July 2025,
President,
Leiden Model United Nations 2025

Ensuring the freedom of assembly while protecting public order and public interest

Human Rights Council

Table of Contents

Table of Contents **1**
Introduction **2**
Definition of key terms **3**
Freedom of Assembly and Association 3
Non-degorable rights 3
Public interest 3
Two covenants 3
Universal Declaration of Human Rights (UDHR) 3
Universal Periodic Review 3
General Overview **4**
Freedom of assembly around the world 4
Clashes with other freedoms 6
Clashes with national cultural norms 6
Major parties involved **8**
European Union 8
Human Rights Committee 8
Human rights organisations (Amnesty International, Freedom House) 8
Protesters' groups (globally) 8
Timeline of events **9**
Possible solutions **10**
Useful documents 10
Bibliography **11**

Introduction

With growing conflicts, rising tensions, and the little privacy that is left in this digital age, it has become harder for people in many regions to protect themselves and their rights against organisations or even governments. One of these rights is the freedom of assembly and association.

According to the Universal Declaration of Human Rights (UDHR), Article 20, “everyone has the right to freedom of peaceful assembly and association,” and “no one may be compelled to belong to an association”[1]. Since its proclamation in Paris in 1948 by the United Nations General Assembly, the UDHR has formed the international legal framework for all our fundamental human rights. Together with the two international covenants, it forms the International Bill of Human Rights. The two covenants, the International Covenant on Economic, Social, and Cultural Rights and the International Covenant on Civil and Political Rights (ICCPR), are monitored by, respectively, the Committee on Economic, Social, and Cultural Rights and the Human Rights Committee[2].

Though not all UN member states have ratified the treaties in these bills, the Human Rights Council holds a universal periodical review (UPR) of all 193 UN member states every four and a half years. These UPRs review nations' protection of human rights and provide feedback for improvement. If a nation does not properly allow its people a universal human right such as the freedom of assembly, they can thus face diplomatic repercussions or international sanctions.[3]

Despite these laws and measures, there are currently too many countries where freedom of assembly is not (anymore) a given right. Issues such as shutting down or attacking protests, following demonstrators, and illegalising communities are becoming increasingly prevalent, even in 'the Global North'. That is why this report calls for immediate constructive dialogue on effectively finding an international solution that ensures both this freedom and the global public interest.

During debates, individuals may encounter additional issues that complicate their positions. Sometimes separate rights or freedoms can conflict with each other. The right to peaceful assembly might conflict with the freedom of movement of someone else or national or regional cultural rights. It is crucial to take everything into account and determine the best solution for the freedom of all individuals on earth.

[1] United Nations, (1948)
[2] United Nations Human Rights Office of the High Commissioner, (2025)
[3] United Nations Human Rights Office of the High Commissioner, (2025)

Definition of key terms

Freedom of Assembly and Association

According to the 20th clause of the UDHR and articles 21 and 22 of the ICCPR, the freedom of peaceful assembly and association is a fundamental right within the United Nations. This right includes, for instance, the right for individuals to organise communities and express or defend common interests with each other and the right to host - or participate in - meetings, events, and rallies or protests.[4]

Non-derogable rights

Human rights that are considered 'absolute' under the ICCPR cannot ever be suspended. This group includes seven rights: '*the right to life,*' '*the right to not be tortured or nonconsensually subject to medical experiments,*' '*the right to be free/never enslaved, the right to not be imprisoned unjustly,*' '*the right to a fair trial,*' '*the right to be recognised before the law*', 'and *the right to freedom of thought, conscience, and religion.*'[5]

Public interest

The report focuses on the welfare and well-being of the general public, encompassing the entire world. Public order is generally regarded as a distinctive part of this that usually keeps to the people's freedom, security, and peace of mind, both in a physical and legal aspect.[6]

Two covenants

The International Covenant on Economic, Social, and Cultural Rights and the International Covenant on Civil and Political Rights are the two legally binding pillars of the International Bill of Rights. Ratifiers are periodically reviewed based on their implementation of the covenants' rights and laws.

Universal Declaration of Human Rights (UDHR)

The foundation of the UN International Bill of Human Rights. The in 1948 proclaimed 30 clauses set apart a clear framework but is not legally binding, even for ratifiers. They are merely a suggestion for states to work by.

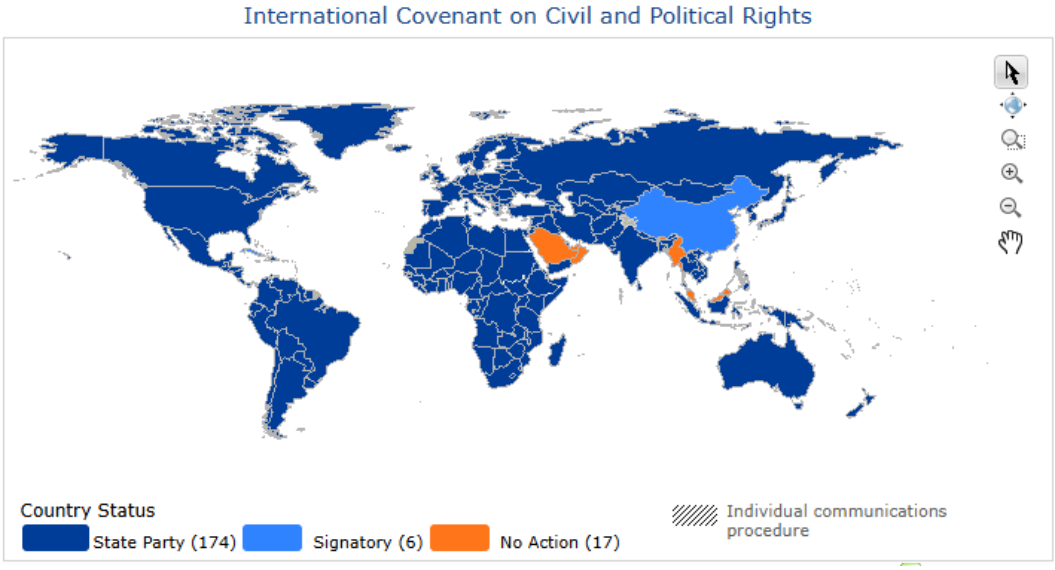
Universal Periodic Review

A 4-and-a-half-yearly review the Human Rights Council executes on all 193 UN member states on their progress on human rights.

[4] United Nations Human Rights Office of the High Commissioner, (2025)
[5] United Nations, (1966)
[6] Medecins Sans Frontieres, (sd)

General Overview

As of 2025, 174 countries have ratified the ICCPR. This means that the Human Rights Committee can hold 174 out of the 193 UN member states accountable for violations of binding treaties related to the freedom of assembly. The other 19 states are not bound by the principles in the treaty but can be pressured by the United Nations through diplomacy and sanctions with the UPR. The map hereunder shows the ratifiers and signatories of the ICCPR.



United Nations Human Rights Office of the

The freedom of assembly has been crucial to some parts of our global history. The formation of democracies, independence wars, and civil rights movements show the world why this right is so important. And these examples would, in some cases, not have been possible in a world where freedom of assembly was not encouraged or did not exist at all.

Since the Human Rights Committee and other United Nations bodies are purely diplomatic organisations, they cannot easily 'punish' violators of treaties like the ICCPR with anything other than international pressure or sanctions. This is why it is possible that there are many State Parties of the ICCPR that, though they have ratified the treaty, do not follow all articles. And many do not (entirely) respect this freedom in particular.

Freedom of assembly around the world

In Europe, the majority of nations has a score of 4/4 on freedom of assembly on the 2025 Global Freedom reports from Freedom House. There are eight countries that score 3/4 and one that scores 2/4. This is mostly in the eastern part of the continent and often caused by the fact that organisers of protests have to ask the government permission, which can therefore also be refused because it is not part of the national legislation. In some cases, there has been a history of violence or threats directed at protesters. In Belarus and Russia freedom of assembly is restricted, and protests can be followed by police violence or even persecution of citizens, especially when they are against the government. Sometimes demonstrators can be unjustly followed or monitored after participating in a strike or rally. In the European Union, freedom of assembly is also a regional right and law, and it can hold

its member states accountable as well.[7] In certain member states, growing political segregation has led to an increase in tensions surrounding protests in recent years. In recent history, there was the case of the Yellow Vests movement in France in 2020 against inequality and police behaviour, which was shut down by the government. This particular case sparked debate on whether that response was against the ICCPR - which France had signed.[8] Countries such as the United Kingdom and Hungary have faced criticism from the High Commissioner regarding recently passed bills that threaten the freedom of assembly.[9][10]

In the Americas the situation is similar; most countries receive all points on freedom of assembly when they have national laws protecting it and protesters are not required to request an allowance for their event. There are seven countries in the two continents together with 3/4 points and five with 2/4. Venezuela, Cuba, and Nicaragua get 0/4 at the freedom score because protesters are subject to violence and threats from law enforcers and are treated unequally by the government. A case in the United States was the conflict around the Selma-to-Montgomery marches in 1965. These marches were organised to reach equal voting rights for African Americans and were met with a violent response from the national police. This resulted in one of the days being remembered as 'Bloody Sunday'.[11] Recently, there have been changes in the policies of, for instance, the US. With the increase of police violence and discrimination against specific groups within the population, the freedom of assembly has become more threatened than before. This shows that the conflict between freedom of assembly and public order is one that leads to discussions in all regions and in all states.

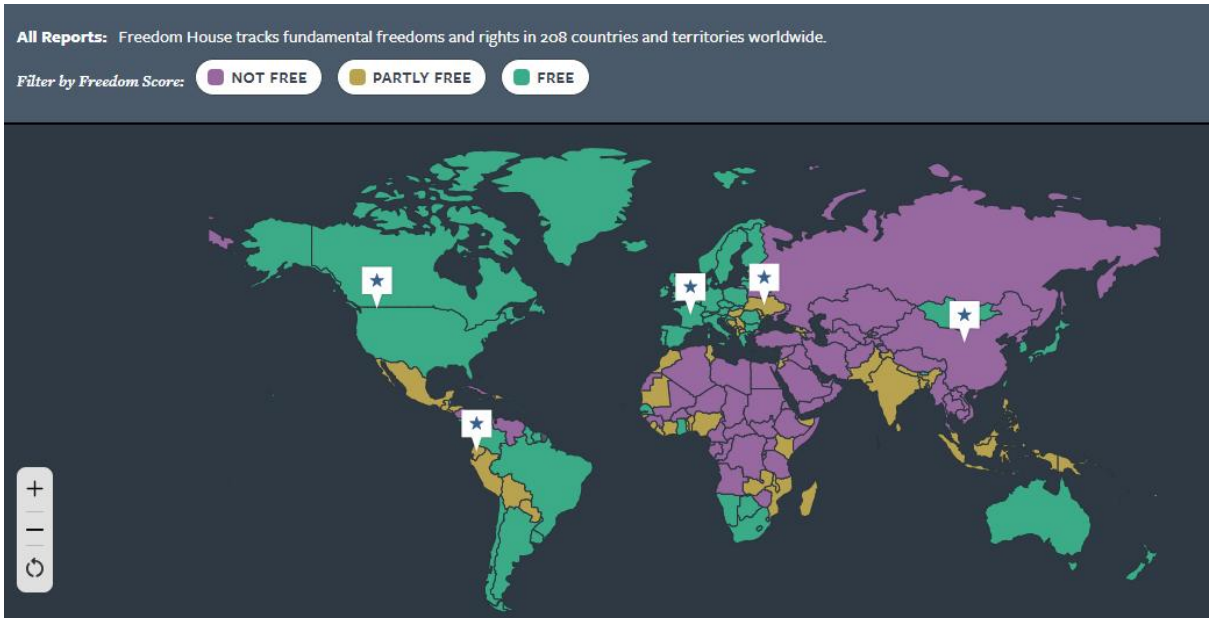
In Africa, South Africa and Botswana scored 4/4; there were six countries with a score of 3/4, and the rest of the continent scored 2/4 or lower. A recent examples of the clash between public order and the freedom of assembly were the #EndSARS protests in and around Nigeria in 2020. These protests were against the violent behaviour of the Nigerian police unit, the Special Anti-Robbery Squad (SARS). The protests developed into a physical conflict between protesters and SARS enforcers, which led to the deaths of 51 civilians, 11 policemen, and 7 soldiers. In 2020, after this conflict, SARS was discontinued.[12] In Africa, there are nations where freedom of assembly is not recognised as a right, and protesting is therefore not allowed; often, activists can end up being arrested.

In Asia, Japan and Mongolia score 4/4, 7 countries reach a score of 3/4, and the majority scores 2/4 or lower. Here too there are nations that do not allow their people to demonstrate, in countries with strict religious regimes, but also in nations like China and North Korea. Citizens are tried according to the laws of their own sovereign state. Therefore, the international community cannot always guarantee the protection of their rights. In China, the most influential clash between public order and freedom of assembly was the Tiananmen Square protests of 1989, which led to the deaths of 218 civilians. The conflict claimed the lives of 23 enforcers and resulted in thousands of injuries.[13]

In Oceania, all states reached a score of 3/4 or higher.

This map shows an overview of the Global Freedom:

[7] European Court of Human Rights, (2013)
[8] United Nations Human Rights Office of the High Commissioner, (2019)
[9] United Nations Human Rights Office of the High Commissioner, (2023)
[10] United Nations Human Rights Council, (2025)
[11] Ellis-Gibbs, (2025)
[12] UN News, (2020)
[13] Amnesty International, (2025)



Freedom House. (2025)

Clashes with other freedoms

When a rally, strike, or protest is organised, it can sometimes be called off by national enforcement or governments with the argument of public nuisance. In most countries, there are national laws governing when other rights, such as safe traffic or public health, weigh heavier than the freedom of assembly. When a protest becomes dangerous to bystanders, the rights of the different parties are not to be regarded differently, but there can exist a hierarchy within the different kinds of rights and freedoms (for all people in the same way).

Like the freedom of assembly, the freedom of movement is an international right under the ICCPR. Neither freedoms are - in this case - non-derogable rights, which means that according to article 4, they can be limited by governments in case of a 'public emergency'. The ICCPR has three 'legal tests' or 'legal interpretations' as conditions for these limitations: legality, necessity, and proportionality. A freedom can only be rightfully limited if the enforcers' arguments comply with these conditions. Even with these conditions, the limitations must be temporary, meaning that the disadvantaged people should still be allowed their freedom of assembly after the 'infringement' was allowed.

If the freedom of assembly does clash with one of the non-degorable rights, when it threatens the life or health of bystanders, according to ICCPR article 4, one of the two cannot be limited and therefore has priority. And thus the freedom of assembly can or must be limited.

Clashes with national cultural norms

Since freedom of thought, conscience, and religion is a non-derogable right, cultural norms should not be given priority over an individual's personal rights. According to the ICCPR, religion can not be used as a valid reason to discriminate. Still, religion can often be the reason why there is infringing upon a population's freedom of assembly or association. This is especially the case with protests regarding freedom of expression or conscience and issues such as the rights of LGBTQ+ individuals or gender equality.

Sometimes freedom of assembly can be limited when a group uses discriminatory signs or language conflicting with national (or international) laws. Take, for instance, the prohibition of neo-Nazi meetings in some European countries.

Major parties involved

European Union

The European Union is a supranational union consisting of 27 European states. The union acts as both an economic and legislative collaboration. Freedom of assembly is also a right in chapter 2 of the EU Charter of Fundamental Rights.

Human Rights Committee

An independent committee established by and for the ICCPR, its purpose is to hold member states accountable for their dedication to the covenant's clauses. The 18 experts, who are members of the committee, do not represent any state or organisation.[14]

Human rights organisations (Amnesty International, Freedom House)

NGOs can often provide valuable, independent information on the international progress of freedom of assembly. The reports, reviews, and scores they give on states might not easily move governments to sanction each other but can form a reason for companies or individuals to boycott regions.

Protesters' groups (globally)

The organisations that plan assemblies or rallies are often present at protests. They organise the date, time, and location; they establish a purpose and decide the type of event. some cases they have contact with governments or enforcers; in some cases those are what they are fighting against, or the protest is just not agreed upon. When conflicts arise, they do not always have influence on the violent protesters or enforcers, but they can often play an important role in the debates.

[14] United Nations Human Rights Office of the High Commissioner, (sd)

Timeline of events

1948 December 10th	The UN General Assembly proclaims the Universal Declaration of Human Rights (UDHR)
1965 March 7th-25th	The Selma-to-Montgomery Marches in the US: with the purpose of African-Americans fighting for their right to vote, the violent response from police officers (with the excuse of public order) resulted in what was internationally referred to as 'Bloody Sunday'
1976 March 23rd	The International Covenant on Civil and Political Rights (ICCPR) goes into effect, after being signed in 1966
1989 April 15th-June 4th	The Tiananmen Protests and Massacre in China: the student-led protests were shut down with violence by the national military to protect public order, resulting in (according to official numbers) 228 civilian deaths and thousands of wounded protesters and enforcers
2006 April 3rd	The Universal Periodic Review (UPR) is established by the UN General Assembly
2018-2020	The Yellow Vests movement in France: protests were held against economic and social inequality and police behaviour. The government's response of prohibiting assemblies through the country and using violence to shut down rallies led to claims of violation of the ICCPR
2020	#EndSARS protests in Nigeria: rallies against police violence mostly in Nigeria; the conflicts between protesters and enforcers resulted in 51 civilian deaths (and the end of SARS)
2025 June 28	The Budapest Pride March (ban): After a Hungarian bill adopted in March for the protection of children made openly showing signs affiliated with the LGBTQ community illegal, the police banned Budapest Pride (and its protests), but it was held regardless, with support of officials from other EU member states

Possible solutions

We have seen that when assessing a freedom like the freedom of assembly, it is important to take conflicting rights and laws into account as well. Not always can we easily judge when a freedom is or is not 'fundamental'. In this debate, freedom of assembly around the world is necessary for nations and populations to protect their sovereignty and to test their democracies. But in some cases, this freedom can allow possibilities for those with malicious intentions. When freedom of assembly conflicts with the right to life or good health, the United Nations must also find a solution for this issue. The task is to find the right places to compromise and to prevent incertitude with clear, international agreements.

The committee can ensure this by for instance:

Calling upon a new committee to review and report national or regional courts unjustly favouring a cultural norm or other freedom over the freedom of assembly. Though starting new committees might not always solve an issue, it can be a means to help member states properly balance public interest and human rights.

Establishing a clear hierarchy within the many 'limitable' freedoms, that can not be misinterpreted. This can be improved by the creation of a plan for enforcers to follow when two or more equal rights conflict with each other. This could be a solution to both the protection of human rights and public order.

Cooperating more closely with protesters' organisations around the world, and providing them with advice or education on how to go about their event in the best way for each situation and region. By establishing an advisory bond the committee can prevent more escalations and violence or even act as a middle link between the organisations and governments. This way protesters might be at less risk of being persecuted or arrested, and governments need not fear for the public order as much.

Agreeing upon fair and lawful consequences for continued misbehaviour at protests from both protesters and enforcers around the world. Though this can be a difficult solution for member states to find common grounds on, the committee must use its global, diplomatic power to protect all citizens and their rights.

Useful documents

Use this site to find a country's latest UPR report on the freedom of assembly:
https://upr-info-database.uwazi.io/library/?q=(allAggregations:!f,filters:(),from:0,includeUnpublished:!f,limit:30,order:desc,searchTerm:%27free%20assembly%27,sort:_score,treatAs:number,unpublished:!

Check this map to see the human rights treaties a country has signed:
https://indicators.ohchr.org/

Bibliography

Article 11: The Conduct of public assemblies in the Court's case law, (May 22 2013), European Court of Human Rights - Research Division, https://www.echr.coe.int/documents/d/echr/Public_assemblies_ENG

Ellis-Gibbs, B., Bloody Sunday: restored photos show the violence that shocked a nation, (March 7 2025), The Guardian, https://www.theguardian.com/us-news/2025/mar/07/bloody-sunday-new-photo-exhibit

France: UN experts denounce severe rights restrictions on "gilets jaunes" protesters, (February 14 2019), United Nations Human Rights Office of the High Commissioner - Press Releases, https://www.ohchr.org/en/press-releases/2019/02/france-un-experts-denounce-severe-rights-restrictions-gilets-jaunes

Freedom Map, (2025), Freedom House, https://freedomhouse.org/explore-the-map?type=all&year=2025

Freedom of Assembly and of Association, (2025), United Nations Human Rights Office of the High Commissioner, https://www.ohchr.org/en/topic/freedom-assembly-and-association

Human Rights Committee, (sd), United Nations Human Rights Office of the High Commissioner, https://www.ohchr.org/en/treaty-bodies/ccpr

International Bill of Human Rights, (2025), United Nations Human Rights Office of the High Commissioner, https://www.ohchr.org/en/what-are-human-rights/international-bill-human-rights

International Covenant on Civil and Political Rights, (December 16 1966), United Nations, https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights

Public Order, (sd), Medecins Sans Frontieres, https://guide-humanitarian-law.org/content/article/3/public-order/

Ratification of 18 International Human Rights Treaties, (2020), United Nations Human Rights Office of the High Commissioner, https://indicators.ohchr.org/

Statement on the human rights implications of the ban on Budapest Pride 2025 and related legislative developments in Hungary, (June 26 2025), Special Procedures - United Nations Human Rights Council, https://www.ohchr.org/sites/default/files/documents/issues/sexualorientation/statements/20250626-joint-statem-budapest-pride.pdf

UN chief calls for end to reported police brutality in Nigeria, (October 21 2020), United Nations - UN News, https://news.un.org/en/story/2020/10/1075842

UN Human Rights Chief urges UK to reverse 'deeply troubling' Public Order Bill, (April 27 2023), United Nations Human Rights Office of the High Commissioner - Press Releases, https://www.ohchr.org/en/press-releases/2023/04/un-human-rights-chief-urges-uk-reverse-deeply-troubling-public-order-bill

Universal Declaration of Human Rights, (December 10 1948), United Nations, https://www.un.org/en/about-us/universal-declaration-of-human-rights

Universal Periodic Review, (2025), United Nations Human Rights Office of the High Commissioner, https://www.ohchr.org/en/hr-bodies/upr/upr-home

What really happened in the 1989 Tiananmen Square protests, (April 1 2025), Amnesty International, https://www.amnesty.org.uk/china-1989-tiananmen-square-protests-demonstration-massacre