

The Right to Protest

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

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

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

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

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

movement in Finland. Elsewhere in the world, Hong Kong protesters have also encountered police brutality and in Latin America environmental defenders, often Indigenous people, are at risk of violence and murder and without protection. In Nigeria, the police open fired onto demonstrators who took to the streets to protest against the police unit SARS, known for its extra-judicial killings and use of torture.

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

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

- Governments to respect the UDHR and ECHR in their laws and allow peaceful demonstration with police protection against all violent attacks.
- The condemnation of all police brutality and state violence against peaceful demonstrators when it occurs and call for fair trials against perpetrators and to hold the police force to account. This includes but is not limited to: arbitrary detention, tear gas, rubber bullets, use of weapons; use of vehicles; intimidation.
- The promotion of non-violent police tactics and techniques such as de-escalation, mediation and dialogue with protesters; An independent supervisory body for police in each European state to monitor police forces and work to eliminate police violence, and an independent task force within the European Commission to work with local focus points.
- The end of the use of military tactics and equipment, such as tear gas or rubber bullets by law-enforcement officers at any peaceful protest.
- Call for funding to be invested in more social work, to address directly some of the issues that lead to protests in the first place.
- We defend the right for all journalists to cover demonstrations freely, without experiencing threats, intimidations or violence, as well as the right for every citizen to document demonstrations and police activities during those demonstrations.
- Commit to work with movements who defend the values in the Charter of the European Greens.
- Encouraging Green MEPs to act as political observers during protests and acts of civil disobedience using their parliamentary immunity.