



**25th session of the
Human Rights Council**

Item 2&3

**HC's Thematic Report on the
Seminar on Peaceful Protests
14 March 2014
Delivered by**

Thank you Mr. President,

CIVICUS welcomes HC's report on the Seminar on effective measures and best practices to ensure the promotion and protection of human rights in the context of peaceful protest. We wish to underline two particular aspects:

1. In relation to the human rights **law dimension** and the “right to peaceful protest”
 - a. CIVICUS supports panelists' suggestion that it would be useful to convene an **expert panel** to discuss the international legal framework of peaceful protest.
 - b. CIVICUS also strongly reiterates that in relation to limitations and restrictions to the exercise of peaceful protest there is a lacuna in as much as there is no specification or **general comment on article 21** of the International Covenant on Civil and Political rights as e.g. on article 19 and suggests that the Committee on Human Rights considers drafting such a general comment, in cooperation with other treaty bodies.
2. In relation to **protests and the right to participate**, we wish to make the following Comment:
 - a. To promote or allow peaceful protests there must exist, in the first instance, **the unrestricted right to assembly**. Accordingly, national legislations should not prohibit **spontaneous peaceful assemblies**. In other words, to promote peaceful protest, no prior permission should be sought from the state to assemble.
 - b. However, in some countries, this is not the case. For example, in Uganda, with the passing of the Public Order Management Act, 2013, the right to assemble is heavily restricted. Every public gathering or assembly requires prior permission from the Police. In this case, the right to peaceful protest is a fallacy in Uganda, as it is in many other countries

Therefore CIVICUS proposes:

All national legislations should allow spontaneous protests, as a best practice to ensure the promotion and protection of human rights in the context of peaceful protest. Any restrictions should be subject to an independent, impartial, and prompt judicial review.

Thank you Mr President