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7 CAS R5: The Right to Protest

8 An essential component of democracy is that it is active: it is not just the right to vote but the
9 right possibility –to constantly influence government decisions. A functioning democracy
10 allows citizens the freedom of thought, expression, assembly and association. If people
11 disagree with the actions of the government, or other forms of governance, it is within their
12 democratic right to demonstrate this in peaceful ways.

13 Our right to protest is enshrined in the Universal Declaration of Human Rights (UDHR) and also
14 in the European Convention of Human Rights (ECHR), created by the Council of Europe and
15 ratified in 47 countries. Articles 9-11 of the Convention declare that every person in Europe
16 has the right to freedom of thought, the right to freedom of expression, and the right to
17 freedom of assembly and association. These rights together allow the participation of
18 peaceful demonstration. The right to protest also creates a positive obligation on the part of
19 the State to ensure that peaceful protests can take place, including by ensuring that protesters
20 are protected from violence by onlookers, the general public or counter-protesters.

21 However, in Europe and around the world this right is often exploited by governments,
22 endangering citizens who want to voice their frustrations at injustice, or by blocking citizen's
23 right to demonstrate through threat of force against theirs and their loved ones' safety. Too
24 often, the right to protest is squashed by the state through police brutality and unjust
25 detention. This forces many protesters into dangerous and vulnerable situations, even losing
26 their lives at the hands of the State.

27 2020 has been a pivotal year for freedom of assembly. While we saw the climate movement
28 go virtual through online strikes, other movements took to the streets in protest against the
29 brutality faced by communities. Black Lives Matter protests erupted in the wake of the murder
30 of George Floyd. In Belarus, since August 2020 citizens have protested against the dictator
31 and a rigged election. Protestors are calling for the fundamental human rights every person is
32 guaranteed through the UDHR, however they have been faced with state violence and murder.
33 This is unacceptable.

34 In February 2020, protesters in the Greek islands of Lesbos and Chios were met with teargas
35 and fires as they tried to prevent the police from forcibly evicting migrants from camps. In
36 July, people of Serbia also took to the streets to ask for fair elections and the protestors were
37 dispersed using excessive force and tear gas, while many of them, mostly young people were
38 unlawfully detained and sentenced without the right to a lawyer. Bulgaria has seen months of
39 non-stop anti-government protests against the state capture and endemic corruption, marked
40 by use of excessive force and extreme police brutality even against journalists. In France,
41 demonstrations are often met with police violence - recent examples including crackdowns
42 on firefighters' demands for better working conditions and the use of less-lethal weapons
43 such as sting-ball grenades, rubber bullets and teargas against the French Gilet Jaune
44 movement. Protesters in Poland also face increasing risk: those demonstrating for gender
45 equality, for reproductive rights, LGBTQIA+ rights, or against racism and xenophobia are met
46 with excessive police force and a lack of accountability for police actions. We have seen use
47 of force towards peaceful demonstrators in a multitude of EU countries. Including for example
48 the use of pepper spray towards non-violent, peaceful protesters of a local Extinction Rebellion
49 movement in Finland. Elsewhere in the world, Hong Kong protesters have also encountered

50 police brutality and in Latin America environmental defenders, often Indigenous people, are at
51 risk of violence and murder and without protection. In Nigeria, the police open fired onto
52 demonstrators who took to the streets to protest against the police unit SARS, known for its
53 extra-judicial killings and use of torture.

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55 As Greens, we stand in solidarity with marginalised groups whose freedom of expression is
56 often blocked by oppressing governments. We recognise the violence inflicted on women*,
57 trans people, genderqueer, BIPOC and racialised communities, migrants, people from low
58 socioeconomic backgrounds, and LGBTQIA+ people and commit to empower activists in their
59 fights. We condemn the disproportionate state violence against these marginalised groups.
60 Even as we face the COVID-19 pandemic, we cannot accept using it as an excuse to violate
61 the right to protest, especially when such protests are caused by outrageous acts of
62 governments which threaten basic human rights and are unrelated to the safeguarding of
63 public health. We see the different ways to organise across Europe, and commit to support
64 each method of protest and civil disobedience that is peaceful.

65 It is not enough to voice solidarity with people and movements. The European Greens must
66 commit to action. As European Greens, we call for:

- 67 • Governments to respect the UDHR and ECHR in their laws and allow peaceful
68 demonstration with police protection against ~~faeist~~all violent attacks;
- 69 • The condemnation of all police brutality and state violence against peaceful
70 demonstrators when it occurs and call for fair trials against perpetrators and to hold
71 the police force to account. This includes but is not limited to: arbitrary detention, tear
72 gas, rubber bullets, use of weapons; use of vehicles; intimidation.
- 73 • The promotion of non-violent police tactics and techniques such as de-escalation,
74 mediation and dialogue with protesters;
- 75 • An independent supervisory bodies-body for police in each European state to monitor
76 police forces and work to eliminate police violence, and an independent task force
77 within the European Commission to work with local focus points.;
- 78 • Demilitarisation of the police force, The end of the use of military tactics and
79 equipment, such as tear gas or, rubber bullets- by law-enforcement officers at any
80 peaceful protest; and other forms of excessive violence especially in the context of
81 demonstrations;
- 82 • More investment in social work to take the non-violent, non-criminal work from police
83 forces
- 84 • Call for funding to be invested in more social work, to address directly some of the
85 issues that lead to protests in the first place.
- 86 • We defend the right for all journalists to cover demonstrations freely, without
87 experiencing threats, intimidations or violence, as well as the right for every citizen to
88 document demonstrations and police activities during those demonstations.
- 89 • Commit to work with movements who defend the values in the Charter of the European
90 Greens; fighting for climate and social justice, economic, gender, racial and ethnic
91 equality, through backing not fronting these movements
- 92 • Encouraging Green MEPs to act as political observers during protests and acts of civil
93 disobedience using their parliamentary immunity.;

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