



Social, Humanitarian & Cultural Committee (SOCHUM)

“The Rights of Protesters” Study Guide

Contributors: Monica Pontikidou, Evangelia Fingou, Foteini
Chrysochoidou

All rights reserved, ARCMUN 2020

Table of Contents

1. Welcoming Letter	3
2. Introduction to the committee	3
3. Introduction to the Topic	4
4. Definition of Key Terms.....	4
5. History of the Topic	6
6. Legal Framework.....	7
7. Discussion of the Topic.....	9
8. Actions Already Taken.....	14
9. Conclusion	15
10. Points to be addressed	16
11. Bibliography.....	16
12. Further resources	19

1. Welcoming Letter

Dear delegates,

It is our great pleasure to welcome you to ArcMUN 2020 and specifically to the Social, Humanitarian and Cultural Committee. This year, we're dealing with a very important topic, which we also feel will be extremely interesting to discuss during our sessions; the rights of protesters. SOCHUM, as one of the most important committees of the General Assembly, is responsible for addressing social development issues and protecting fundamental social rights. One of the most vital issues the committee is handling and one that has been included in international agendas for decades is the safeguarding of the rights of protesters, in today's ever-changing and complex society. That is why we believe that there is a lot to discuss regarding this subject and that there are many unique perspectives to approach it. We expect each of you to contribute with innovative ideas, challenge each other in the spirit of true diplomacy and offer effective solutions. Our hope is that this Study Guide will help you gain a more profound insight into the topic and will serve as a compass for your preparation. Thorough research based on the outlines of the Study Guide and on your country's policy, a solid knowledge of the Rules of Procedure, good negotiation skills and a fresh perspective are the tools that will help you stand out during the debate. As the Board of SOCHUM, it is our role to assist you and answer any of your questions, so therefore please do not hesitate to contact us. We can't wait to meet you all in person and live with you a highly constructive experience!

Best regards,

Monica Pontikidou, Main Chair

Evangelia Fingou, Co-Chair

Foteini Chrysochoidou, Junior Chair

2. Introduction to the committee

The SOCHUM committee is the third of the six main committees of the United Nations' General Assembly. The topics of the committee's agenda include a variety of social, humanitarian affairs and human rights issues that concern a great percentage of individuals worldwide. Some of the key points of the committee's research focus on the

protection and empowerment of women and children, the preservation of indigenous people's dignity and heritage, the rights of refugees and the ultimate pursuit, the elimination of racism and discrimination.¹ All 193 member states are represented in the Third Committee and have the right to vote during the General Assembly's voting procedure.²

3. Introduction to the Topic

Public protest is a phenomenon deeply rooted in our political culture, that emerged along with the formation of governments and modern societies. In its essence, it is a natural continuation of politics, a form of communal expression and an outlet for public outrage. In recent history, protests have become a symbol of social change and have brought about revolutionary progress in many fields, while creating strong historic movements. From the French Revolution and the 1900s Suffragettes to the May Day protests for workers' rights and the Civil Rights Movement in the United States, the political and social significance of protests is evident. They have led to changes in governmental policies and laws and have also raised awareness about subjects that are often overlooked by governments or not publicized enough to the general public. In modern societies, protests are considered a metric of democracy and civil engagement, as a cause that involves all members of society without prejudice of race, gender, age or social status. At the same time, though, new challenges have arisen concerning the use of force by law enforcement agents in the name of public order protection, as well as the spread of extremist ideas and symbols, the use of violence in protests and the limitations set on the right of peaceful protests. The historic importance of this right, combined with the interesting recent developments, makes the rights of protesters a compelling issue with multiple dimensions that will be discussed in this Study Guide.

4. Definition of Key Terms

Protest: The act of objecting or a gesture of disapproval especially : a usually organized public demonstration of disapproval.³

¹ Un.org. (2019). *UN General Assembly - Third Committee - Social, Humanitarian & Cultural*. [online] Available at: <https://www.un.org/en/ga/third/index.shtml>

² Un.org. (2019). *General Assembly of the United Nations*. [online] Available at: <https://www.un.org/en/ga/>

³ Merriam-webster.com. (2019). *Definition of PROTEST*. [online] Available at: <https://www.merriam-webster.com/dictionary/protest>

Freedom of Assembly: The individual right or ability of people to come together and collectively express, promote, pursue, and defend their collective or shared ideas and it is recognized as a human right, a political right and a civil liberty.⁴

Freedom of Speech: A principle that supports the freedom of an individual or a community to articulate their opinions and ideas without fear of retaliation, censorship, or legal sanction.⁵

Freedom of Association: It ensures that every individual is free to organise and to form and participate in groups, either formally or informally.⁶ It encompasses both an individual's right to join or leave groups voluntarily, the right of the group to take collective action to pursue the interests of its members and the right of an association to accept or decline membership based on certain criteria.

Demonstration: An occasion when a group of people march or stand together to show that they disagree with or support something or someone.⁷

Civil Resistance: Civil resistance (also referred to as “nonviolent action,” “nonviolent struggle,” “nonviolent conflict,” and “people power,” among other terms) is a technique for waging conflict for political, economic, and/or social objectives without threats or use of physical violence.⁸

Right of Revolution: The natural⁹ right or duty of the people of a nation to overthrow a government that acts against their common interests and/or threatens the safety of the people without cause.¹⁰

Activism: The policy or action of using vigorous campaigning to bring about political or social change.¹¹

⁴ Jeremy McBride, Freedom of Association, in *The Essentials of... Human Rights*, Hodder Arnold, London, 2005, pp. 18–20

⁵ HISTORY. (2019). *Freedom of Speech*. [online] Available at: <https://www.history.com/topics/united-states-constitution/freedom-of-speech>

⁶ Human Rights House Foundation. (2019). *Freedom of association - Human Rights House Foundation*. [online] Available at: <https://humanrightshouse.org/we-stand-for/freedom-of-association/>

⁷ Dictionary.cambridge.org. (2019). *DEMONSTRATION | meaning in the Cambridge English Dictionary*. [online] Available at: <https://dictionary.cambridge.org/dictionary/english/demonstration>

⁸ Bartkowski, M. and Merriman, H. (2019). [online] Nonviolent-conflict.org. Available at: <https://www.nonviolent-conflict.org/wp-content/uploads/2016/03/Civil-Resistance-Bartkowski-Merriman-2016.pdf> [Accessed 7 Oct. 2019].

⁹ Encyclopedia.com. (2019). *Right of Revolution | Encyclopedia.com*. [online] Available at: <https://www.encyclopedia.com/politics/encyclopedias-almanacs-transcripts-and-maps/right-revolution>

¹⁰ Democracia Participativa / Participatory Democracy. (2019). *The Right of Rebellion*. [online] Available at: <https://democraciaparticipativa.net/documentos-data-a-referenda/documents-in-english/other-documents/3666-the-right-of-rebellion.html>

¹¹ Lexico Dictionaries | English. (2019). *Activism | Definition of Activism by Lexico*. [online] Available at: <https://www.lexico.com/en/definition/activism>

5. History of the Topic

Protest is a phenomenon that appeared just about when governments started to form and began to legislate. Stretching back to the 13th Century, the English people found themselves left with no individual rights and, alongside with the Barons, rose against King John's catastrophic Monarchy.¹² A few centuries later, in 1789, the French Revolution became a turning-point for Democracy and established fundamental ideas such as liberty, equality and fraternity on a universal scale. Essentially, it was an uprising against the feudal system and elitism. It became a movement for social reform, that gathered the support of intellectuals and, under conditions of political crisis, eventually became a historic and symbolic revolt.¹³

The Suffrage Movement started in 20th Century England, with the National Union for Women's Suffrage Societies, which believed in moderate campaigns and peaceful actions. Later on, the Women's Social and Political Union participated in massive strikes and protests, battled with police but, ultimately succeeded in winning women the right to vote.¹⁴

The Civil Rights Movement of the 1960s emerged in the United States as the answer of African-Americans to the prejudice and violence of whites towards them and began an unprecedented struggle that lasted two decades. One of the most famous events of the Civil Rights Movement was the March in Washington organized by civil rights leaders, such as Martin Luther King Jr., whose famous speech "I have a dream" became a slogan for equality and freedom.¹⁵

¹² Encyclopedia Britannica. (2019). *Magna Carta - Reissues of 1216, 1217, and 1225*. [online] Available at: <https://www.britannica.com/topic/Magna-Carta/Reissues-of-1216-1217-and-1225#ref326682>

¹³ Encyclopedia Britannica. (2019). *French Revolution | Causes, Facts, & Summary*. [online] Available at: <https://www.britannica.com/event/French-Revolution>

¹⁴ Encyclopedia Britannica. (2019). *Women's Social and Political Union | British organization*. [online] Available at: <https://www.britannica.com/topic/Womens-Social-and-Political-Union>

¹⁵ History.com. (2019). [online] Available at: <https://www.history.com/topics/black-history/civil-rights-movement>.



Black American civil rights leader Martin Luther King (1929 - 1968) addresses crowds during the March On Washington at the Lincoln Memorial, Washington DC, where he gave his 'I Have A Dream' speech.



The Civil Rights Movement in the 1960s

As years went by, the need to ensure that the rights of protesters would be protected started to appear as urgent and led to the European Convention on Human Rights' enunciating in 1950 the “right of freedom of thought, conscience and religion” through Article 9. The right to “freedom of expression” was established in Article 10, while Article 11 set the basis for the “freedom of association with others”. Furthermore, in 1966, the International Covenant on Civil and Political Rights legislated in favor of the protesters as well. When it comes to the U.S. Constitution, the First Amendment, clarified that “Congress shall make no law ... abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble”. Additionally, it is stated in the first Article of the Constitution of Texas (sections 8-27) that all citizens shall have the “liberty to speak, write or publish ... opinions on any subject,” and “the right ... to assemble. By having a look at today's reality and recent history, it cannot be denied that, though progress has been made, there is still a long way to go until the right to protest is no longer unnecessarily violated by law enforcement and free public expression stops being a privilege.

6. Legal Framework

The United Nations' Universal Declaration of Human Rights (1948)

The United Nations' 1948 Universal Declaration of Human Rights is a milestone document in the history of human rights. In article 19 the Declaration clearly states that : "Everyone

has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference, and to seek, receive, and impart information and ideas through any media regardless of frontiers". Article 20 recognizes the right to freedom of peaceful assembly and association.¹⁶

European Convention on Human Rights (1950)

The European Convention on Human Rights (ECHR) is an international human rights treaty between the 47 states that are members of the Council of Europe (CoE). It is a treaty to protect the rule of law and the rights of citizens and promote democracy in European countries. Article 9 of the Convention enunciates the "right to freedom of thought, conscience, and religion." Article 10 concerns the "Right to freedom of expression" and protects the right to share information with others and express our views and ideas, even ones "that some may find unpopular or offensive." Article 11 protects the right to freedom of assembly and association, including the right to form trade unions, subject to certain restrictions that are "in accordance with law" and "necessary in a democratic society".¹⁷

International Covenant on Civil and Political Rights (1966)

This Covenant ensures the protection of human rights as the foundation of "freedom, justice and peace in the world". It explicitly protects freedom of thoughts and conscience, the right to hold opinions without interference, and the right of peaceful assembly. (Articles 18-21). As per Article 21, no restrictions may be placed on the exercise of the right of peaceful assembly, other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.¹⁸

UNHCR Resolution on The promotion and protection of human rights in the context of peaceful protests

Adopted in 2014, this Resolution calls upon States to promote a safe and enabling environment for individuals and groups to exercise their rights to freedom of peaceful assembly, of expression and of association, urges states to provide protesters with

¹⁶ Un.org. (2019). *Universal Declaration of Human Rights*. [online] Available at: <https://www.un.org/en/universal-declaration-human-rights/>

¹⁷ Amnesty.org.uk. (2019). *What is the European Convention on Human Rights?*. [online] Available at: <https://www.amnesty.org.uk/what-is-the-european-convention-on-human-rights>

¹⁸ Ohchr.org. (2019). *OHCHR | International Covenant on Civil and Political Rights*. [online] Available at: <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

access to public space, to protect protesters without discrimination and to avoid use of force.¹⁹

7. Discussion of the Topic

Forms of Protests

Protest, is a form of expression when the need to express opposition to particular actions or policies -social or political- is urgent. However, the way the public chooses to externalize their notions depends on the occasion and the radiation of the cause. It is obvious that there are two big subcategories when it comes to protesting, which are divided based on the use of violence or the participants' choice to abstain from it. When it comes to **non-violent protests**²⁰, many forms of expression have been observed throughout history, with the most popular ones being:

- ☒ Sit-ins: The occupation of the public space of interest by protesters for 24 hours with the aim to put pressure on the forces and raise awareness. The sit-in movement began in Greensboro, North Carolina when African American students occupied all the free sits in segregated lunch counters and refused to leave despite the fact that they were denied service due to their racial background.²¹
- ☒ Silence and Stillness: The process of non-violent resistance in which the protesters choose to stand still and remain silent in front of the force of interest and law enforcement in an attempt to familiarize the public with their opposition to the current situation or action.
- ☒ Marches: A predetermined route to a certain destination by a large group of people to raise awareness on a specific matter.

Marching²², is one of the most popular and acceptable forms of peaceful protesting. Usually, it includes a great percentage of protesters walking from one point to another, shouting slogans and carrying signs. The reasons behind an organized march may rely on political matters, economical imbalance, environmental issues and topics of social

¹⁹ Ohchr.org. (2019). [online] Available at: <https://www.ohchr.org/Documents/Issues/Executions/A-HRC-RES-25-38.pdf>

²⁰ HighExistence. (2019). *The Power of Protest: 15 Methods to Make Yourself Heard*. [online] Available at: <https://highexistence.com/the-power-of-protest-methods-for-modern-protest/>

²¹ Encyclopedia Britannica. (2019). *Sit-in movement | United States history*. [online] Available at: <https://www.britannica.com/event/sit-in-movement>

²² Dictionary.cambridge.org. (2019). *PROTEST MARCH | meaning in the Cambridge English Dictionary*. [online] Available at: <https://dictionary.cambridge.org/dictionary/english/protest-march>

interest. A significant amount of marches have been organized in the last decade proving that protesting about crucial issues can be done in peaceful and nonviolent ways by people of all ages. In 2018, right after the mass shooting in Marjory Stoneman Douglas High School in Parkland, Florida, the biggest march against gun violence in history was organized and held on the 14th of February exclusively by school students.²³ Furthermore, the media's attention throughout September 2019, was focused on the marches held in various cities around the world by the movement “Global Climate Strike”, proving once again that when people unite for a good cause and demand change in peaceful ways, awareness can be raised in the most effective way possible.²⁴

- ☒ Hunger Strike: The refusal to eat until the protester's demands are fulfilled.
- ☒ Strike: The employees' decision to abstain from work in an aim to safeguard their rights or the demand of better working conditions.
- ☒ Picketing, is another form of non-violent protesting in which protesters gather in a location -or outside a building- where an event is being held in order to prevent others from entering and to draw public attention. Picketing can be considered legal when it does not include violence, violation or damages and is protected by the Right of Assembly. However, many countries have imposed restrictions, while the United Kingdom has banned it under the Criminal Law Amendment Act of 1871.²⁵

²³ March For Our Lives. (2019). *Mission & Story - March For Our Lives*. [online] Available at: <https://marchforourlives.com/mission-story/>

²⁴ Global Climate Strike → Sep. 20–27. (2019). *Global Climate Strike → A Historic Week*. [online] Available at: <https://globalclimatestrike.net/>

²⁵ Api.parliament.uk. (2019). *CRIMINAL LAW AMENDMENT ACT, 1871—PICKETING.—QUESTION. (Hansard, 15 July 1872)*. [online] Available at: https://api.parliament.uk/historic-hansard/commons/1872/jul/15/criminal-law-amendment-act-1871#S3V0212P0_18720715_HOC_32



Thousands of school students have been striking over climate change in the past year

On the other hand, there are some more controversial forms of protesting that are often criticized by society and are considered controversial because of their violent means of expression. The **violent protests**²⁶ subcategory includes civil disobedience protests, melees and mob violence. All those methods are characterized by extreme use of violence and weapons and vandalism, by protesters against the public, law enforcement and buildings. Directly and indirectly these activities are against the law. Civil disobedience may vary from Rasta rokokos (people blocking traffic with their bodies) to public nudity and bombing.

An issue that should definitely be discussed is how protests are actually formed in practice. The starting point is a team of strategists, researchers, planners and administrators, that is usually supported by a system of organizations that sponsor the protest. Equally imperative for a protest to evolve into a successful social movement is gathering popular as well as institutional support, by the media, educational institutions, other organizations and even the police and government agencies. As to that last part, it is crucial to realize that states are required to respect, protect and fulfil the right to protest, by creating an enabling environment for protesters to exercise their rights, in accordance with national constitutions and international conventions. Thus, states should respect this right without discrimination or restrictions other than those necessary and permissible by international law, specifically as regards to the protection of national security, public order, public health, morals and safety, while always ensuring the principle of proportionality.

²⁶ Encyclopedia Britannica. (2019). *lynching | Definition, History, & Facts*. [online] Available at: <https://www.britannica.com/topic/lynching>

However, this is not always the case as to how the police treat protesters. In practice, the police often resort to hostile or retaliatory measures, many times without provocation from the public and without respect for the principles of proportionality and equality. Riot police, which is the police organized, deployed, trained or equipped to deal with crowds, protests and riots, often use special equipment to confront protesters. This includes pepper spray, tear gas, rubber bullets, stun grenades, riot shields and batons.²⁷

The most recent examples of the use of extreme violence from the police are the Hong Kong and Chile protests. Beginning in 2019, the Hong Kong protests, also known as the Anti-Extradition Law Amendment Bill (or Anti-ELAB) Movement, were triggered by government proposals for a bill that would allow extraditions to mainland China and have since brought over a million people to the streets. Conflicts have escalated after the recent death of a student during the clashes between pro-democracy protesters and police.²⁸ Public frustration has also been the motivating force behind the ongoing protests in Chile, the largest in the country's history. The immediate trigger behind them has been the increased cost of living and inequality, especially in the country's capital. Initially, the government responded by deploying 10,000 troops to the streets, which in turn was followed by incidents of extreme violence by law enforcement. After tensions reached unprecedented levels, the government declared a state of emergency, following dozens of deaths, more than 2,000 injuries and 5,000 arrests.²⁹ On the other side, in Bolivia, police have actively assisted protesters and in fact, recently joined anti-government protests to show their support for the allegations of electoral fraud in the latest elections, which sparked marches all across the country.³⁰ This is an example of the police acting for the interests of the public and ensuring public order, while respecting the rights of protesters.

Another aspect of the topic that must be discussed, especially given the immense threat that recent terrorist attacks have posed, is the concerns of both the public and the police in multiple countries about a possible connection between the attacks and the acts of the protesters. A relevant example is the restriction of the Yellow Vests Movement's right to protest in specific locations in Paris, imposed by the French government. The reason behind this decision lies in the prevention of any terrorist attack in streets that are popular among locals and tourists. Of course, characterized by intense controversy, this decision

²⁷ Rauch, J. and Storey, D. (2019). *The Policing of Public Gatherings and Demonstrations in South Africa 1960-1994*. [online] Csvr.org.za. Available at: <https://www.csvr.org.za/index.php/publications/1483-the-policing-of-public-gatherings-and-demonstrations-in-south-africa-1960-1994.html>

²⁸ DW.COM. (2019). *Hong Kong protesters clash with police after student dies* | DW | 08.11.2019. [online] Available at: <https://www.dw.com/en/hong-kong-protesters-clash-with-police-after-student-dies/a-51162174>

²⁹ Cheatham, A. (2019). *What's Behind the Chile Protests?*. [online] Council on Foreign Relations. Available at: <https://www.cfr.org/in-brief/whats-behind-chile-protests>

³⁰ Collins, D. (2019). *Bolivian police 'mutiny' in opposition to Evo Morales*. [online] the Guardian. Available at: <https://www.theguardian.com/world/2019/nov/09/bolivian-police-mutiny-in-opposition-to-evo-morales>

has split the public opinion, making protesters wonder whether their safety is truly the aim or if this is a means of the government's control and manipulation.



Yellow vests protestors demonstrate in downtown Lille on Jan. 5

Taking the history of protesting into consideration, it cannot be denied that the legacy the first mass-protests have left to the younger generations is invaluable. It is truly fascinating that Rosa Park's refusal to give up her seat to a white man in a bus in Montgomery, Alabama in 1955, became the starting point of the bus boycott³¹. In the blink of an eye, protests were held everywhere to ensure that white supremacy would be demolished. A few years later, after the Selma-to-Montgomery march in March 1965 and many more marches inspired by the contribution of Martin Luther King Jr, a great win was achieved. In 1870, people of color earned the right to vote by the Fifteenth Amendment to the United States Constitution. It would be a tremendous negligence to forget the contribution of the Suffragettes to peaceful protesting. These women risked it all and conquered the streets of France in 1918 to ensure that women would eventually get the right to vote.³² The list of peaceful protests that led to incomparable achievements goes on and will definitely continue to be filled with remarkable successes, as long as people don't cease being vocal about their rights and realize that the only weapon that can replace violence is their voice.

³¹Encyclopedia Britannica. (2019). *American civil rights movement - Montgomery bus boycott to the Voting Rights Act*. [online] Available at: <https://www.britannica.com/event/American-civil-rights-movement/Montgomery-bus-boycott-to-the-Voting-Rights-Act>

³²Sky News. (2019). *The Suffragettes: The women who risked all to get the vote*. [online] Available at: <https://news.sky.com/story/the-suffragettes-the-women-who-risked-all-in-their-battle-to-vote-11233478>

8. Actions Already Taken

UK Human Rights Act (1998)

Articles 10 and 11 of the Law protect freedom of expression, the right to protest, freedom of assembly and association.³³ There are also provisions about the limitations on the right to protest which must be “covered by law, be necessary and proportionate, pursue one or more of these aims: the interests of national security or public safety, the prevention of disorder or crime, the protection of health or morals, the protection of others’ rights and freedoms.”

American Convention on Human Rights

This Treaty of the Organization of American States also safeguards freedom of expression and association and the right of assembly. Article 15 describes the limitations that could be posed on these rights.

European Parliament Resolution 2019/2569

The most recent resolution that supports the right to peacefully protest. Furthermore it calls the Member States to ensure that the use of force is the last resort while being lawful and proportionate.³⁴

Amnesty International

A global movement with millions of members worldwide, Amnesty International investigates, lobbies governments and helps represent citizens in court and prevent abuses of human rights. Its multifaceted action includes mobilization to protect the right to protest and the freedom of assembly.³⁵

American Civil Liberties Union

A non-profit organization in the United States that undertakes civil liberties cases and issues to defend all people from government abuse and overreach. It consists of a network of more than 4 million members, activists, and supporters across the country and is

³³ Equalityhumanrights.com. (2019). *Article 11: Freedom of assembly and association | Equality and Human Rights Commission*. [online] Available at: <https://www.equalityhumanrights.com/en/human-rights-act/article-11-freedom-assembly-and-association>

³⁴ Europarl.europa.eu. (2019). *Texts adopted - The right to peaceful protest and the proportionate use of force - Thursday, 14 February 2019*. [online] Available at: http://www.europarl.europa.eu/doceo/document/TA-8-2019-0127_EN.html

³⁵ Amnesty.org. (2019). [online] Available at: <https://www.amnesty.org/download/Documents/POL3269502017ENGLISH.PDF>

particularly mobilized towards ensuring the rights of protesters and representing activists.

³⁶

Civil Liberties Defence Center: The Civil Liberties Defense Center supports causes that target social inequality and environmental destruction. CLDC's projects educate people about their rights and defend front line activists.³⁷

Center for Constitutional Rights: The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights and works with communities under threat to fight for justice and liberation through litigation, advocacy, and strategic communications. CCR is providing legal support and criminal defense to the protesters who engaged in civil disobedience around immigrant rights.³⁸

9. Conclusion

The international system for the protection of human rights has successfully addressed many aspects regarding the rights of protests. International conventions, compared with effective measures in a domestic scale, have ensured a level of security for protesters worldwide. However, freedom of speech, expression and assembly, despite being included in national constitutions and international human rights declarations alike for decades, cannot be considered a given. The global community still has a long way to go to be able to boast of guaranteeing the complete protection of protesters and the unlimited expression of ideas. Taking into consideration the infringement of human rights worldwide, as well as recent controversies about the limitations on the aforementioned rights, it is evident that an effective and comprehensive approach is imperative for securing these fundamental freedoms. The possible solutions for the issue at hand are numerous and diverse, but there are also many more parameters to examine and discuss in order to gain a complete perspective. We hope that this Study Guide will serve as an incentive for further research and will encourage you to form interesting opinions that will lead to a fruitful debate during the committee sessions.

³⁶ American Civil Liberties Union. (2019). *About the ACLU*. [online] Available at: <https://www.aclu.org/about-aclu>

³⁷ *Our Accomplishments | Civil Liberties Defense Center*. [online] Civil Liberties Defense Center. Available at: <https://cldc.org/accomplishments/> [Accessed 7 Oct. 2019].

³⁸ Center for Constitutional Rights. (2019). *Legal Support to the New Sanctuary Coalition of New York*. [online] Available at: <https://ccrjustice.org/home/what-we-do/our-cases/legal-support-new-sanctuary-coalition-new-york>

10. Points to be addressed

1. Is the existing legal framework adequate? If not, what additional measures could be taken to ensure the full protection of protesters, before, during and after protests?
2. In which ways could Member States prioritize the safety of protesters?
3. Are there any situations in which the use of force by law enforcement during protests is justified and, if so, what should the limit be?
4. How can Member States achieve a balance between the protection of the “public order” and the non-violation of the rights of protesters?
5. How can the United Nations ensure the rights of protesters in countries where freedom of speech and expression is limited ?
6. How can Member States ensure that citizens are aware of their constitutional rights on a theoretical and practical level regarding protests and freedom of assembly?
7. What are the most important social causes that inspire protests today and what practical results have they yielded?
8. What could the role of NGOs and worldwide organizations be in establishing a safer environment for protesters?
9. How has the rise of far-right movements limited the rights of protesters?
10. How can the safety of protesters and the general public be ensured, in cases where there are suspicions of terrorist attacks?

11. Bibliography

1. American Civil Liberties Union. (2019). About the ACLU. [online] Available at: <https://www.aclu.org/about-aclu>
2. Amnesty.org. (2019). [online] Available at:
3. <https://www.amnesty.org/download/Documents/POL3269502017ENGLISH.PDF>
4. Amnesty.org.uk. (2019). What is the European Convention on Human Rights?. [online] Available at: <https://www.amnesty.org.uk/what-is-the-european-convention-on-human-rights>
5. Bartkowski, M. and Merriman, H. (2019). [online] Nonviolent-conflict.org. Available at:

6. <https://www.nonviolent-conflict.org/wp-content/uploads/2016/03/Civil-Resistance-Bartkowski-Merriman-2016.pdf>
7. Center for Constitutional Rights. (2019). Legal Support to the New Sanctuary Coalition of New York. [online] Available at: <https://ccrjustice.org/home/what-we-do/our-cases/legal-support-new-sanctuary-coalition-new-york>
8. Cheatham, A. (2019). What's Behind the Chile Protests?. [online] Council on Foreign Relations. Available at: <https://www.cfr.org/in-brief/whats-behind-chile-protests>
9. Cidh.oas.org. (2019). Basic Documents - American Convention. [online] Available at:
10. <https://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm>
11. Collyns, D. (2019). Bolivian police 'mutiny' in opposition to Evo Morales. [online] the Guardian. Available at: <https://www.theguardian.com/world/2019/nov/09/bolivian-police-mutiny-in-opposition-to-evo-morales>
12. Democracia Participativa / Participatory Democracy. (2019). The Right of Rebellion. [online] Available at: <https://democraciaparticipativa.net/documentos-data-a-referenda/documents-in-english/other-documents/3666-the-right-of-rebellion.html>
13. Dictionary.cambridge.org. (2019). DEMONSTRATION | meaning in the Cambridge English Dictionary. [online] Available at: <https://dictionary.cambridge.org/dictionary/english/demonstration>
14. DW.COM. (2019). Hong Kong protesters clash with police after student dies | DW |
15. 08.11.2019. [online] Available at: <https://www.dw.com/en/hong-kong-protesters-clash-with-police-after-student-dies/a-51162174>
16. Encyclopedia Britannica. (2019). French Revolution | Causes, Facts, & Summary. [online] Available at: <https://www.britannica.com/event/French-Revolution>
17. Encyclopedia Britannica. (2019). Women's Social and Political Union | British organization. [online] Available at: <https://www.britannica.com/topic/Womens-Social-and-Political-Union>

18. Equalityhumanrights.com. (2019). Article 11: Freedom of assembly and association
|
19. Equality and Human Rights Commission. [online] Available at:
<https://www.equalityhumanrights.com/en/human-rights-act/article-11-freedom-assembly-and-association>
20. Europarl.europa.eu. (2019). Texts adopted - The right to peaceful protest and the proportionate use of force - Thursday, 14 February 2019. [online] Available at:
http://www.europarl.europa.eu/doceo/document/TA-8-2019-0127_EN.html
21. HISTORY. (2019). Freedom of Speech. [online] Available at:
<https://www.history.com/topics/united-states-constitution/freedom-of-speech>
22. History.com. (2019). [online] Available at: <https://www.history.com/topics/black-history/civil-rights-movement>.
23. Human Rights House Foundation. (2019). Freedom of association - Human Rights House Foundation. [online] Available at: <https://humanrightshouse.org/we-stand-for/freedom-of-association/>
24. Jeremy McBride, Freedom of Association, in The Essentials of... Human Rights, Hodder Arnold, London, 2005, pp. 18–20
25. Lexico Dictionaries | English. (2019). Activism | Definition of Activism by Lexico. [online] Available at: <https://www.lexico.com/en/definition/activism>
26. Merriam-webster.com. (2019). Definition of PROTEST. [online] Available at:
<https://www.merriam-webster.com/dictionary/protest>
27. Ohchr.org. (2019). [online] Available at:
<https://www.ohchr.org/Documents/Issues/Executions/A-HRC-RES-25-38.pdf>
28. Ohchr.org. (2019). OHCHR | International Covenant on Civil and Political Rights. [online] Available at:
<https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>
29. Our Accomplishments | Civil Liberties Defense Center. [online] Civil Liberties Defense Center. Available at: <https://cldc.org/accomplishments/>

30. Rauch, J. and Storey, D. (2019). The Policing of Public Gatherings and Demonstrations in South Africa 1960-1994. [online] Csvr.org.za. Available at: <https://www.csvr.org.za/index.php/publications/1483-the-policing-of-public-gatherings-and-demonstrations-in-south-africa-1960-1994.html>
31. Un.org. (2019). General Assembly of the United Nations. [online] Available at <https://www.un.org/en/ga/>
32. Un.org. (2019). UN General Assembly - Third Committee - Social, Humanitarian & Cultural. [online] Available at: <https://www.un.org/en/ga/third/index.shtml>
33. Cultural. [online] Available at: <https://www.un.org/en/ga/third/index.shtml>
34. Un.org. (2019). Universal Declaration of Human Rights. [online] Available at:
35. <https://www.un.org/en/universal-declaration-human-rights/>

12. Further resources

1. UN and SOCHUM resources:
<https://www.un.org/en/ga/third/>
<https://www.un.org/en/sections/general/documents/index.html>

<https://www.encyclopedia.com/politics/encyclopedias-almanacs-transcripts-and-maps/right-revolution>
2. Resources to better understand freedom of expression and its dimensions:
<https://www.freedomforuminstitute.org/about/faq/what-is-freedom-of-expression/>
https://ec.europa.eu/europeaid/freedom-expression_en
<https://www.aclu.org/other/freedom-expression>
3. An index about worldwide statistics for freedom of speech:
<http://worldpopulationreview.com/countries/countries-with-freedom-of-speech/>
<https://www.weforum.org/agenda/2016/11/freedom-of-speech-country-comparison/>
4. Articles about the rights of protesters and free speech today:
<https://www.theguardian.com/world/2019/sep/03/the-myth-of-the-free-speech-crisis>

5. <https://www.theguardian.com/global-development-professionals-network/2017/mar/25/activism-mainstream-protests-create-change>