



FORUM: Human Rights Council (HRC)

QUESTION OF: "Securing the Right to Protest with Special Regard to Operations Carried Out by Government Agencies"

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INTRODUCTION

There is no clear structured evolution of protests, them being violent or peaceful. One could argue that the tradition of peaceful protests started in the United States of America, the civil rights movement being an example of widely used peaceful protesting tactics. Yet Martin Luther from Germany protested against the catholic church in 1517, nailing 95 theses on a church door.

Protests have always been defiant. Their sole definition defines that protestors oppose something, meaning there is always an antagonist. From royal armies to modern police forces, the antagonist is usually represented by the executive force of the state.

Only in modern civil societies has the form of the suppression been restrained by law. The Universal Declaration of human rights from 1948 declares that a human has the right to life and safety. All laws should respect that. It is the duty of the authorities to use peaceful measures to keep the situation under control, lethal force being only the last resort when their own rights are endangered.

Although the declaration of human rights declares every human being free from discrimination of any kind, society is still flawed with racism, sexism, homophobia and other discriminative beliefs. It shows in the actions of governmental agencies, where authorities may misuse their power to violate human rights.

DEFINITION OF KEY TERMS

Protest

A protest is a public expression of objection, disapproval or dissent towards an idea or action, typically a political one. (Wikipedia)

Peaceful protest

A protest that does not harm public property or cause any kind of physical damage. Their main goal is usually to influence the public opinion.

Anti-terrorist legislation

Anti-terrorism legislation are laws with the purpose of fighting terrorism. It usually includes specific amendments allowing the state to bypass its own legislation when fighting terrorism-related crimes, under alleged grounds of necessity. (Wikipedia)

The red-tagging phenomenon

Labelling individuals or groups, including human rights defenders and NGOs, as communists or terrorists. (Philippines Lifestyle)

Riot police

A body of the police specifically trained to control crowds, protests and riots. They are granted special riot gear usually consisting of shields, tear gas and rubber bullets.

Political prisoner

Someone put in prison for expressing disapproval of their own government, or for belonging to an organisation, race, or social group not approved by that government. (Cambridge Dictionary)

Police brutality

The term “police brutality” is sometimes used to refer to various human rights violations by police. This might include beatings, racial abuse, unlawful killings, torture, or indiscriminate use of riot control agents at protests. (Amnesty International)

BACKGROUND INFORMATION

The word 'protest' comes from the Latin verb 'protestari', which means 'to declare publicly, to testify, to protest'. A protest, or a demonstration, is a public event. Yet they can have various forms as well. When protests become violent and public property becomes harmed, they're called riots. When the protestors peacefully gather to voice their opinions, no harm is usually intended to do to public property.

The role of the police has always been to secure the safety of civilians and to fight crime. In most cases of protests, the police are also present as to necessarily break up the crowd, if the situation

may need it. Sometimes, even peaceful protests can turn into riots. In this case, units of riot police are necessary to keep civilians from harm etc.

How governmental agencies can endanger the right to protest

However, if heavily armed police units are ordered to suppress peaceful protests, escalating to using excessive force in an unlawful way, that does indeed violate human rights. It violates the right for safety, suppresses the right to protest and in worst cases, endangers the right to life.

This in itself is an issue either of the national legislature, ingrained discriminatory beliefs or impunity. It is the responsibility of governmental authorities, which should be directed by the law not human emotions, to protect the right to life.

Police brutality in relation to protests and protestors is one thing, yet there are other threats to activists in some countries of the world as well. Sometimes, active members of a community are taken by governmental forces without any trace, making the person disappear. It is very likely that these missing persons are tortured and killed. Enforced disappearances like these were very common in the authoritarian regimes of the 20. century, yet are still common in some parts of the world.

Disappearances of people are also part of a red-tagging phenomenon, where oftentimes innocent people get marked for the smallest of reasons, resulting in them being tracked and monitored. This enforces terror among the population, violating the right for safety.

What also creates a suitable environment for repressions of protestors are anti-terrorist bills like the one accepted in the Philippines. The term ‘terrorism’ is very vaguely defined and implicates some forms of protesting as well. In addition to that, there is almost no restrictions on the measures the authorities can take to prevent their so-called terrorism.

List of recent major protests:

- Climate strikes
- the BLM movement
- Protests in Warsaw
- Belarus protests

ISSUES THAT MIGHT ARISE

- Security issues
- Police brutality
- Suspecting innocent citizens
- Terrorism prevention

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

- Countries with recent major protest scandals, especially
 - Republic of Poland
 - Republic of Belarus
 - United States of America
- Countries with a low Democracy Index, especially
 - Russian Federation
 - Bolivarian Republic of Venezuela
- Countries with a low Press Freedom Index, especially
 - People's Republic of China
 - Democratic People's Republic of Korea
 - Syrian Arab Republic
- Countries with Anti-Terrorist bills violating the human rights, especially
 - Republic of the Philippines
- Organisations dealing with political prisoners:
 - Amnesty International

QUESTIONS DELEGATES SHOULD CONSIDER

How are minorities treated in my country? Do they have reasons for protesting?

How is police brutality encountered in my country?

How to keep the red tagging phenomenon from happening?

USEFUL LINKS/RESOURCES

1. <https://www.amnesty.org/en/> (Amnesty International homepage)
2. https://en.wikipedia.org/wiki/Democracy_Index (Democracy Index)
3. <https://rsf.org/en/ranking> (Press Freedom Index 2020)
4. <https://www.cato.org/human-freedom-index-new> (Human Freedom Index 2019)
5. <https://philippineslifestyle.com/un-reports-widespread-human-rights-violations-persistent-impunity-in-philippines/> (Article describing the way the Filipino anti-terrorism bill violates human rights)