



Doc. 15803
20 June 2023

Social mobilisation, social unrest, and police reaction in Council of Europe member States: need for a new social contract?

Motion for a resolution

tabled by the Committee on Social Affairs, Health and Sustainable Development

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

Article 11 of the European Convention on Human Rights guarantees the right to freedom of peaceful assembly to everyone: “No restrictions shall be placed on the exercise of this right other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, [...] or for the protection of the rights and freedoms of others.”

In several member States, most recently in France, social mobilisation has combined with social unrest. In other situations, radicalised and/or criminal elements have used peaceful protests to resort to vandalism, looting, and direct attacks on “representatives of the State”, law-enforcement officers, firefighters, and even medical staff. Police reaction and tactics have not always reached the benchmarks defined in the recent Parliamentary Assembly [Resolution 2435 \(2022\)](#) and [Recommendation 2230 \(2022\)](#) on “Fighting and preventing excessive and unjustified use of force by law-enforcement officers”, leading to a vicious circle and the breakdown of trust.

This problem is not new. The Committee on Social Affairs, Health and Sustainable Development believes that it cannot be solved without tackling its roots, which lie in the lack of social cohesion in our societies, widening inequalities, insufficient action to combat racism, antisemitism, xenophobia, and misogyny (including in law enforcement), and a perception in large swathes of society that the social contract has ruptured. It thus recommends that the Assembly debate how to move forward to restore the social contract for everyone within the jurisdiction of a Council of Europe member State. Only on the basis of a social contract accepted by all, can the full exercise of the right to freedom of peaceful assembly, including social mobilisation, be guaranteed, while avoiding social unrest and protecting “representatives of the State” from violence.

