

Explanation of vote

L.26 Resolution on the promotion and protection of human rights in the context of peaceful protests

Australia cannot support the inclusion of this new paragraph in L.26. The international human rights system places obligations on States. Any move to shift these obligations on to organisers of protests should be rejected.

Further, the amendment implies that organisers of protests may be held responsible for the unlawful behaviour of others.

As noted in the joint report on the proper management of assemblies prepared by the *Special Rapporteur on the rights to freedom of peaceful assembly and of association*, and the *Special Rapporteur on extrajudicial, summary or arbitrary executions*, such a position “would violate the principle of individual liability, weaken trust and cooperation between assembly organisers, participants and the authorities, and discourage potential assembly organisers from exercising their rights.”

Such a development must be resisted, so that peaceful protests may continue to play a constructive social and political role in the development of more just and accountable societies.

We thank the main sponsors for their efforts to achieve a balanced text here. We note that resolution L.16 does indeed recognise that organisers of peaceful protests are key stakeholders with which the State should engage to contribute to the proper management of assemblies, with references in both PP27 and OP5 of the resolution.

For all these reasons, we urge members of the Council to reject this amendment and vote no.