



ISSUE DESCRIPTION



COMMITTEE Human Rights Council
ISSUE Ensuring Universal Access to the Rights of Peaceful Assembly and
Collective Association
SUBMITTED BY Krisztina Nánási, President of the Human Rights Council
APPROVED BY Her Excellency Anna Takács, President of the General Assembly

Introduction

The rights of peaceful assembly and collective association are essential components of a democratic state and a fundamental human right recognized under international law. As the issue is universal, the aim is to create safe circumstances and a secure environment for people all over the world, even if they are located in a communist state or dictatorship, like China, North Korea, or Russia.

The articles mentioned later crucially state that no one can be forced to join any group against their will either. The right of assembly involves holding meetings, strikes, rallies, events or protests. Meanwhile, the right of association includes interactions and organizations among individuals to collectively express, pursue, promote or even defend common interests. In our advanced world, these clearly apply both on and offline.

One of the most common forms of associations nowadays is protest. For some time now, the number of protests has multiplied across the planet, and they are taking different forms, from large-scale gatherings to the occupation of public spaces. The use of the digital world also has an enormous influence on the way assemblies are organized and managed nowadays. There are various reasons for the increase of these events. They include decreasing trust in governing bodies, economic inequalities, and the violations of human and democratic rights. The main goal of this issue at the moment is not to promote and solve these problems, but rather to look at how people are treated at these gatherings by the government officials and whether their rights of peaceful assembly and collective association are being respected.

Violations of these rights are becoming frequent everywhere on our globe which is deeply concerning and unacceptable. As governments disregard their citizens' rights now, it is unclear how far they will be willing to go. This had already made a dramatic decline in the true

democratic states. This is exactly why it is vital to address the violations of such rights wherever and whenever they occur.

Definition of Key Terms

Assembly - The temporary presence of a number of people in a publicly accessible place with a common expressive purpose.

Dispersal - Dispersal of an assembly occurs when the state, and especially its law enforcement officials, bring an assembly to an end against the wishes of the participants.

Peaceful - Absent of violence.

Necessity - A human rights law principle. The principle of necessity, as it pertains to the use of force, holds that police and other law enforcement officials may only use minimum necessary force for a legitimate law enforcement purpose. Once the need for any force has passed, application of further force will thus be unlawful.

Proportionality – A human rights law principle. The principle of proportionality applies to limitations on assemblies. It holds that the nature and the extent of any interference must be balanced against the reason for interfering.

Universal Periodic Review - A unique mechanism of the UN that calls on all member states to undergo reviews of their human rights records every four and a half years. It also provides the states the opportunity to report any actions taken to improve their situation and receive recommendations.

Surveillance normal – A close observation and monitoring of a person

Civic space - A space outside the government for free expression, advocacy, and activism.

General Overview

HISTORY OF LEGAL FRAMEWORK

The right of peaceful assembly and collective association originated in ancient societies where the people came together to discuss ideologies, public affairs, and religious or cultural matters. In ancient Athens, citizens gathered in the Ecclesia, laying early foundations for collective association. Yet, these freedoms were limited according to class and the assemblies usually excluded the majority of the population. Later on, during the Middle Ages, the same gatherings were held. In both periods, unauthorized meetings were viewed as a threat to political power and public order.

As political philosophy improved, the idea of such rights also began to emerge first in England in the 17th century. Ideas of individual liberty and sovereignty began to appear on a large scale. Documents, such as the Bill of Rights of 1689 indirectly supported these rights. Due to the 18th-century revolutions all across the globe, human rights gained greater recognition. Many declarations were issued on the matter, such as the French Declaration of the Rights of Man and of the Citizen (1789) and the First Amendment (1791) for the United States. However, these declarations still mainly lacked even enforcement of the rights and excluded women, minorities, and enslaved people.

Throughout the 19th century, workers organized strikes and protests in order to demand fair wages and political representation, trying to gain their basic human rights. Many of them were suppressed at first; however, over time governments began recognizing their right to strike and gather. These became associated with democracy and social justice.

Later on, after the countless human rights violations of the Second World War, in 1948 the Universal Declaration of Human Rights had officially stated one's freedom and rights. As already mentioned, Article 20 contains the affirmation that every individual has the right to peacefully assemble and collectively associate. As time passed, additional international law projects were created on the issue, such as the International Covenant on Civil and Political Rights in 1966. Moreover, the Human Rights Council has been addressing this issue through numerous resolutions and country reviews under the Universal Periodic Review (UPR). Despite these resolutions, it has been a challenge to implement all laws in every state.

HOW DOES ONE'S RIGHTS GET VIOLATED?

Use of force: Under international law, the duty of the state is to maintain a safe environment for the assembly and for the people. If an assembly is illegal but still remains non-violent, state officials are not obliged to interfere violently, using force. When it comes to a situation in which the use of force is judged to be necessary, they shall restrict force to the minimum. An individual's rights are violated when an official goes against this law, and uses force against an individual in order to end a peaceful assembly.

Use of firearms: According to the 1990 United Nations Basic Principles, firearms used by the police or above the rank of warrant officer against a person participating in a gathering can only be used if it is necessary to confront them as they pose an imminent threat of death or serious injury or a grave and proximate threat to life. If a state official neglects this law, then they have certainly violated one's human rights.

Prior bans: It is possible, and it has already happened before that governments had banned non-violent gatherings as a precaution prior to the event. This also deeply violates the human right of peaceful assembly and of association of all citizens.

Online: Taking into consideration that assemblies can also be held virtually, it needs to be acknowledged that individuals experience violations of their rights online too. In the modern era, what poses a threat to free gatherings online are internet shutdowns, surveillance, and algorithmic censorship.

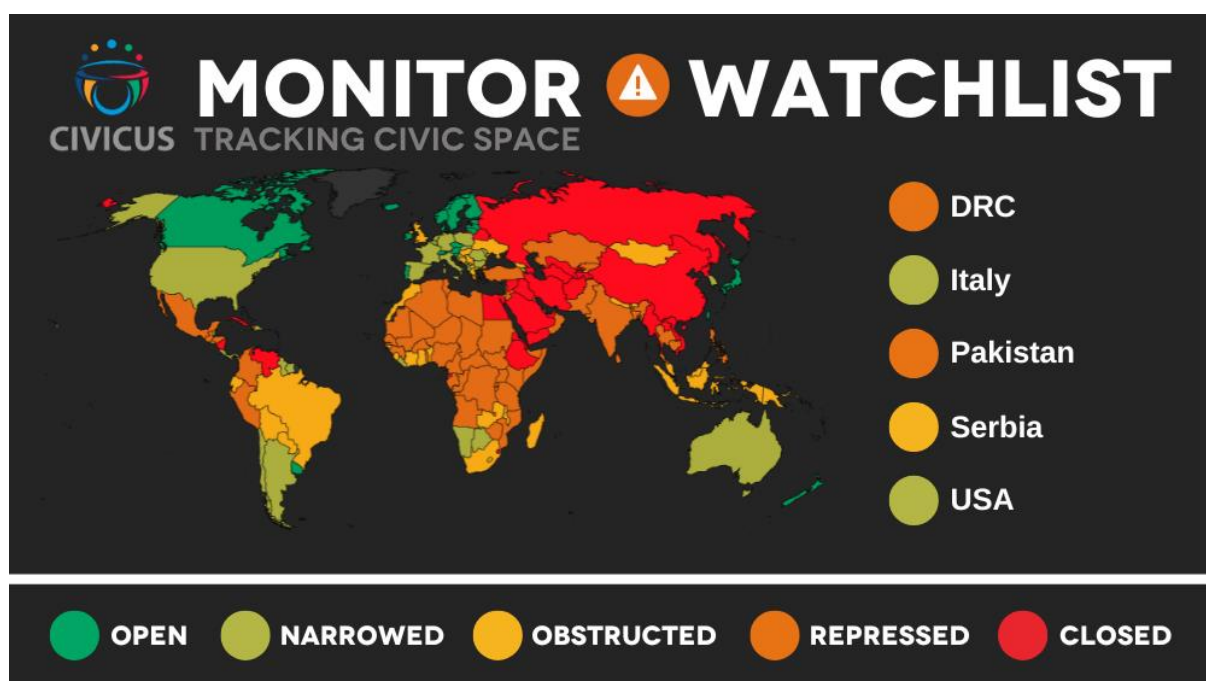
The influence of COVID-19: It has been taken into consideration that such special situations may arise, where the requirement to reduce social contact or to maintain public safety may limit the exercise of the right to peaceful assembly. The pandemic was a situation in which action on the topic was very much needed. During this period, various special legal orders were introduced across the world. Some European countries imposed restrictions on various fundamental liberties, for instance, the introduction of curfews violated the right to free movement in many states. In many cases the right to assembly was also restricted and even banned this way. Taking into consideration that assemblies can also be held virtually, it needs to be acknowledged that individuals experience violations of their rights online too. In the modern era, what poses a threat to free gatherings online are internet shutdowns, surveillance, and algorithmic censorship.

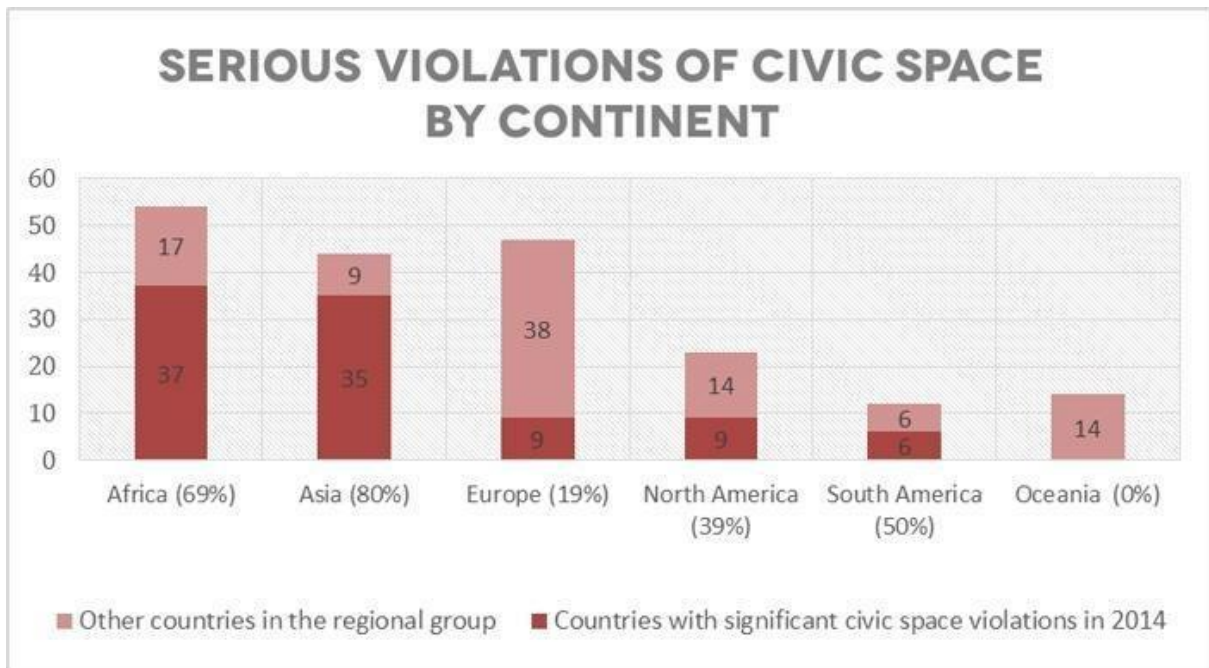
Proportionate policing: Issues often arise from disproportionate police responses, including the excessive use of force or the use of indiscriminate weapons like firearms as already mentioned. There is a need for independent oversight and accountability for police misconduct during protests. The continuous disrespect shown by police officers towards the individuals participating in an event is only going to cause more tension between the state officials and the citizens whose rights have just been violated. This usually occurs when the assembly everyone has gathered for is a protest or a strike.

THE MAIN ISSUE

How people's rights are being violated and disregarded is obviously what the HRC can not approve of. A solution internationally needs to be created urgently, as the more people feel discriminated, the more tension is going to grow between citizens and the government. Civic space continues to narrow in many parts of the world, leading to the downfall of real democracy in many states. This can be witnessed in several reports, for instance the V-Dem Institute stated that the level of democracy enjoyed by the average global citizen is down to 1986 levels. The International IDEA also reported that half of the world's democracies are in a so-called retreat.

The conclusion in the long term could be a dramatic increase in the violation of every aspect of human rights by governments, as without the implementation of clear and strict laws, there will be nothing to stop them. Moreover, as the people become more suppressed, it is a possibility that mental health will worsen, as tension only grows.





Major Parties Involved

Lebanon: In Lebanon, security personnel have used excessive force to crack down on protesters during peaceful demonstrations. The recent crackdown on protests in Beirut and Tripoli is a clear example of the government’s failure to respect the right to peaceful assembly. Security forces have used tear gas, rubber bullets, and live ammunition to disperse protesters, resulting in the deaths of several individuals and injuries to many others. Additionally, on 24 June 2022, Interior Minister Bassam al-Mawlawi sent an urgent letter to the directorates of the Internal Security and General Security instructing them to ban any gatherings aimed at promoting sexual perversion.

Saudi Arabia: In Saudi Arabia, it is a crime to participate in peaceful demonstrations or assemblies. The Saudi government prohibits any form of peaceful assembly and continues to issue and carry out death sentences against individuals facing charges, including for participation in gatherings and demonstrations that happened years ago.

Hungary: Hungarian officials have banned the LGBTQ march scheduled for June 2025, violating the people’s rights. The police banned the event, citing the amendment passed in March that bans demonstrations that display homosexuality or sexual diversity as it violates the rights of children. As required by law, the organisers of the protest had notified the police of the planned rally on May 24. By banning the event, the state discriminatorily restricts one of the most fundamental democratic rights: the right to peaceful assembly and freedom of expression. The decision implies that any kind of assembly can be held,

except those that remind the police of the Pride March. What considerations are weighed in the decision-making, is unknown. Such blatant arbitrariness by the authorities puts us all at risk, regardless of sexual orientation or gender identity, as they can now ban any community or opinion that the government finds uncomfortable for political reasons under the guise of 'child protection' – without any legal or scientific justification.

Russia: The war in Ukraine has had a negative impact on freedom of assembly in Russia. Mass actions against the invasion are not being authorized at all, and people who come out with solitary anti-war pickets are regularly detained. There are thousands of detentions and administrative prosecutions of peaceful protesters in Russia: since the beginning of the full-scale invasion of Ukraine, security forces have carried out more than 19,000 detentions for taking an anti-war stance. Courts annually impose fines totalling tens of millions of roubles, government agencies fire employees, and universities warn students against participating in unauthorized actions and threaten them with expulsion. In 2023, at least 74 people were charged with criminal offences after being detained at anti-war rallies and protests against mobilization.

Turkey: Throughout decades of armed clashes and repressive State policies and governance, Turkey has been undergoing a profound and enduring rule of law and human rights crisis. Successive governments have systematically continued to violate people's rights in every aspect. Furthermore, Turkey's Constitutional Court has ruled that at least one fundamental right was violated in more than 79,500 cases over the past 13 years, raising fresh concerns among rights advocates about the country's deteriorating human rights record. The situation of Turkey is clearly not compatible with international law and standards.

Romania: On paper, Romania's Constitution formally guarantees the right to peaceful assembly, however, in practice this right is facing several challenges and restrictions, in a way that assemblies are policed and regulated. The law requires prior notification and approval for most public gatherings. Authorities have used these to sanction anyone who was known to be participating in a protest, even when they are completely peaceful.

Azerbaijan: The situation of Azerbaijan is deeply similar to Romania, as they formally recognize people's rights, while in reality, it is severely restricted. Implementations of international standards have fallen short over the years. Peaceful gatherings have been repeatedly met with rapid police intervention. The right to assemble and to associate is closely linked with freedom of expression, both of which face significant restrictions in

Azerbaijan. Political activists, opposition members, journalists, and human rights defenders are particularly affected. Organizers of protests may face repeated legal pressure, surveillance, or detention, making sustained activism difficult.

HRC: As the main role of the Human Rights Council is to address and deal with such issues connected to the violation of human rights, what the HRC decides could not matter more. Its task is also to oversee whether states implement international laws correctly. Their past attempts to solve this issue are seemingly ineffective as the implementation of the laws did not end in success.



Timeline of Events

6th century BC - The Ecclesia was first organized in Ancient Athens.

1600-1700 - The Age of Enlightenment, in which people began to realize what rights they had as humans.

1800s - Rise of Labor Movements in Europe, Asia, and America. People began to organize strikes and public gatherings.

1824 - The workers of England were allowed to form unions legally.

1864 - International Workingmen`s Association was formed to promote the rights of the workers.

1919 - International Labour Organization (ILO) is established.

1945 - Foundation of the United Nations.

1948 - Universal Declaration of Human Rights (UDHR).

1950 - European Convention on Human Rights.

1966 - International Covenant on Civil and Political Rights (ICCPR).

1970s-1990s - Pro-Democracy Movements.

1976-83 - Mass protests against dictatorship in Argentina.

1980s - Solidarity movement in Poland.

1984 - Anti-dictatorship movement in Brazil.

2010-2012 - Protests across the Middle East and North Africa, in order to demand political reform.

2020 – Resolution by the HRC about the issue of the promotion and protection of human rights in the context of peaceful protests.

Previous Attempts to Solve the Issue

Not so long ago, in 2020, the HRC issued a resolution on a similar matter, which expresses concern about the criminalization of individuals and groups solely for organizing, participating in, or observing peaceful protests. Furthermore, it also affirms that indiscriminate use of lethal force against crowds is unlawful and calls on member states to investigate deaths or serious injuries occurring during protests, including those caused by firearms or less-lethal weapons.

These are just a few amendments, which are the steps to eventually finding a complete solution to the issue.

Some earlier solutions include Article 20 of the UDHR in 1948, which proposed the first global recognition of the right to peaceful assembly and association. The article clearly states that these rights apply to all individuals and are universal. Another solution was articles 21 and 22 of the ICCPR in 1966 which furthermore protect these rights. The states ratifying it are legally bound to respect and fulfill the rights contained in the treaty. The implementation is monitored by the HRC, while the states also submit regular reports.

The International Labour Organization (ILO), a specialized UN agency to promote social justice and labour rights. Allowing employees to gather collectively to protect their interests is key, thus the freedom of association is considered the core labour right. That is why the ILO Convention guarantees workers and employers to form organizations without prior authorization and promotes collective bargaining in order to resolve disputes.

These documents clearly state people`s rights, however, what they lack are more serious implementations all across the world.

Possible Solutions and Approaches

STRENGTHENING LAW ENFORCEMENT

To start with, a reasonable solution could be strengthening law enforcement in states. Providing further training and workshops for government officials on protest management could be a great way to make policemen act according to law and cut down on the unnecessary use of force. In action, this could reduce the already growing tension between the public and the government and its officials.

INTERNATIONAL COOPERATION

International cooperation is key in any issue. While enforcing the law, states could be of help to each other as they could share best practices among one another.

INVESTIGATION BY INDEPENDENT BODIES

The creation of independent bodies in each country in order to monitor the government in the name of the UNHRC could be a well-working solution. They would investigate any human rights violation at an assembly, while overseeing whether one had been rightfully arrested, fined, or sanctioned during a protest.

DIGITAL RIGHTS

Regulating the use of surveillance technologies would be a great way to reduce abuse of one`s privacy, especially in connection to journalists, activists and protesters. Furthermore, avoiding unnecessary internet shutdowns and restricting censorship would protect people`s rights in the digital world more.

Bibliography

<https://www.rightofassembly.info/country/south-africa>

<https://www.ohchr.org/en/topic/freedom-assembly-and-association>

<https://abszemle.hu/restrictions-on-the-right-to-peaceful-assembly-during-the-covid-19-pandemic-in-particular-with-regard-to-the-imposition-of-a-general-ban-on-assembly/>

<https://www.law.cornell.edu/constitution-conan/amendment-1/historical-background-on-freedoms-of-assembly-and-petition#>

<https://carnegieendowment.org/research/2025/07/shrinking-civic-space-digital-funding-and-legitimacy-in-a-post-truth-era?lang=en>

<https://monitor.civicus.org>

<https://euromedmonitor.org/en/article/5683/Middle-East:-Serious-violations-against-the-right-to-peacefully-assemble>

<https://ovd.info/en/russia-road-freedom-assembly-challenges-and-instruments-change#1>

<https://helsinki.hu/en/hungary-bans-lgbti-march-resembling-budapest-pride/>

<https://www.hrw.org/news/2025/11/06/advancing-human-rights-justice-and-democracy-for-kurds-and-all-other-communities-in>

<https://www.ohchr.org/en/press-releases/2020/07/human-rights-council-adopts-four-resolutions-appoints-four-special-procedure>

<https://www.coe.int/en/web/commissioner/-/shrinking-space-for-freedom-of-peaceful-assembly>

<https://www.icnl.org/our-work/freedom-of-association>