarmed demonstrators. The UNHRC condemned the disproportionate use of force and called for accountability. Use of live fire against protesters in Gaza; high civilian casualties. UNHRC condemned the disproportionate use of force. UNHRC Gaza Commission Report 2019.

[<https://www.ohchr.org/en/press-releases/2019/02/un-commission-finds-reasonable-grounds-believe-israeli-soldiers-committed>]

3. Iran

Women-led protests sparked by the death of Mahsa Amini were met with brutal crackdowns. More than 20,000 individuals were reportedly arrested, many of them minors, and several were executed following unfair trials. OHCHR 2022 Statement [<https://www.ohchr.org/en/statements-and-speeches/2022/11/iran-unprecedented-global-call-end-violence-against-protesters>]

4. Yemen

In Yemen, all parties to the conflict, including the Houthi rebels and the internationally recognized government, have suppressed journalists and restricted freedom of expression. Freedom House and Reporters Without Borders note that Yemen is among the most dangerous countries for media workers. Multiple parties suppress expression, especially journalists and NGOs

Freedom House Yemen Report 2023
[<https://freedomhouse.org/country/yemen/freedom-world/2023>]

5. Lebanon

Lebanon's 2019 protests against economic mismanagement and corruption were initially peaceful but were met with arbitrary arrests, excessive force, and the targeting of journalists. Human Rights Watch has documented numerous abuses committed by security forces during these events. 2019 economic protests met with excessive force and arbitrary arrests. HRW Lebanon Overview [<https://www.hrw.org/middle-east/n-africa/lebanon>]

References Summary

- OHCHR: <https://www.ohchr.org>
- Amnesty International: <https://www.amnesty.org>
- Human Rights Watch (HRW): <https://www.hrw.org>
- Freedom House: <https://freedomhouse.org>
- UNHRC Reports: <https://www.ohchr.org/en/hr-bodies/hrc>
- Reporters Without Borders: <https://rsf.org>
- UN IIMM: <https://iimm.un.org>