**The Rights to Freedom of Peaceful Assembly and of Association for Disenfranchised Workers**

*Oct. 2016 thematic report to the UN General Assembly by the Special Rapporteur on the rights to freedom of peaceful assembly and of association*

In his upcoming report to the UN General Assembly to be presented in October 2016, the Special Rapporteur will examine the rights to freedom of peaceful assembly and of association (FOAA) for disenfranchised workers.

The Special Rapporteur considers disenfranchised workers those who are most marginalized or left behind when it comes to the exercise of FOAA rights. They could include a young woman working and living as a domestic worker in her employer’s home, a construction laborer hired day-by-day, a migrant worker on an export fishing boat who borrowed money from family to pay an agency fee, a refugee with limited knowledge of the national language trying to make some money and a mother of three picking vegetables and moving from farm to farm following the harvest seasons.

The questionnaires below solicit information with a view to assisting the Special Rapporteur in his assessment. Note that there are three separate questionnaires. Please answer only the questionnaire that corresponds to your position – UN Member State, representative of business or civil society/unions/workers.

The Special Rapporteur is especially interested specific, real-world examples related to this topic. If you cite laws or case studies, it would be helpful to include copies or links to further information. If you are unsure on how to answer a question or if it does not apply, feel free to leave it blank.

All responses received will be made public in October 2016. Civil society/unions/workers may request that identity remain confidential if they so wish (only the country where they operate will be disclosed). Please clearly state in your response if you would like your identity to remain confidential.

Please note that for this report, the Special Rapporteur is partnering with the Solidarity Center, an international organization that works in roughly 60 countries to protect workers’ rights. The Solidarity Center will assist with research the report. Responses to the questionnaires will be shared with select Solidarity Center staff prior to the publication of the report.

**Completed questionnaires should be e-mailed to** **freeassembly@ohchr.org****.**

**We will be accepting submissions until June 30, 2016. You may submit your responses in English, French or Spanish.**

**QUESTIONS FOR CIVIL SOCIETY/UNIONS/WORKERS**

What are the challenges to exercising the rights to freedom of peaceful assembly and of association (FOAA rights) for disenfranchised workers in your country or region? Are there specific gender-related or socio-cultural dimensions to any of these challenges? Specific examples are most helpful.

What are the political/legal/structural barriers to realization of FOAA rights for disenfranchised workers in your country? What are the gender-dimensions to these barriers? Please give examples.

How do FOAA rights for workers function in practice, both where FOAA rights formally exist and where there is an absence of formal recognition for particular categories of workers such as those described above?

Have you experienced closing civic/democratic space in your country or region?

If yes, how has it impacted the exercise of FOAA rights for disenfranchised workers; and

How does the absence of FOAA rights for disenfranchised workers impact space for civil society as a whole?

What role does the lack of policy coherence at the national level play in frustrating the exercise of FOAA rights? Do other areas of law pose risks for the exercise of FOAA rights?

How should the state fulfill its duty to protect individuals from FOAA rights violations by non-state actors in global value chains?

What are the barriers to states holding corporations accountable for transnational harms – in the host country – in the home country?

How can they be overcome?

What can be done to reverse this trend?

How does the State respond to retaliation practices?

What actors/forces have been instrumental in weakening laws or preventing laws supporting FOAA rights in your country or region?

What obstacles impede workers from exercising FOAA across borders? (i.e. migrant workers, women workers)

Do you wish your identity to remain confidential?