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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2024]

* Issued as received, in the language of submission only.



The Students Protests and the Rights to Freedom of Peaceful Assembly

The right to freedom of assembly is one of the well-established individual rights.(1) The right is guaranteed in various human rights documents emphasizing on the undeniable obligations of States to protect people civil and political right. The right allows individuals to form peaceful gatherings and collectively express, promote, pursue, and defend their collective or shared ideas. As a result, people should be able to exercise their right freely, especially in academic settings, however, recently many members of the academia have been targeted for exercising their right to freedom of assembly, especially the students and the academic staffs in different universities of the United States of America and Europe.

It is evident that across the world, hundreds of protesters who raise voice against the situation of the Palestinian territories and demand their government and universities to take action regarding Gaza war and Israel war crimes, are being cracked down, arrested, injured, threatened and punished with education suspensions.

The United States of America's Ivy League universities such as: Columbia University, Harvard University and Texas University have been witness to widespread students' protests, supported by some professors and the university staff.

We echo the concerns expressed by the UN High Commissioner for Human Rights Volker Türk on the "heavy handed" measures adopted against student protesters which have been dispersed or dismantled by security forces while, "some of law enforcement actions across a series of universities appear disproportionate in their impacts"(2) . Thousands of students were arrested for expressing their political viewpoints, many have subsequently been released, while others faced charges or academic sanctions.(3)

In the United States of America, in two weeks police made about 4,000 arrests at pro-Palestinian encampments on dozens of college campuses across the country.(4) At Texas University at Austin, at least 40 demonstrators were been arrested on one day, on charges of trespassing and disorderly conduct, "some of them by officers in riot gear who encircled about 100 sitting protesters, dragging or carrying them out one by one amid screams".(5)

Following an official visit to the United States of America, Farida Shaheed, the UN Special Rapporteur on the right to education announced that: "I am deeply troubled by the violent crackdown on peaceful demonstrators, arrests, detentions, police violence, surveillance and disciplinary measures and sanctions against members of the educational community exercising their right to peaceful assembly and freedom of expression."(6)

Excessive use of force against student protesters are not limited to the United States of America's universities. In Amsterdam University, police raided the peaceful protest and encampment of students violently and attacked their encampments with bulldozer and dogs. Many have been arrested and have been injured . Also, in Oxford University many student protesters were arrested by the police.(8)

Global attacks against students prove that the right of people to freedom of assembly regarding the situation of Gaza and the Palestinian territories, is seriously violated, while the situation of the Occupied Palestinian Territory have been exacerbated on a daily basis, during the past seven months, leading to a colossal civilian death toll and massive destructions of civilian infrastructure.

According to Article 20 of Universal Declaration of Human Rights and Article 21 of International Covenant on Civil and Political Rights, which are a part of international customary law, all States are obliged to protect the right to freedom of assembly.

The obligation of States regarding protecting the right to freedom of assembly, as a fundamental human right, is an erga omnes obligation which international community has a collective duty to fulfill. The UN Member States should not stay silent regarding this violations of the right to freedom of peaceful assembly and should take actions regarding the gross violations of right to freedom of expression.

Considering the situation regarding the right to freedom of expression, especially in the context of ongoing the war, Organization for Defending Victims of Violence (ODVV) calls on the international community, the UN Secretary-General and the UN High Commissioner for Human Rights to:

- Call upon states to make sure that, regarding the situation of the Palestinian territories and the ongoing war, the right to freedom of assembly would not be hindered by any governmental or non-governmental authorities.
- Call upon states to immediately release all the students which have been arrested and let all of students which have been suspended from education or expelled from school to return to their universities and continue their studies.
- Call for international organizations' intervention to stop violation of right to freedom of assembly.

1- Universal Declaration of Human Rights - Art 20 , International Covenant on Civil and Political Rights – Art 21, European Convention on Human Rights – Article 11, American Convention on Human Rights – Art 15

2- <https://www.ohchr.org/en/press-releases/2024/04/united-states-america-un-human-rights-chief-troubled-law-enforcement-actions>

3- <https://www.ohchr.org/en/press-releases/2024/04/united-states-america-un-human-rights-chief-troubled-law-enforcement-actions>

4- <https://www.npr.org/2024/05/18/1251915545/pro-palestinian-protests-students-interview-columbia-cuny-hunter-nyc>

5- <https://apnews.com/article/israel-palestinian-campus-student-protests-war-19ed919ff6ff9573a8add4ec67e26181>

6- <https://www.ohchr.org/en/press-releases/2024/05/un-expert-alarmed-violent-crackdown-peaceful-student-protests-across-us>

7- <https://www.aljazeera.com/program/newsfeed/2024/5/9/dutch-police-bulldoze-camp-to-break-up-anti-gaza-war-student-protest> see also: <https://www.aljazeera.com/gallery/2024/5/8/student-protests-against-israels-war-on-gaza-spread-across-europe>

8- <https://www.bbc.com/news/uk-england-oxfordshire-69060103>