

Forum: Human Rights Council

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Introduction

A protest is the the act of objecting or a gesture of disapproval to an official or a governing body. Just like military interventions and coup d'états, protests have been happening for centuries. Looking back at Gandhi's Salt March and The Boston Tea Party, protests have both been the subject of major controversy as well as the most defining moments in history. The outcome a protest is affected by a variety of factors, such as the type of protest, the cause of the protest, the size of the protest, apart from other factors.

There are different types of protests, one of which is a "*peaceful protest*". One of the most significant recent peaceful protests happened in Syria. Back in 2011, civilians were doing a peaceful protest, in order to stand up for the arrest and abuse of a couple of teenagers. They were taken to prison due to painting controversial symbols on a school wall. The Assad government allegedly opened fire on these people, and the protest got out of hand very quickly. This incident served as a catalyst to many more protests; eventually, this social instability lead to several, devastating wars.

Another example of a protest is a *strike*. A strike is when a group of workers join together in order to protest against an aspect of their job that they are unhappy with. A recent example of this is one that took place in Brazil, in September of 2016. In Sao Paulo, 20,000 teachers went on a strike, due to harsh working conditions, budget cuts, and low wages. Organized by the National Confederation of Educational Workers, this demonstration was due to a constitution that was going to be placed, which would freeze the wages of existing public employees and prevent the hiring of new ones for 2 years. The strikes concluded when they accepted a wage increase proposed by the Brazilian government.

Though they were both meant to be "peaceful" protests, it is seen how the one in Brazil had a very different result in comparison to the Syrian protest. Although the outcome of the Syrian protest was an

extreme case, it *is* one that has happened several times.

Definition of Key Terms

In order to correctly analyze the cause and effect of a protest, it is important to know the type of protest it is, and the impact it has. Not only that, but during a protest a lot is happening in terms of human rights. People protest for a variety of reasons, usually in order to defend a human right that they feel has been violated. In fact, by protesting they are putting one of their rights into play, which is the right to freedom of speech.

Protest

As established previously, a protest is “the act of objecting or a gesture of disapproval to an official or a governing body of a sport.” In other words, it is when a group of people come together express their discontent towards a certain issue. The magnitude and effect of a protest can vary in many different ways.

Civil Unrest

Civil disorder, also known as civil unrest, is a term that describes the disturbance and agitation in a group of people. In this case, a civil unrest would be a “protest” that causes discomfort to a crowd.

Coup (d’etat)

Also known as a *coup*, it is when there is an overthrow of the existing government. Typically done unexpectedly, coups will usually take place because of an unsatisfied, or disturbed population.

Civil Disobedience

Civil disobedience is when, as a form of peaceful protest, a person or an entity goes against certain rules and regulations (such as paying taxes and fines).

Rally

Rally is a term that is a bit more specific than just “protest”. A rally is when a large group of people have a political protest or show support for a certain cause. It usually involves a speech (or preaching).

Riot

Similar to a civil unrest, a riot is a violent protest that causes a disturbance of peace *by* the crowd (as opposed to causing a disturbance *in* the crowd).

Boycott

A boycott is similar to civil disobedience, to a certain extent. Rather than not complying with a rule or law, a boycott is when a large sum of people stop using a certain object or going to a certain place, in order to express their disapproval/discontent for it.

Human Rights

A universal set of rights that applies to every single person regardless to their age, race, sex, gender, etc. Though not everyone is able to enjoy these rights, they allow a person to have a sense of humanity. These are the basic rights that everyone is entitled to.

Strike

A strike is the form of protest where a body of workers/employees refuse to work, usually in an attempt claim a right that they believe they are entitled to.

March

An organized walk by a group of people for a specific cause or issue. Marches can lead to different forms of protests, and are usually similar to rallies.

Sovereignty

The amount of control a governing body has over its borders and everything/everyone within them. This is important, because a violation of sovereignty can lead to massive conflicts between nations, often instigating a form of protest.

General Overview

Human rights

When analyzing protests, *human rights* are one of the most important concepts to take into consideration.

For starters, it can be argued that the majority of protests occur due to a violation of human rights. For example, in India, recently, there were a series of protests against the movie “PK”. “PK” is a comedy movie, which uses religion in a humoristic way. The movie used religious figures to make jokes, causing religious people to be triggered, as an effect. Article 18 of the UDHR states that everyone has the right to freedom of religion. By using Gods as jokes, it can be seen as a violation of this right. This led to groups of people raiding movie theatres, breaking the windows, and tearing down and burning the posters of the movie.

Not only are protests usually caused due to human rights violations, but they end up causing even more violations. Article 19 of the UDHR talks about how nobody shall be subjected to arbitrary arrest; however, more often than not, several people are detained while trying to project their voice. Most peaceful protests that go out of hand are due to this situation. As seen in the Kabul bombing protests, civilians were expressing their anger towards the bombing and that led to police officers abusing some and detaining others. It is evident how while protesting about a human right, their rights were even further stripped from them by police forces.

Right to Freedom of Speech VS Other Human Rights

One of the biggest controversies when it comes to dealing with Human Rights, is the clash between the right to free speech and many other rights, such as the right to freedom of religion and the right to favorable conditions of work. This is mainly due to the fact that most rights, such as the right to freedom of expression, can be interpreted in several different ways. Because of this ambiguity, one may use “freedom of speech” to their advantage, in the sense that they could do something controversial, but use this right to justify their behavior.

Right to Freedom of Opinion in Contrast to the right to Freedom of Religion.

The conflict between ‘right to freedom of opinion’ and ‘right to freedom of religion’ creates massive uproar, since one voicing their opinion might mean the complete suppression of someone’s beliefs. For example, a man has the right to state his opinion on Christianity, even though it could offend a Christian. Here it is clear how it is possible for these rights to go against each other. A real life situation that perfectly exemplifies this is the *Charlie Hebdo* situation. For several years, the French satirical magazine known as Charlie Hebdo published a series of comics that made fun of prophet Mohammed. Mohammed is one of the most sacred figures in the Muslim religion, thus attacking him would be an insult to basically anyone and everyone that followed the religion. Because of this, in 2011 two Muslim brothers who

claimed to be part of Al-Qaeda, raided the Charlie Hebdo offices, killing a dozen people and injuring 11 others. This is a perfect example of the topic, because it is clear to see the two sides involved. Charlie Hebdo represents the freedom of opinion, since they were expressing how they felt towards Mohammed, whereas the Kouachi brothers represent the freedom of religion. Since these are both written as articles in the UDHR, neither one is of more significance than the other. Therefore, on the surface of things, both sides of this case are equally at fault. The “catch” to the articles is that if one applies, all of them do. For example, even though both of these parties violated an article in the UDHR, the Kouachi brothers are more at fault since they went against even more articles, such as article 3, the right to life and security of a person, and article 5, which states that no one shall be subject to torture.

Right to Freedom of Opinion Against the Right to Equal Protection of the Law

As stated in Article 7 of the UDHR, “All are equal before the law and are entitled without any discrimination to equal protection of the law.” This article entitles every man, woman, and child to protection given by the law, regardless of age, sex, race, etc. One of the many times that this is violated, is during a peaceful protest. In June of 2017, a group of Afghans were voicing their anger over a bomb blast that took the lives of over 90 people and injured about 460 others. While only a small group of these protesters were throwing stones, a good majority of them were practicing a “peaceful” demonstration. Nonetheless, they were assaulted and wounded by water cannons and tear gas. Here it is seen how even though the protesters were simply putting their *right to freedom of expression* into play, officers felt the need to attack them. Some might argue that the warning shots fired in the air should have prompted the protesters to stop, however beating them with sticks and non-lethal weapons was an utter violation of Article 7 in the UDHR.

Distinction between protests and civil unrest

One of the major controversies is that protests can often disrupt peace and interrupt citizens’ daily lives. Usually, the scenario starts off as just a protest, but leads to and ends up as a riot, often a root of civil unrest. Before anything else, it is important to know the difference. As expressed previously, “a protests a statement or action expressing disapproval of or objection to something”. In other words, a peaceful gathering or a group of people that express their disapproval in a civilized manner. A civil unrest, however, is almost the opposite. It is when protests start to get violent and when people’s lives are at risk. Also called a “riot”, a civil unrest can be seen as a violent dispute between two or more sides.

A popular example of this is the current situation in Venezuela. For the past couple of years, the country

has suffered political, social and economic crises. According to an article from BBC, "The protests began in early February in the western states of Tachira and Merida when students demanded increased security after a female student alleged she had been the victim of an attempted rape." As stated, it began with peaceful protests and demonstrations about the rape case (amongst other things). As several protests took place, the Venezuelan president Nicolas Maduro took action. His decisions, however, did nothing to address the problem that the people were protesting about. Instead, his actions simply caused more problems and complications for the population. This infuriated the people even more, causing the protests to turn into riots disruptions.

The ability of UN intervention

Due to the universal concepts of sovereignty and human rights, laws on when it is adequate to intervene have not been established yet. It is a clash that has been going on for many years due to the severity and importance of these opposing ideas. As seen before in the *Charlie Hebdo* example, there is no rule that shows which right is more important than another one, if it is at all, thus leaving it open to interpretation.

Sovereignty

Sovereignty can be seen as the authority of a state to govern itself or another state. In other words, it is how much control the government has over its own state. Violation of a country's sovereignty can range between anything from an unfair treaty, to a military intervention.

Theoretically, every country is entitled to its complete sovereignty. It is the UN's duty to handle every human right case (ex. murder, protest, rape, etc.). Therefore, they have the right to intervene when they deem necessary. The problem, however, is that not every country is willing to give control to the UN. Following the examples of Venezuela and Syria, human rights violations take place daily. Because such countries have strict laws when it comes to external affairs, entities like the UN find themselves unable to do anything about those violations. This gets more complicated because there are two different types of laws involved. Those set forth by a country, and those universal rights/laws granted by the UN. In order for these clashes to end, there would have to be a set of rules established that would essentially accommodate and satisfy the laws of each and every country, while taking into consideration the universal set of laws. Arguably, this is highly unachievable, seeing as most countries' laws differ to different extents.

Major Parties Involved and Their Views

Egypt

Since the Egyptian revolution of 2011, there have been dozens on dozens of protests. In 2011, millions of people with different ethnic and racial backgrounds gathered for demonstrations, marches, occupations of plazas, non-violent civil resistance, acts of civil disobedience and strikes; all for the purpose of overthrowing ex-Egyptian president, Hosni Mubarak. This trend continued throughout the years, as seen in 2012's main demonstrations, which served the purpose of overthrowing ex-Egyptian president Mohamed Morsi. In current day, there are protests on basic necessities - such as the recent protests on the shortage of bread.

Syria

Home to the infamous *Syrian Crisis*, Syria has been under a constant civil war since 2011. As seen before, the situation first got out of hand during the protests back in 2011 when Assad's forces opened fire on the protesting crowd. Dozens and dozens of protests have taken place since then, some of them being peaceful protests, while others put lives of innocent civilians at risk. Syria is no stranger to protests. In fact, a Google search on Syria will display a countless number of war and violence related articles and pictures. Even though Assad and most previous governments have tried to put an end to these protests in different ways, the majority have failed. Currently, the entire country is undergoing a civil war which does not seem to have an end in sight. The Syrian government and its allies, rebel groups and the Free Syrian Army, the Kurds, jihadist groups, and ISIS are all constantly fighting to obtain control over Syria. This tension has been destroying Syria and its people. It is not a completely internal conflict, however; multiple allies are involved. For example, the Free Syrian Army allegedly receives military training from the CIA, while the Assad regime gets aid from Russia. In other words, Syria is undergoing a massive conflict, and they are not the only ones involved.

Venezuela

Having a history for controversial presidents, Venezuela suffers protests (mostly violent) on a daily basis. At the start of 2017 itself, protests began due to the arrest of multiple opposition leaders. The situation got worse after March, which was when the 2017 Venezuelan Constitutional Crisis began. Here, legislative powers of the National Assembly were taken over by the Supreme Tribunal of Justice (TSJ) of Venezuela. This was a body composed mostly of Nicolas Maduro supporters.

USA

The USA is famous for its different variety and types of protests. The United States is home to anti-racism protests, LGBTQ rights protests, and protests against political actions. Currently, USA is undergoing a series of protests against the newly elect president, Donald Trump. Although most protests have been rather peaceful, some have resorted to attacking property and other people in the process.

Though public protests and turmoils started becoming common in the 1960's, it all started with the *Boston Tea Party* in December of 1773. The Boston Harbor was flooded with protesters that rejected the latest shipment of tea from the East India Company. They were standing up to the Tea Act, which allowed the British-government controlled company to achieve an effective monopoly. As a result, the British shut down Boston Harbor until all of the 340 chests of British East India Company tea were paid for. Next on the list of most impactful protests of the US, comes the start of the Civil Rights movements, which is what, debatably, started the trends of protests. In 1963, over 200,000 people came together in Washington and set an example for what a *peaceful protest* looks like. They listened to Martin Luther King Jr's "I Have A Dream" speech and marched, which was then known as the "most convincing event in the movement that led to the successful passage of the Civil Rights Act of 1964."

As mentioned before, this influenced to a series of protests that continue until today. While some of them were peaceful, such as the Women's Suffrage and Antiwar marches, others were not. "Occupy Wall Street" was the name given to a 2011 protest, where thousands of people gathered and stood up for the "99%". It consisted of riots, vandalism, even theft and rape; all of these led to hundreds of arrests.

Timeline of Events

Protests of all forms have been taking place since the beginning of time. Here are some of the most significant ones:

| Date | Description of event |
|-------------------|--|
| 1517 | The Protestant Reformation (95 Theses) |
| December 16, 1773 | Boston Tea Party |
| 1789 – 1799 | French Revolution |

| | |
|------------------------------|--|
| 12 March 1930 - 6 April 1930 | Salt March |
| August 28, 1963 | “I Have A Dream” Martin Luther King Junior’s speech on racism |
| June 11, 1963 | The Self-Immolation of Thich Quang Duc |
| April 25, 1993 | The March on Washington for Lesbian, Gay, and Bi Equal Rights and Liberation |
| April 25, 2004 | The March for Women’s Lives in Washington DC — April 25, 2004 |
| 15 March 2011 – 28 July 2011 | Civil uprising phase of the Syrian Civil War |
| January 21, 2017 | 2017 Women’s March |

UN involvement, Relevant Resolutions, Treaties and Events

As touched upon before, the UN possesses a very complicated role when it comes to intervening and taking action. They must have to ability make a decision without violating any universal declarations or governmental laws. While this is often done successfully, they sometimes fail to abide by the rules. An example of this is the “Anti-Nazi” resolution passed by the UN.

An article by Voice of America news stated that the US was 1 of the 3 countries that opposed to the resolution titled “Combating glorification of Nazism, Neo-Nazism and other practices that contribute to fueling contemporary forms of racism, racial discrimination, xenophobia and related intolerance”.

Basically, this resolution impeded people from protesting “contemporary forms of racism, racial discrimination, xenophobia and related intolerance”. Though for most people this is a positive act since it stops people from expressing their unethical views, it still goes against the ‘freedom of speech’ article in the UDHR. This is because by condemning this act of expression, these people have now lost their right to speak their minds and voice their opinions.

Evaluation of Previous Attempts to Resolve the Issue

Because protests are not uncommon occurrences, there have been an endless number of attempts to stop/diminish them. These attempts, however, could either improve the situation, or make it significantly worse. An example of the prior, is the one pointed out in the introduction. It is seen how

once the workers were satisfied with the deal made by the Brazilian government, they were able to go back to their jobs and live their normal lives. In Syria, however, we saw a completely different situation. The peaceful protest that took place (in order to get justice for the arrested students) turned into a violent and dangerous environment, where armed forces shot down, killed, and injured innocent civilians. This eventually led to dozens of more protests, riots, and even the start of a civil war.

Had the previously mentioned UN resolution been legally-binding and passed unanimously, today's situation in USA would not be the same. In August of this year ago there was a neo-nazi protest that shook the entire world. This white-supremacy protest left three dead and several others injured. Had the UN resolution been put into action, it would have been considered illegal for this to take place, thus avoiding it from happening in the first place.

Possible Solutions

Arguably, one of the most effective ways of solving a problem, is by preventing it from happening altogether. That being said, a possible solution that could possibly apply to most conflicts, is to implement resources that will stop the conflict from happening in the first place, rather than gathering forces that will combat the result of these conflicts. For example, had the Syrian police force not arrested those teenagers, the protest would have probably never taken place, thus leaving Syrian citizens without a reason to revolt.

Another effective solution is to establish laws and regulations that relate to universal laws, while still pertaining to situations in their country. An example of this would be for a government to find a way to implement the articles from the UDHR into their laws. This would result in the civilians benefiting from the use of the Human Rights, while still having to abide by the laws presented by the country.

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Appendix or Appendices

<http://www.un.org/en/universal-declaration-human-rights/>