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Urgent need to prevent human rights violations during peaceful protests

Motion for a resolution

tabled by Mr Pieter OMTZIGT and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Recent protests in some European countries, especially those in Turkey and Ukraine, raise the issue of the extent to which the use of force by police during peaceful demonstrations is proportionate or not. During the “Gezi Park protests” in May 2013, the police used large amounts of tear gas and water cannons and its intervention in the whole country resulted in over 8000 wounded people and 11 deaths. In Ukraine, the violent events at the Maidan Square between November 2013 and February 2014 led to nearly a hundred deaths and hundreds of injured people. In other countries, like Greece or Spain, protests are very violent in times of economic crisis. Often the excessive use of force is coupled with a culture of impunity in the ranks of the police.

The Parliamentary Assembly is concerned about serious human rights violations committed by law enforcement agents when dispersing peaceful protests. It recalls that freedom of assembly is a fundamental right guaranteed by the European Convention on Human Rights. Any action taken by the police to control protests must be prescribed by law and “necessary in a democratic society”. The excessive use of “pepper spray” may have serious consequences for people’s health and it has already been criticised by the European Court of Human Rights, for instance, in the *Oya Ataman v. Turkey* judgment of 2006. Regrettably, the directives stemming from the Court case law have yet not been fully implemented in a number of member States.

The Assembly should consider how the use of force by police during peaceful protests is regulated in Council of Europe member States and whether there is a need for additional measures to be taken to protect protesters, such as adopting new international legal instruments, in particular on the use of tear gas.

Signed (see overleaf)



*Signed*¹:

OMTZIGT Pieter, Netherlands, EPP/CD
BECK Marieluise, Germany, ALDE
BESELIA Eka, Georgia, SOC
CILEVIČS Boriss, Latvia, SOC
CLAPPISON James, United Kingdom, EDG
DÍAZ TEJERA Arcadio, Spain, SOC
HOVHANNISYAN Arpine, Armenia, EPP/CD
IORDACHE Florin, Romania, SOC
KHIDASHELI Tinatin, Georgia, ALDE
LE DÉAUT Jean-Yves, France, SOC
LEYDEN Terry, Ireland, ALDE
MATEU PI Meritxell, Andorra, ALDE
McNAMARA Michael, Ireland, SOC
OEHRI Judith, Liechtenstein, ALDE
POURBAIX-LUNDIN Marietta, de, Sweden, EPP/CD
RECORDON Luc, Switzerland, SOC
ROUQUET René, France, SOC
SASI Kimmo, Finland, EPP/CD
TAKTAKISHVILI Chiora, Georgia, ALDE
TOMLINSON John E., United Kingdom, SOC
VRIES Klaas, de, Netherlands, SOC
XUCLÀ Jordi, Spain, ALDE
ZINGERIS Emanuelis, Lithuania, EPP/CD

1. ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democrat Group
EPP/CD: Group of the European People's Party
SOC: Socialist Group