UNITED NATIONS

Guide to UN Action in responses to protest movements

I. PURPOSE OF GUIDANCE AND GUIDING PRINCIPLES

Mass popular protests have multiplied around the world over the last decade, with increasing intensity in 2019. They have occurred in developed and developing countries, and in both democratic systems and under authoritarian regimes. While each context is different, common underlying drivers of protests include inequalities, corruption, limited access to social services and shrinking democratic space. In many instances, they reflect an underlying erosion of the social contract between people and their governments, and a general discontent and lack of trust and faith in political elites and government institutions to address the major issues of our times, including inequalities and climate change. Protest triggers in 2019 included increases in food and fuel or transport prices, election disputes, discriminatory laws and moves to extend presidential term limits. In many instances, specific grievances broadened to include more general issues, such as economic justice, human rights, gender equality, women's empowerment and governance. Most protests in 2019 were non-violent and escalation into violence was often the result of excessive force by security forces.

Young people and women have played active roles in nearly all protests, often as a reflection of frustration over structural barriers that exclude them from decision-making processes. In general, participation in protests has been broad-based and diverse, and sometimes increasingly so over time, with protesters coming from various socio-economic and political backgrounds.

Many protests have been explicitly non-sectarian and non-ethnic based. Many evolve as part of larger social movements, which use an array of methods (e.g., strikes, sit-ins, work slowdowns, boycotts, write campaigns and online petitions) to express grievances. Not all protests advocate for the United Nation (UN) principles and values, some promoting hate and regressive ideologies inimical to human rights norms and standards.

Information and communication technology (ICT) and social media have played an increasingly active role in mobilizing people,

creating networks and sharing information and tactics, even across borders. The fact that some movements appear to be leaderless, or present as leaderless, is at least partly a reaction to government efforts to repress protests. Governments themselves are using ICT to monitor, suppress, and restrict freedom of speech, including by internet or social media blackouts, and to spread false information.

Depending on government responses, the human and socio-economic toll of the COVID-19 pandemic could further exacerbate low trust and inequalities, especially if there are perceptions, based on reality or not, of discriminatory health care access, or in the distribution of other forms of support in response to socio-economic needs. The unfolding economic devastation from the spread of COVID-19 and the governance crises it may trigger could well sow the seeds for future protests. Some governments have already used restrictive measures legitimately imposed to contain the pandemic to clamp down on opposition groups or restrict civic space, and security services in some countries have employed unduly harsh tactics in response to violations. In the context of COVID-19, some governments have used restrictive measures to clamp down on opposition groups or restrict civic space. In a few instances, security services have employed harsh tactics in response to violations of movement restrictions. Women are disproportionately affected by some of these measures.

Protests and social movements engage the UN in different ways. First, their root causes and triggers are often central to UN mandates, and most especially Agenda 2030 and human rights frameworks. Second, the act of participation in protests and social movements itself invokes specific rights whose protection is intrinsic to the UN Charter. Third, protests and social movements create political, social and security dynamics with broad impact on UN mandates.

When and how the UN speaks out to call attention to or reinforce human rights issues surrounding protests is closely followed by

governments, the protestors and civil society, regardless of the context. The principled stance of the UN in defense of UN norms and standards is particularly important when hate speech is prevalent, and when measures taken by governments are in opposition to those rights and standards.

The UN has an array of tools at its disposal to help governments understand and address the grievances that drive people to the streets, including expressing support for normative principles, human rights monitoring, behind-the-scenes diplomacy, technical advice and assistance, and programmatic activities, which must be delivered in an impartial manner. In some recent contexts, entry points and political space for action by the United Nations have been limited or non-existent. In others, the UN has been able to support an environment conducive to peaceful protests, mitigate the risk of large-scale violence and direct program support toward addressing the underlying grievances that have driven people to the streets. At the same time, the UN must be careful to avoid the risk that mediation or facilitation support could be used by governments as a release valve, reducing the momentum of protests without addressing the root causes.

Purpose and scope of the gui

PURPOSE AND SCOPE OF THE GUIDANCE

This guidance seeks to support a paradigm shift in how the UN engages in field settings where protests are anticipated or occurring, and in their aftermath. Based on analysis conducted by a UN Working Group at the request of the Deputies Committee in late 2019, a year of unprecedented protests around the world, the guidance is intended to help UN field presences explore and understand the underlying reasons for protest movements and how the UN can best exercise its human rights, development, peace and security responsibilities in such contexts. The analysis and accompanying guidance were completed during the early months of the COVID-19 pandemic, with the recognition that the massive health, humanitarian and socio-economic consequences of the disease are likely to exacerbate underlying root causes of social unrest.

Depending on the context, the UN may face challenges in contexts where protest movements pose additional layers of complexity, whether in terms of strategic political, security, coordination or operational mandates. In 2019 there were instances where the UN was able to draw on its many tools – including advocacy, human rights monitoring, diplomacy, humanitarian assistance and programmatic initiatives – to simultaneously support a safe and enabling environment for protests while helping governments address the grievances that drive them. However, in other instances political space for UN action has been constrained. Demands may also target the UN itself, including petitions for the UN to take certain actions, creating additional challenges that must be addressed.

GUIDING PRINCIPLES

- The UN **should promote** an enabling environment for the enjoyment by all of the right to peaceful protest, as well as rights to freedom of peaceful assembly, association and expression.

- The UN **should seek** to help prevent violence but should not try to prevent protests.

- The UN **should be impartial** but not neutral, particularly when protests are about issues at the core of the Sustainable Development Goals (SDG) agenda or UN normative foundations. When protests demand action from the UN, the UN is duty-bound to respond, including through promotion of the 2030 Agenda and universal human rights, unequivocally supporting claims that are in line with these values, and unequivocally opposing those that are contrary to these values.

- The UN **should analyze** movements and their drivers as part of the wider economic, social and political context in a given country or region, including through the Common Country Assessment (CCA) and taking into consider the gendered and youth dimensions of these movements, as

well as other intersectional demands, so that UN emphasis is not only on triggers and the physical manifestation of protests but also on the broader structural and societal concerns that underpin them.

The UN **should support** governments to address root causes of social unrest and protest drivers through the UN Sustainable Development Cooperation Framework, using SDGs as entry points.

The UN **should seek** remedies for concerns that affect particular groups, especially those with a history of marginalization or discrimination, such as youth, women and indigenous protesters.

Whether before, during or after protests, and recognizing that such stages are rarely clear-cut, UN responses should be integrated at country, regional and HQ levels and carried out in conflict-sensitive ways according to the 'do no harm' principle[1].

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1. The text of this section draws heavily on formal 'General Comments" by UN independent experts on international law; it has been crafted to provide precise guidance for UN analysis and response, often using the exact language of the Comments

II. NORMATIVE FRAMEWORK – A GUIDE FOR UN RESPONSE [2]

A. THE "RIGHT" TO PROTEST

International human rights law provides a normative framework that can guide the UN's approach to protests. Whilst there is no express reference to the right to protests, the rights to freedom of expression,[3] peaceful assembly, association and to take part in the conduct of public affairs are linked and are the basis for participating in peaceful protests.[4]

The right to peaceful assembly[5] includes the right to hold meetings, sit-ins, strikes, rallies, events or protests, offline and online.[6] It supports the exercise of other rights[7] and supports populations in expressing grievances and aspirations, in celebrating events and influencing States' public policies.[8]

Similarly, protection of the right of peaceful assembly is dependent on other rights, such as non-discrimination and equality, freedom of movement, privacy, religion, freedom from cruel, inhuman or degrading treatment, bodily integrity and freedom from violence, including gender-based violence, and arbitrary detention, and the right to life. The protection of economic, social, and cultural rights may also be required, as their denial may impact the ability of individuals to mobilize and protest, as is sometimes the case for women and other groups.

International human rights law is complemented by regional instruments as well as 'soft law' standards at both international and regional levels. For instance, the Human Rights Committee is expected to issue in 2020 General Comment 37 on the right to peaceful assembly, further clarifying how this right is protected under international human rights law.

B. PERMISSIBLE LIMITATIONS ON THE "RIGHT" TO PEACEFUL PROTEST

Under international human rights law the right to peaceful assembly can be limited only under strict circumstances:[9] States must show that restrictions were necessary in the interests of national security or public safety, public order, the protection of public health (e.g. COVID-19) or morals or the protection of the rights of others. In adopting restrictions, States are to be guided by the principle that restrictions cannot be discriminatory (e.g. on grounds of race, colour, sex, sexual orientation, gender identity, disability, language, religion, political or other opinion, national or social origin … (article 4(1) CCPR)) and must not impair the essence of the right.[10]

The exercise of the right to freedom of assembly is not contingent on the political or other content of that assembly's expression.[11] Participants are free to choose and express the content of their message. Restrictions on the content of assemblies may be imposed only in conformity with the legitimate limitations on rights outlined above – e.g. where the message advocates national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. Where a content-based restriction is justified, authorities are to take the least intrusive and restrictive measures.[12]

The requirement to inform authorities of the intention to conduct an assembly in advance is permissible to the extent necessary to assist authorities in facilitating the smooth conduct of peaceful assemblies and protecting the rights of

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2. *The text of this section draws heavily on formal 'General Comments" by UN independent experts on international law; it has been crafted to provide precise guidance for UN analysis and response, often using the exact language of the Comments.*
3. *Articles 19, 21, 22 and 25 of the International Covenant on Civil and Political Rights.*
4. *A/HRC/RES/25/38.*
5. *See Universal Declaration of Human Rights (article 20(1), the International Covenant on Civil and Political Rights (article 21), and the Convention on the Rights of the Child (article 15).*
6. *A/HRC/RES/21/16, A/HRC/RES/24/5*
7. *A/HRC/20/27, para. 12*
8. *A/HRC/20/27, para. 24*

9. *CCPR/C/120/D/2142/2012;CCPR/C/117/D/2082/2011; CCPR/C/117/D/2089/2011.*
10. *Human Rights Committee, General comment No. 27 (1999).*
11. *A/HRC/31/66, para 11.*
12. *A/HRC/31/66, para 33.*

others.[13] Notification procedures should not be unduly burdensome and must be proportionate to the potential impact of the assembly.[14] Applying for permission from the authorities undercuts the idea that peaceful assembly is a basic right.[15]

C. LEGAL RESPONSIBILITIES OF STATES

Under human rights law, States have both positive and negative duties in the obligations to: **(i) respect** – they must refrain from interfering with or curtailing the enjoyment of human rights; **(ii) protect** – they must protect individuals and groups against human rights abuses, including by non-state actors[16]; **(iii) fulfil** – they must take positive action to facilitate enjoyment of human rights.[17]

States have the negative duty of no unwarranted interference with participants in peaceful assemblies - not to prohibit, restrict, block or disrupt assemblies without compelling justification, and not to sanction participants without legitimate cause.[18] States have the positive duty to facilitate peaceful assemblies, and to make it possible for participants to achieve their legitimate objectives. States must promote an enabling environment for the exercise of the right of peaceful assembly and put into place a legal and institutional framework within which the right can be exercised freely and effectively. Specific action may be required of the authorities, e.g. to block off streets, redirect traffic, provide security, or identify an alternative site where the assembly may be conducted.[19]

The State's obligation to facilitate and protect assemblies includes simultaneous assemblies and counter-protests, in which an assembly expresses discontent with the message of other assemblies.[20] States must protect participants against abuses by

non-State actors, such as interference or violence by the public,[21] counter-demonstrators and family and community members (a particular issue faced by women and LGBTI protesters). This may also apply to private security providers.[22]

D. "PEACEFUL" ASSEMBLY OR "VIOLENT" ASSEMBLY?

What constitutes a violent assembly: A violent assembly is characterized by widespread and serious violence. "Violence" typically entails participants' use of physical force likely to result in injury or death and/or serious damage to property. Mere disruption of vehicular or pedestrian movement does not amount to violence. If an assembly is peaceful, the fact that not all domestic legal requirements pertaining to the assembly have been met by organizers or participants does not, on its own, place it outside the scope of the protection of article 21 of the International Covenant on Civil and Political Rights. Civil disobedience or direct-action campaigns are in principle covered by article 21, if they are non-violent.

Determining whether an assembly is peaceful or violent: There is not always a clear dividing line, but there is a presumption[23] in human rights law in favour of considering assemblies to be peaceful. The determination must be made with reference to violence that originates or is deemed to originate from the participants. Violence by the authorities against participants in a peaceful assembly does not render the assembly violent. The same applies to violence by the public aimed at the assembly, or by participants in counter-assemblies.

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13. Kivenmaa v. Finland, para. 9.2. See also ACHPR, Guidelines on Freedom of Association and Assembly in Africa, para. 72.
14. Extracts from Draft General Comment 37, ICCPR.
15. CCPR/C/MAR/CO/6, para. 45; CCPR/C/GMB/CO/2, para. 41; and ACHPR, Guidelines on Freedom of Association and Assembly in Africa, para. 71.
16. This also requires the State to exercise due diligence to prevent, investigate, punish and provide redress for serious violations, such as gender-based violence.
17. The ICCPR imposes the obligation to "respect and ensure" all the rights in the Covenant (article 2 (1)); to take legal and other measures to achieve this purpose (article 2 (2)); and to pursue accountability, and provide effective remedies for violations of Covenant rights (article 2 (3)).
18. Extracts from Draft General Comment 27, ICCPR.
19. Extracts from Draft General Comment 27, ICCPR.
20. A/HRC/31/66, para 24

21. Alekseev v. Russian Federation (CCPR/C/109/D/1873/2009), para. 9.6. See also European Court of Human Rights, Plattform "Ärzte für das Leben" v. Austria (application No. 10126/82), judgment of 21 June 1988, para. 25.
22. Draft General Comment 17, ICCPR
23. The presumption means that the assumption should be that an assembly is of peaceful nature, until its violent character can be proved. With this as the starting point, violence from one individual or a select group within an otherwise peaceful assembly would not make the assembly violent – the assembly would therefore continue to be protected under the right of peaceful assembly. The source for this guidance is ICCPR General Comment 37: There is not always a clear dividing line between assemblies that are peaceful and those that are violent, but there is a presumption in favour of considering assemblies to be peaceful. See also the report of the Special Rapporteur on freedom of peaceful assembly para 18. https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/018/13/PDF/G1601813.pdf?OpenElement

Participants' conduct may be deemed violent if, before or during the event, they are inciting others to the imminent use of unlawful force, or they have violent intentions. Isolated instances where this is the case will not suffice to taint an entire assembly as no longer peaceful, but where the incitement or intention of violence is widespread, or if the leaders or organizers of the assembly themselves convey this message, participation in the gathering is no longer protected under article 21. Isolated acts of violence by some participants should not be attributed to other participants - some participants or parts of an assembly may thus be covered by article 21, while others in the same assembly are not.

Normative consequences of a violent assembly: Where gatherings do not fall within the scope of "peaceful assemblies", for example if they become violent, they are no longer protected by article 21. However, those involved retain their other rights under the Covenant . International norms and standards on the use of force continue to apply, in line with the principles of necessity and proportionality, conducive to the de-escalation of tensions rather than exacerbation of violence. The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the OHCHR Guidance on Less-Lethal weapons in law enforcement present useful guidance on the use of force in managing assemblies.

III. OPERATIONAL AND PROGRAMMATIC GUIDANCE

This guidance focuses on social movements in their wider context, noting that mass protests, strikes, boycotts, online petitions, and other forms of social action are among tactics that movements use to achieve their objectives.

A.LEVERAGING PREPAREDNESS AND RELATIONSHIPS FOR UN ACTION AND RESPONSE

Generic operational guidance cannot begin to cover the diversity of contexts around which protests emerge. Nevertheless, there is very often a common thread running across protests, including among many that emerged in 2019, that finds its source in ineqGeneric operational guidance cannot begin to cover the diversity of contexts around which protests emerge. Nevertheless, there is very often a common thread running across protests, including among many that emerged in 2019, that finds its source in inequality as a real or perceived underlying cause of social movements and protests. Protests have made painfully visible inequalities and their impact, weak state capabilities to respond, and differentiated access to social services and social protection systems that leave the most vulnerable paying the highest price. In contexts marked by structural inequalities where protests are or have occurred, an all-of-UN-approach is required to help strengthen the rule of law and the promotion of civil, political, social, economic and cultural human rights in ways that yield new social compacts grounded in legitimacy, inclusion and transparency. Gender equality and the empowerment of women must be at the core of the response as well as differentiated attention to the most vulnerable sectors of the population, in some instances those found marching in the streets. In countries where protests have or are occurring, UN field entities should examine the demands and grievances of protesters in the context of their own mandates and respond as appropriate with needs-based, people-centered approaches.

In protest contexts, UN leaders can help create impartial political space through dialogue with national authorities on their human rights obligations and any gaps that may exist in addressing them, and through relationships with a wide range of stakeholders at national and local levels, as well as with other diplomatic and development partners in country.

Additional relationships may come into play to support UN work in contexts where protests are occurring. Essential government relationships at the national level may include interior, justice, security, youth, women and information ministries, along with local authorities, parliamentarians and political party representatives. Key relationships with non-governmental actors should include human rights defenders (particularly those advocating for the rights of the most marginalized), peacebuilders' networks, the media, women's groups, minority and indigenous people's groups, young people and protest leaders (who may be drawn from these groups).

While UN staff in country will be best placed to identify interlocutors, inclusivity should be at the heart of any strategy. For the UN to engage effectively on protests, preparedness based on sound analysis and understanding of the country's political and socio-economic dynamics is key, as well as relationships developed in advance of the emergence of protest movements to help national actors engage constructively in identifying and addressing the root causes of protests.

B. BUILDING CIVIC SPACE THROUGH FACILITATION, MEDIATION AND CAPACITY BUILDING

The UN helps build civic space through three main areas of action: (1) Ensuring the participation of individuals and communities and collective actors in public affairs, at national and international levels; (2) Protecting the rights to freedom of expression, association and peaceful assembly, and; (3) Promoting a more resilient and expansive civic space. For more information, please refer to the SG's Guidance on Civic Space and UNDP guidance on social cohesion.

UN actions that can contribute to this aim, even before protests occur, include:

- ☑ **Identify and advocate for processes that allow people and their governments to discuss grievances**, including during election cycles (in line with UN Policy Directives on Electoral Assistance and human rights).

- ☑ **Strengthen channels for direct participation at all stages and levels of decision-making,** including by supporting the implementation of the OHCHR Guidelines for States on the effective implementation of the right to participate in public affairs.

- ☑ **Strengthen the capacity of national authorities and independent bodies** including national human rights institutions, to facilitate inclusive participation in dialogue and consultation processes in ways that build trust in state institutions and authorities.

- ☑ **Support civil society** on the use of digital technologies, combating disinformation and the development of engagement strategies.

- ☑ **Support and facilitate local mediation efforts** to reach political settlements, strengthen social contracts and intercommunal ties and address popular grievances.

- ☑ **Reinforce national mediation capacity.** The UN can support Member States in developing negotiation and mediation capacities, including within law enforcement institutions, to ensure that there is knowledge of and commitment to upholding international legal frameworks regarding the use of force, rule of law and the protection of civilians.

- ☑ **Promoting a culture of constructive and respectful disagreement and dialogue,** as well as acceptance for the public expression of dissent, including as part of civic education programmes.

C. HUMAN RIGHTS MONITORING

More dedicated human rights monitoring and reporting may be necessary when protests arise and the risk of violence increases. While best performed through in-country presence, human rights monitoring and reporting can be carried out remotely, albeit with reduced impact.

Some actions that can contribute to this aim include:

- ☑ **Analysis:** UN human rights Treaty Bodies, the Universal Periodic Review and Special Rapporteurs collectively provide invaluable support for diagnosing and predicting the root causes and triggers of protests, as well as suggesting solutions, and doing so in ways that consult government and civil society.

- ☑ **Assessing enabling environments:** clarifying the extent to which there is an enabling environment for grievances to be expressed online and offline, and how this environment is different for women, girls, men, boys and LGBTI people;

- ☑ **Mapping civil society and identifying risks:** including attempts to intimidate civil society actors and journalists or potential protest organizers that may stifle protests before they start, in violation of international law, and identifying preventive actions that the UN can take. Consider appointing CSO focal points within the UNCT.

- ☑ **Early warning and preparation:** human rights monitoring on discrimination, inequalities, violations of ESCRs, sexual and reproductive rights, poverty, participation, freedoms related to protests, including their gender specificities, helps the UN to articulate problems, draw dissenting groups' concerns to the attention of authorities, and help authorities to find solutions before protests occur. When protests take place later, prior monitoring and reporting provides the UN with understanding of root causes and the identification of potential entry points.

☑ **Preventing violence:** The presence of UN personnel on the ground and the publication of human rights monitoring reports can fulfil a preventive function by discouraging excessive use of force during protests and other human rights violations.

☑ **Advocacy:** Active monitoring and reporting gives the UN greater standing to call for days of calm, protection, accountability for violence, effective gender-responsive remedies, and/or for political solutions.

☑ **Mitigating the risk of retaliatory or other forms of violence after a protest ends:** human rights monitoring can maintain focus on protest leaders or others who may be targeted in the aftermath of protests, and can also maintain focus on those who may face particular risks, such as women and girls and human rights defenders.

D. PROGRAMMATIC RESPONSES

The 2019 Guidance on the Cooperation Framework and its accompanying 'Companion Package' emphasize the need to include an analysis of risks, of the country's human rights obligations and commitments, and of the factors (including root causes) behind those 'left behind' in their CCAs and Cooperation Frameworks. As such, CCAs should be among the earliest tools the UN has in identifying patterns in a society that could lead to protest, their underlying causes and the program responses to help address them.

CCA preparation offers a valuable opportunity to engage a diverse range of stakeholders and ensure an inclusive lens in UN action. CCA consultations with stakeholders are a means for the UN to build trust with its constituencies while also identifying unintended negative consequences of development practices and patterns of exclusion and other risks that could lead to social unrest.

Adjusting the Cooperation Framework. The CCA has become the foundation for the design of the UN's programmatic response through the Cooperation Framework. Where protests are forecast or are occurring, the CCA can provide a good bridge through which the UN can adjust programing to match concerns raised on the streets. Greater linkages between UN field presences and HQ on the development and updating of CCAs can facilitate agreement on early action. The Protest Working Group's 2019 analysis demonstrated that this is the most widely underused tool in the UN's toolbox.

The strengthening of the CCA process is intended to support adjustments to UN programming in response to changing needs and priorities, including when widespread dissatisfaction among segments of the society indicates gaps in a country's socio-economic development trajectory. In countries where protest movements lead to updated CCAs there should be corresponding changes to the Cooperation Framework to align it more closely with the country's needs.

Some actions that can contribute to ensuring grievances are addressed prior to, during or in the aftermath of protests are:

☑ **Analysis for programming:** The CCA is the foundational tool to identify real and potential protest demands, their underlying causes and the means to address them. In order to inform programmatic responses, the CCA must be forward-looking and anticipatory, with a heightened focus on risk and any underlying structures and root causes of inequalities, vulnerability, and human rights violations.

☑ **Stakeholder engagement for programming:** CCA consultations with stakeholders offer valuable opportunities for the UN to identify unintended negative consequences of development policies and practices as well as patterns of exclusion and other risks that could potentially lead to protests, and as a means to build trust with the constituencies demanding attention to these issues. CCA consultations should ensure full and effective participation of marginalized groups and communities, whose needs should be reflected in Cooperation Frameworks and programmatic responses.

☑ **Alignment of programing with human rights obligations:** CCAs are expected to inform country reviews by UN human rights mechanisms, and the recommendations made to the country by these human rights mechanisms after their reviews is in turn expected to inform the Cooperation Frameworks. Consequently, discussions between national authorities and UN entities in the preparation of Cooperation Frameworks are an opportunity to review these commitments and obligations with national authorities, and reflect on how their implementation could enhance the capacity of the country to reduce the recourse to protest or address the demands of those already protesting.

☑ **Whole-of-society programming:** The preparation of Cooperation Frameworks is not limited to a workshop(s) or retreat(s) but should instead be built through a series of dialogues and consultation with different stakeholders in the country. This is an opportunity to engage the country in a national dialogue on the areas with the greatest potential for transformative and inclusive development, including on issues that have led to protests in many countries, and involving those left behind or at risk of being left behind in both the design and implementation of the Cooperation Framework.

Additional programmatic responses to consider in contexts where protests may be likely or are occurring include:

⚠ Strengthening the capacity of core national governance functions where these are dysfunctional, fragile or otherwise unable to address protest root causes

⚠ Capacity building for local governance, such as for equitable and inclusive service delivery and communication with communities.

⚠ Reform of security, police, judicial, and corrections functions

⚠ Support for national human rights institutions

⚠ Anti-corruption programming

⚠ Drawing in the IFIs to consider protest causes and demands, potentially playing a facilitation role with Government, IFIs, and protest leaders, and advising the IFIs on transformative policies to address socio-economic inequality and other development challenges.

⚠ Information campaigns sharing UN analysis of socio-economic concerns and potential solutions; sharing with Government and protest organizers good practices and examples of possible solutions to protest concerns

⚠ Targeted action on livelihoods, food insecurity, access to services, social protection sexual and reproductive health and rights, equal education, WASH, etc.

⚠ Implementing the UN Shared Framework for Action on Equality

⚠ Building resilience in times of socio-economic crisis, including through support for social protection systems, universal health coverage, unemployment insurance, support to informal workers, measures to promote food and water security etc

IV. COORDINATION, CAPACITY, SAFETY AND SECURITY

A. CAPACITY AND COORDINATION - BEFORE, DURING, AFTER PROTEST

Preparing for and responding to protests requires adequate staffing capacity, skills and knowledge – much of it irreplaceable country-specific experience and relationships, while other required expertise may be more related to protests, root causes and finding solutions. One of the UN's most unique features is that it has such knowledge, relationships and experience for almost every country and every aspect of protests. The challenge, however, is to bring this capacity to bear in the right time frame and with the right combination of tools, and as part of a coherent and coordinated UN approach.

☑ **The UN system-wide coordination and analysis mechanisms have a special importance in supporting UN action.** The Regional Monthly Reviews can be used to not only register the possibility that protests may arise, but also to craft a strategy to create political space for UN action, to deploy UN staffing capacity, to seek high-level political support, and to align UN entities in the field and at HQ. It can also be used as a channel to the Deputies and Executive Committees.

☑ **Specialized capacities:** Dedicated UN analytical and operational capacity to support an enabling environment prior to protests (e.g. deploying HRAs and PDAs). Specialized capacity may be needed to coordinate the collection and analysis of information coming in during a protest.

☑ **Expanding capacity within existing resources:** If protests escalate, plans should be in place to quickly expand UN capacity in-country (e.g. re-assignment and pooling of existing staff, or surge capacity from other duty stations) and at UNHQ (e.g. additional desk officers,

thematic support). Consider pooling capacity in-country, so staff from different UN entities can be shared to meet common responsibilities. In the absence of in-country UN capacity to conduct human rights monitoring, some monitoring can be conducted remotely from HQ.

☑ **Improving coordination mechanisms:** The value of coordination lies not only in coordinating activities but in drawing upon all UN resources to strengthen the UN's political positioning as regards a situation of protests, which will be key to ensuring effective UN action. Coordination needs to work around programming but also analysis to ensure that the situational understanding is shared across UN entities and that programming addresses not just symptoms but also root causes.

B. SAFETY AND SECURITY OF STAFF

There are multiple safety and security issues for the UN raised by protests. As regards each protest context, these should be taken up by the Designated Official and UNDSS. The following points list some issues that may require consideration.

⚠ The substantive positions taken by the UN on protests, including where the UN does not take a position, can have an impact on how the UN is perceived in-country and on the safety and security of staff and UN property.

⚠ National and international staff may have different levels of vulnerability.

⚠ Where staff or their family members wish to join protests and social movements, they may need guidance on how they can do so in their personal capacities, and UN

⚠ leadership should consider in advance what action to take if staff are detained or harmed in protestsharmed in protests.

⚠ UN human rights officers often require a specialized security clearance that recognizes their need to be mobile and present at the sites of protests and violence.

⚠ The UN may need additional equipment such as identifying clothing, communications, or PPE.

⚠ UN leadership should consider in advance what actions to take if protesters seek to enter UN premises either as part of their protest or to seek safety.

⚠ Immediately before or during a protest, UN leadership may need to consider its engagement with national security forces that are protecting UN staff and premises but may also be involved in committing violence against peaceful protesters.

C.   PARTICIPATION BY STAFF IN PROTESTS

According to staff regulations, United Nations staff are discouraged from participation in public demonstrations which may not be consistent with the independence and impartiality required of (them) as international civil servants. These measures are justified because international civil servants do not have the freedom of private persons to take sides or to express their convictions publicly, either individually or as members of a group. However, the defense of human rights and human rights values are universal convictions; they are what we stand for as an organization. When peaceful protests are about human rights UN staff members should not be discouraged or prevented from participating in their personal capacity.

Article 21 of the International Covenant on Civil and Political Rights recognizes the right to peaceful assembly and clarifies that "no restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the

protection of public health or morals or the protection of the rights and freedoms of others". Internal UN rules cannot override broad international human rights norms, therefore the right to peaceful assembly applies equally to national and foreigners in a country, regardless of their status, including UN staff.

V. LIST OF RESOURCES

CATEGORY	DETAIL AND LINK	#
General	Article by UNDP Jairo Acuña and Mirna Cuentas; Latin America and social conflicts and dialogue as a tool for the generation of opportunities https://www.undp.org/content/undp/en/home/blog/2019/how-to-build-and-sustain-peace.html	1
	On how protest movements are sustained (Chile, Bahrain, Uganda) https://civicus.org/documents/ProtestMovements_CIVICUS_Apr2017.pdf https://www.newyorker.com/news/our-columnists/the-story-of-2019-protests-in-every-corner-of-the-globe https://foreignpolicy.com/2019/12/30/people-power-hasnt-won-yet/	2
	Against the Wave, report by CIVICUS (2019) https://www.civicus.org/index.php/action-against-the-anti-rights-wave	3
	USIP (2019) Youth protest movements in Afghanistan https://www.usip.org/sites/default/files/2019-02/pw145-youth-protest-movements-in-afghanistan-seeking-voice-and-agency.pdf	4
	Social movement and Social change in Africa by Christian Elongue and Charles Kojo Vandyck (2019) https://www.wacsi.org/resources/wacseries/Social_Movement_and_Social_Change_in_Africa.php	5
	The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism Impact of measures to address terrorism and violent extremism on civic space and the rights of civil society actors and human rights defenders	6
	The Special Rapporteur on the freedoms of peaceful assembly and association and the Special Rapporteur on extrajudicial, summary or arbitrary executions Joint report on the proper management of assemblies	7
	Compilation of guidance and case studies prepared by International Network of Civil Liberties Organizations and University of Chicago Defending dissent. Towards state practices that protect and promote the rights to protest	8
	Venice Commission and the OSCE Guidelines on Freedom of Peaceful Assembly	9
	Women in protest movements in Lebanon, UN Women, 6 Jan 2020 https://www.lb.undp.org/content/lebanon/en/home/library/womens_empowerment/gendering-lebanons-2019-protests.html	10
Engaging security forces	[Draft] Guidance on less lethal weapons (OHCHR) https://www.ohchr.org/Documents/HRBodies/CCPR/LLW_Guidance.pdf	11
	Resource book on the use of force and firearms in law enforcement (OHCHR) https://www.ohchr.org/Documents/ProfessionalInterest/UseOfForceAndFirearms.pdf	12
	Human Rights and Law Enforcement: Manual on Human Rights Training for the Police (OHCHR) https://www.ohchr.org/Documents/Publications/training5en.pdf	13
	Pocket Book on Human Rights for the Police (OHCHR) https://www.ohchr.org/Documents/Publications/training5Add3en.pdf	14
	Trainer's Guide on Human Rights for the Police (OHCHR) https://www.ohchr.org/Documents/Publications/training5Add2en.pdf	15
	Resource book on the use of force and firearms in law enforcement (UNODC, OHCHR) https://www.ohchr.org/Documents/ProfessionalInterest/UseOfForceAndFirearms.pdf	16

CATEGORY	DETAIL AND LINK	#
Engaging security forces	In Colombia, UNDP and OHCHR supported the "Protocol to articulate actions of prevention, security, respect, management and attention to situations that occur in the framework of the peaceful protest" promoted by the Ministry of Interior http://acnudh.org/wp-content/uploads/2015/04/PROTESTA-SOCIAL.pdf	17
	Peru: The Ministry of Interior, UNDP and OHCHR, signed a memorandum of understanding on strengthening compliance with international human rights obligations and standards regarding the use of force and social conflicts. https://www.mininter.gob.pe/sites/default/files/RM-487-2018-IN%28prepublicacion-Manual.DDHH%29.pdf	18
Monitoring	Guide to monitoring demonstrations and public meetings (OHCHR) https://www.ohchr.org/Documents/Publications/training7part1315en.pdf	19
	Guidelines for States on implementation of the right to participate in public affairs (OHCHR) https://www.ohchr.org/Documents/Issues/PublicAffairs/GuidelinesRightParticipatePublicAffairs_web.pdf	20
	Checklist on managing assemblies (OHCHR) https://www.ohchr.org/Documents/Issues/FAssociation/10PrinciplesProperManagementAssemblies.pdf	21
	Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies https://www.ohchr.org/EN/Issues/AssemblyAssociation/Pages/SpecialProject.aspx	22
Responding to violations	Integrating a gender perspective into human rights investigations (OHCHR) https://www.ohchr.org/Documents/Issues/Women/Publications/GenderIntegrationintoHRInvestigations.pdf	23
	Guide to casualty recording (OHCHR) https://www.ohchr.org/Documents/Publications/Guidance_on_Casualty_Recording.pdf	24
	Guide to human rights and prisons (OHCHR) https://www.ohchr.org/Documents/Publications/training11en.pdf	25
	Manual on investigating torture (OHCHR) https://www.ohchr.org/documents/publications/training8rev1en.pdf	26
	Human rights fact finding into incidents that occur during protests – training (OHCHR) https://ohchr.org/Documents/Publications/AttributingIndividualResponsibility.pdf https://www.ohchr.org/Documents/Publications/FactSheet29en.pdf	27

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**GUIDE TO UN
ACTION IN
RESPONSE TO
PROTESTS
MOVEMENTS**

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