

The logo for CIVICUS VOICES season 2. It features the words "CIVICUS VOICES" in a bold, black, sans-serif font. To the left of the text are four curved lines in red, green, blue, and orange, resembling a signal or sound wave. Below "VOICES" is the word "season" in a grey, lowercase, sans-serif font, followed by a large, stylized orange number "2".

# CIVICUS VOICES

season 2

-

## Episode 1 Protesting 101



This is a transcript from CIVICUS Voices - a podcast series produced by CIVICUS. In this 6-part series, we will be joined by civil society experts and on-the-ground activists to tell us about their experiences with protesting.

## **Aarti Narsee (Host)**

Hi welcome to CIVICUS voices. I'm Aarti Narsee, a civic space research officer at CIVICUS. So here's a little bit more about me. I'm an intersectional feminist, a former journalist who is passionate about using storytelling to advocate for change. This is our second season of CIVICUS voices, where we hear from people, communities and organisations defending human rights. This time around, we'll be focusing on the right to Freedom of Peaceful Assembly. In everyday language, this means the right to protest. Over the next few months, I'll be speaking to people across the Global South and around the world, from women to youth, on why they protest, how they protest, and we'll also be looking at the way people protest in repressed and closed contexts. But to kick off today's conversation, our episode looks at the basics of protesting, aka protesting 101. What is a protest? How does it really work? And why is it so important for us to protest? We will be speaking to an expert from Argentina for some context, someone from South Africa about what to keep in mind when you are taking to the streets to protest. And then we'll hear more from a movement on the ground in Liberia.

Peaceful Assembly is an international fundamental right. And it comes in many different forms. We've seen people staging solo protests, forming a human chain, and engaging in civil disobedience to disrupt the status quo. These kinds of actions and protests have been around for centuries, and they've evolved with both time and technology. You may remember protests from the past, like the gatherings in Tiananmen Square in 1989. You probably recall the famous photo of a man standing in front of the tanks, in defiance. And more recently, the Black Lives Matter movement took off in the United States to fight against racial injustice, which gave rise to other similar movements in other parts of the world. And then of course, we saw how protests evolved during the COVID-19 pandemic, where people began staging more symbolic actions to move around the pandemic restrictions. For example, people stood in their balconies and banged pots to show support for healthcare workers or to highlight gender-based violence during the pandemic. Others staged socially distanced protest for labor rights. And in other countries, like for example, Slovenia, people got creative, and they cycled throughout the city as a form of anti-government protests. You may remember us looking at this in the last season of CIVICUS Voices.

-----

Let's get started with an interview to lay the groundwork on what Freedom of Peaceful Assembly is. I have with me Luciana Pol, from the Center for Legal and Social Studies in Argentina, where she is a researcher on the international team. Her organisation works to promote the protection of human rights, justice and social inclusion. Luciana, thank you so much for joining us on CIVICUS Voices.

## **Luciana Pol (Guest 1)**

Thank you for inviting me. Hello!

**Aarti:** So to start off, could you break down for us? What is the global right to Freedom of Peaceful Assembly? And how exactly does it work?

**Luciana:** So the right of Peaceful Assembly is recognising the covenant for political and social rights. And it says that you cannot have restrictions in the exercise of you know, expressing your opinion and gathering with others to do that. There are some recognitions of limitations that could be placed in extreme circumstances that are related with public safety, but those need to be real concerns. So this right has functioned in the past as one of the, the heartbeats of democracy. In fact, if you see many of the things that we enjoy today that are natural for us, but were not like that in the past, like having recognise your right to holidays, or having said that, you know, children should not work, those kinds of things were, in fact, achieved by the expression of those demands in the streets. So without the right of Peaceful Assembly or the right to protest, I would say, those rights would have not been achieved. And there are so many other things that are being still today being demand and we have not completely achieved at all but there are evolving protests across the world like the racial justice and the gender equality. So this right is a channel to exercise other rights. And it's frequently exercised also by people who are demanding very basic other rights that are being denied, like the access to water, the access to education, to health. So this is a right in itself. But it's also a very important tool, a channel to demand and exercise other rights.

**Aarti:** Exactly as you describe, it's such a powerful tool to use to demand for fundamental rights. But what are the responsibilities and duties of States and governments to protect that right for their citizens? And how exactly should States and governments go about doing this?

**Luciana:** So States has a lot of possible responsibilities, they need to facilitate the exercise of this right. And in that sense, there are a lot of things that are expected from a government to facilitate this right, like to provide the manifestors with conditions that are needed for everyone to enjoy the exercise of the right in safe conditions, to provide medical assistance or help if any problem will arise, to provide a space to do it. And in in that sense, I guess one important element to identify that has been very controversial sometimes, is that protests is disruptive in its nature. So one of the things that governments need to account for is that there will be disruption. And one of their positive obligations is to facilitate the protests to happen, making the necessary provisions to you know, deal with the disruptions that will come as a necessary consequence. And in that, I'm referring to disruptions in traffic, there will be some roads that could be cut. There are some protests that involve like sit-ins, that would be a little prolonged. So dealing with all those disruptions and trying to facilitate other people who are not participating in a protest to continue their activities and their life is one of the positive obligation the States have. One of the things that also is important is for the government to facilitate channels of communications with a protest, giving some response to the background demand of the protests. So the dialogue is very important also, in responding a protest in a government.

**Aarti:** So what you described is this incredible responsibility on the part of States to facilitate this fundamental right. But we know in practice that not everyone has equal access to this right. So can you describe to us how do governments crackdown on the right to protest? As you know, here on the CIVICUS monitor, we monitor closely the restrictions on the rights to Freedom of Assembly, but what have you observed?

**Luciana:** Yes, the fact is that, unfortunately, protest has been perceived as a threat to the government in many instances, in many places, in many countries. And that has been a real problem. I come from Latin America, and we have seen extremely violent responses to suppress protest, even in the cases when those protests were expressing some fundamental demand on numerous individuals in the society, of many groups of the society. Also, we have seen a number of arbitrary detentions to protesters. We have seen the criminalisation of some of them with criminal charges that are many times incorrectly applied to protesters with some very serious crimes that goes as far as terrorism. Or there is many countries in our region where in fact, new criminal offences had been introduced to the penal codes, to address things that happens in protests. And the most clear example is the blockage of a road that we have seen in the last 5 to 10 years, the introduction of that as a new criminal offence that did not exist before just to curtail and limit the right to protest. So we have seen the criminalisation of people on these grounds. We have also seen events of gender violence, in the context of protests. There has been cases of sexual abuses to women and LGBT people detained that aggravates a lot in populations that have been traditionally marginalised. So not every protesters are treated the same. And that is something that is completely unacceptable from the Human Rights point of view.

**Aarti:** So what you're painting is an incredibly chilling picture of the right to Peaceful Assembly being under threat. But I want to also touch on the topic of resilience. What we're also seeing is this incredible resilience in protest movements around the world. Can you talk to us about some of the positive stories and some of the issues that are being fought for that have led to positive change, as you mentioned in the beginning.

**Luciana:** Yes, of course. I think that the protest movements around the world, if you see the women's movement, the environmental movement, the racial justice movement, youth students, all of them have been extremely resilient facing this adversities and resisting the abuses on the part of the law enforcement and the state in general. Something that I think it's also important to highlight is the leaders, the social leaders are a target. So the use of force many times is not indiscriminate. But it's targeting these people who have this role of community leaders or social leaders, and there are many of them that even have been killed. And it's incredible to see how the movements have continued posing their demands. And I cannot name one example of a protest that have actually been completely suppressed. So resistance is always there. And now with the digital sphere, I think it allows for another entire world of resistance, when it is really not possible or not safe to do it in the streets. Also, we have seen groups taking care of each other in their own way. So it is common in many protests that the groups develop a way of protecting themselves. In Colombia, for instance, they gathered these commissions of verifications - Comisión de Verificación- that would go every possible place where the protests were happening, just to check what was happening, to take care of people if they had been detained. They were composed by lawyers and activists, and they would have a very instant reaction where problems were happening. The different causes many times express also solidarity in terms of their resistance. So I would say that in most of the cases, the resilience of the groups have been remarkable.

**Aarti:** Luciana, thank you so much for joining us in CIVICUS Voices.

**Luciana:** Thank you very much.

-----

**Aarti:** So why is it so important to stage protests? Protests can be an incredibly powerful and successful tool to advocate for and to defend fundamental rights. For example, economic rights, social or political rights. I'm speaking to Busisiwe Zasekhaya, who is the Project Coordinator at Right2Protest. Right2Protest is a coalition of organisations in South Africa. And they offer a variety of legal assistance and support to protesters. They even have a hotline number that gives advice to protesters, they run workshops with them on protesting, and provide representation in bail applications, for example. Busisiwe, thank you so much for joining us.

**Busisiwe Zasekhaya (Guest 2)**

You're welcome. It's lovely to be here.

**Aarti:** Busi, in your experience, what is important to know about the common practices for protest movements? Especially when it comes to setting up the logistics, ensuring the safety of protesters and making sure that everyone involved is prepared?

**Busisiwe:** It's important to do your research. Research about where you're going to protest. For instance, if you're protesting outside of court, the process of giving notice is different. So I would say it's important people do their research, but that people are well aware of what the law says in relation to the right to protest, and what you can and can't do as a protester. In terms of logistics, for protests, it is important, depending on the size of the protest, to make sure that you've got ambulances available so that people can get medical assistance if they need to. And depending on where you're protesting, it's also useful to have your attorneys nearby to ensure that they can monitor the situation. So in some instances, the situation is a bit more volatile. So in affected communities where they experience issues with private security companies committing human rights violations, it is useful to have an attorney who's also witnessing what is happening at the protest.

**Aarti:** So I think you touched a little bit on you know, the types of legal support that is needed. I want to know what sort of challenges and restrictions are you-, as someone who works with protesters in assisting, in organising, what are you always wary of or concerned about? And how would you, as an organisation or as an organiser, try to work around those challenges and restrictions?

**Busisiwe:** So we're always worried about the possibility of arrest. Even if it's a peaceful protest, we've seen that the first reaction from police is to arrest protesters. This is despite people complying with the law. And so for us, that's always something we're wary about. But also the issue of police brutality and private security companies using excessive force against protesters. So for us, it's important that our clients or people that are protesting, know how to document their injuries, and they know who to call in the instance that people are injured. So they would then call us on our hotline number to report that people have been injured. And we'd give advice on the next steps.

**Aarti:** And you've obviously prepared and organised many different types of protests for various different reasons. From your experience, what do you think are the characteristics that make a protest successful?

**Busisiwe:** It's a protest that's well organised, and people are clear about the reason why they're protesting. And if you could pick out someone from the crowd and ask them "Why are you here?", they'd be able to tell you what the purpose of the protest is. So I think making sure you're organised, but collaborating with other organisations working on similar issues, or that have an interest in the issue, is quite helpful, and helps amplify the reason for the protest.

**Aarti:** And we obviously now speaking about one successful protest, right? but from experience from what we see happening on the ground worldwide, we know that protest movements when they're sustained when they go on for long periods of time and exert the pressure on the authorities, the government making key demands, those are the ones that are quite resilient and successful. So how would you then build a resilient, successful and lasting protest movement and create the kind of cohesion that you speak about?

**Busisiwe:** I'd say, keep the conversation alive, right? Because at different times, the conversation dies down about the issue and interest levels vary. So keep the conversation alive. Again, make your message simple and clear, so that people are able to remember your messaging, also be creative. And leave room for reinvention. Use different types of protests. So you don't necessarily need to do a march or procession. During the pandemic, we've seen different types of protests emerging across the country. So I'd say use different methods of protesting. And again, collaborate and leave room for the unexpected.

**Aarti:** I like that, leave room for the unexpected and collaboration. It sounds like great building blocks to a movement that is resilient. And then Busi, for people out there who've never been part of a protest and are just curious, you know, they want to understand and want to know, how can they get involved. The basics, basically, of protesting. What is the one thing you wish everyone knew about the right to Peaceful Assembly?

**Busisiwe:** In South Africa, in particular, I wish people knew that it's a constitutionally guaranteed right. I wish people were a bit more familiar with the Regulation of Gatherings Act, which is the act that gives effect to the right to protest in South Africa. It's important that protesters know their rights, because often at a protest, people get taken advantage of by the police, because they are in a position of power and people aren't aware of their rights. And people get arrested when they shouldn't be. So I wish people knew more about the Regulation of Gatherings Act. But really, that it is your constitutional right to protest. And when you're giving notice for a protest, you're not asking the authorities for permission. You're telling them that "I want to exercise my constitutional right". The notice process is in no way a permission seeking process.

**Aarti:** Busi, thank you so much for joining us in CIVICUS voices.

**Busisiwe:** Thank you.

**Aarti:** That was Busisiwe Zasekhaya, who is the Project Coordinator at Right2Protest.

And for me, I think, you know, what really stood out is how Busi said that we need to keep the conversation alive. So protesting is not just about, you know, once-off event. It's about building a movement, building sustainability. And what she also spoke about is reinvention. And I think that's something we're really seeing now. Sometimes the protests can start on the ground and becomes a digital movement, for example. And that is how we keep a conversation alive and that's also how we build resilient and successful movements.

Now moving to Liberia for an on-the-ground perspective of what it means to be involved in protests. We now have a story from Abigail Freeman. She's an executive director of Alliance for Gender, Justice and Human Rights, which is a network of grassroots organisations that promote gender equality. Abigail has organised a variety of protests, especially around sexual and gender based violence. She tells us about this process and what she has learned.

### **Abigail Freeman (Guest 3)**

So over the years, we have organised a series of protests in Liberia. We first start with engagement, we reach out to families, especially families of victim. For example, our recent protests we had was the Justice for Princess Coco. Princess Coco was a 25 years old Liberian girl who was murdered. So we had to engage the family of the victim to get their support, we also engage the community. And we also engaged the government of Liberia, because we have a law in Liberia that we cannot take the streets without getting permit from the government. And then we have a meeting, we put the meeting announcement on a radio, then in our meeting, we set up leadership for the purpose of the protests. And a leadership is meant to coordinate the affairs of the protests. Because we usually work with many groups, there are a lot of institutions that come together. We create chat rooms on WhatsApp, or Facebook. And then usually we arrange two to three meetings in location where there's no access to internet. And then we also get involved with the media publicity and mobilisation. We also have a team that is responsible for safety. So we set up our own security to make sure that everyone who come are safe. Organising protests is very hectic, because there are a series of emotions that comes with it. You have people who are undermining your fight. We are planning protests, and then we have police who come and say "if you take the streets, we will do this to you". And also during protests, we have series of peaceful and unarmed people in our midst. And then normally we get teargassed by police. You know, it's so emotional, because sometimes you don't even know if there are victims themselves. But you have to risk your life trying to seek justice for someone you don't know. So main, intensifying the media approach has worked and also getting other females who are in government and engaging them one-on-one has also worked out. I just want to let people and other activists around the world to know that res

-instances and compassion pay, regardless of the harsh situation we find ourselves in. Like sometimes I read about so many activists around the world, when I'm down or broken, and I realise that other activists around the world are going through a lot. Some are even jailed! Women are even banned from even speaking out in public! To some extent, I think we are privileged in Liberia, even though we have a government that that is heavily against protests. But to some extent, we are privileged that we are organising other action and to some extent they are giving result. So I would like to tell all of us around the world to keep on pushing against injustices, against bad systems. If we refuse to speak out, there will be no one who can speak out for us. And it's important that we keep our spirits up. I believe that one day change will come.

**Aarti:** That was Abigail Freeman from Liberia. And what really struck me about what Abigail was saying is how important the process is in terms of preparing for everything that you need to have an impactful protest. And something else that is less spoken about when it comes to the right to protest. What I've seen in the work that I've been doing with activists on the ground who have been protesting for months on end to demand specific fundamental rights, is that we often don't talk about the emotional labor of protesting and of activism in itself that activists face when they actually have to build this long-lasting, resilient and sustainable movement. Day and night, these activists are organising, and it takes a lot of emotional labor. There's also this aspect of burnout, where activists are, you know, psychologically, emotionally, mentally drained, having to take to the streets every day and to protest every day for months on end to demand change. And as a consequence of that, that emotional burnout and physical burnout as well is- is something that we're seeing a lot in activism and movements. So I think in talking about the right to protest, we also have to think about and talk about actually this practice of care. How do we practice caring in activism and showing empathy as well to activists to build a more sustainable protest and resilient movement.

Well, that's it for our first episode. I hope you learned something about the realities of being involved with, as well as organising protest movements. And hopefully this will inspire you to take to the streets for causes that are important to you. If you want more resources on this topic, make sure you look at some of what CIVICUS and other organisations are doing. There are also several kits online that might be helpful, like Amnesty International's pamphlet on safety during protests. The witness.org also has some great guides on how to form and document a protest, which is incredibly important, particularly when there are violations happening. Also check in with any local organisations in your country that may have very specific advice to your circumstances and on the law in your country.

This season on CIVICUS voices, we will be digging a little bit deeper into specific aspects of the right to protest. We'll release new episodes every two weeks, and next time we'll be looking at what protesting in closed and repressed contexts look like. You can find CIVICUS online and on Twitter, Facebook and Instagram. Subscribe, listen and rate the podcast on your favorite podcast app. Thank you to our brilliant guests featured on today's episode. CIVICUS voices is produced by Amal Atrakouti, Elna Schutz, Jemaine Krige, and the CIVICUS team. My name is Aarti Narsee. Goodbye.

