

## Human Rights Council

### 31<sup>st</sup> session – Item 3 – Interactive dialogue with the Special Rapporteur on peaceful assembly and the Special Rapporteur on summary executions

9 March 2016

#### ***International Service for Human Rights***

Thank you.

Firstly, we would like to congratulate both Rapporteurs on the substance of their report, as well as for the consultative process that ensured that its content and recommendations reflect the input of all stakeholders, including civil society.

We welcome the publication of these practical recommendations through which to apply international law, and urge all States – in consultation with local human rights defenders, and in line with this report – to carry out a comprehensive review of their laws and practices on the management of assemblies, making all amendments necessary.

Secondly: free assembly is a vital component of a safe and enabling environment for human rights defence. As more States develop much-needed laws for the protection of human rights defenders, it is vital they include provisions which protect this right and facilitate the repeal or amendment of any existing legislation which unduly restricts it. We call upon the Rapporteurs, in consultation with civil society, to support States in the development of such laws, ensuring that they facilitate the implementation of the report's recommendations.

Thirdly, we would like to underline the importance of section 'I' of the report, which reiterates the need for business to do more to respect and promote the right to assembly. Increased abuses by private security firms against protesters, and strategic lawsuits against public participation, are disturbing trends which threaten the right to assembly. So too is the proposal or enactment of laws which specifically target and restrict protests against business operations, such as in the Australian jurisdictions of NSW, Tasmania and Western Australia. We join the Rapporteurs in calling upon States to do more to protect protesters from interference with their rights by business enterprises, and ask that they assist States in ensuring the protection of peaceful protest through National Action Plans on business and human rights.

Finally: the criminalisation of peaceful assembly continues to be used to stifle freedom of expression and attack human rights defenders. We hope that this report and its implementation can be a catalyst for the repeal of excessive and arbitrarily applied protest laws, such as the *Ley de Tumulos* in Guatemala or the *Ley Mordaza* in Spain; to ensure accountability for allegations of repression of protests, such as in Gezi Park in Turkey or in recent years in Venezuela; and to free defenders imprisoned for protesting, such as Tin Htut Pai in Myanmar and the Bahrain 13.