



| STUDY GUIDE

SOCHUM

Social, Humanitarian and Cultural Committee

The responsibility of governments in protecting human rights during social protests



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LETTER FROM THE SECRETARY GENERAL

1. Letter from the Secretary-General

Dear delegates and faculty advisors of PUCP MUN 2025,

It is an honor to address you as the Secretary-General of the 14th edition of PUCP MUN 2025. Over the past seven years of participating in Model United Nations, taking on various roles and engaging at both national and international levels, I have had the privilege of experiencing the transformation these events bring to young people. This experience has given me a unique perspective on MUN: they are one of the most powerful tools for youth education and empowerment, more than we often realize. MUN has changed my life, offering me the chance to enhance my leadership, public speaking, and teamwork skills, as well as gain a deep understanding of international issues. This long but rewarding journey has now led me to the honor of leading the biggest conference in the country, with the primary goal of providing you with a unique and formative experience at all levels.

For this edition, we have managed to bring together more than **1,000 participants**, and through great effort, we have established valuable connections with the United Nations and other international organizations. With the support of **Pontificia Universidad Católica del Perú**, this conference is grounded on three fundamental pillars: academic and organizational excellence, decentralization, and the formative experience we offer.

From my perspective, we have identified three key issues that will guide this conference. First, closing educational gaps to provide an accessible space for all students. Second, bringing the Model United Nations closer to the real work of the United Nations. And third, placing the human factor at the center of discussions, recognizing that behind every committee and every debate are human lives directly impacted by the issues we address.

I deeply thank the team that has made this edition possible, as well as **PUCP** for its unwavering support. To you, delegates and participants, I assure you that you will experience a journey filled with learning and personal growth during **PUCP MUN 2025**. We eagerly await your participation and hope that you make the most of this opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "Micaela Loza Rivera".

Micaela Loza Rivera
Secretary-General of PUCP MUN 2025



COMMITTEE GUIDE

2. Introduction to the committee

The Third Committee of the United Nations General Assembly (SOCHUM: Social, Humanitarian and Cultural Committee) is one of the principal bodies for debating and formulating recommendations on social, humanitarian, and cultural issues affecting the international community. Since its creation in 1945, SOCHUM has been responsible for promoting and protecting human rights, gender equality, refugee rights, and combating discrimination and other social problems. Although its resolutions are not legally binding, this committee significantly influences the UN agenda and global policies to guarantee human dignity (UN General Assembly, 1945; UN General Assembly, 2023). This body represents a crucial forum for international dialogue on the protection of vulnerable populations and the strengthening of international standards.

In this regard, the theme “Governments’ responsibility to protect human rights during social protests” is highly relevant to SOCHUM’s mandate: it addresses the tension between the legitimate exercise of protest and the state’s obligation to guarantee security and fundamental rights. Social protests are an essential mechanism for democratic development and citizen participation, protected by international instruments such as the International Covenant on Civil and Political Rights (ICCPR, arts. 21 and 22) and the Universal Declaration of Human Rights (arts. 19 and 20) (UN, 1966; UN, 1948). According to international standards, it is the duty of states to protect the right to peaceful protest, prevent disproportionate use of force, and ensure respect for due process (Kiai, 2012; ARTICLE 19, 2024).

Recent events in Madagascar and Nepal, where human rights violations in the management of social mobilizations have been documented, underscore the importance of adequate and accountable mechanisms for the protection of protesters. International bodies, including the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Inter-American Commission on Human Rights, have emphasized the need for state responses to respect the principles of legality, proportionality, and accountability (OHCHR, 2025; IACHR, 2025). This scenario presents SOCHUM with an opportunity to propose recommendations that strengthen the international legal framework and guarantee the effective protection of rights during social protests.

3. Introduction to the topic

Social protest is an essential element for the consolidation of democratic societies and the protection of human rights. Various international instruments, such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, recognize the rights to freedom of expression, peaceful assembly, and association, which protect citizen participation in demonstrations and social demands. As the

Inter-American Commission on Human Rights (IACHR) points out, protest is a legitimate tool for individual and collective expression to demand the fulfillment of social, political, and environmental rights, as well as to make visible the dissent and identity of historically discriminated groups. According to the IACHR, "social protest is an essential element for the existence and consolidation of democratic societies and is protected by a constellation of rights and freedoms guaranteed by the Inter-American system."

Despite its normative recognition, reality shows that social protests often face adverse contexts, including repression, criminalization, and excessive use of force by states, which jeopardizes the effective guarantee of fundamental human rights. Academic studies and international organizations have documented that state restrictions and repression of protests have serious consequences, particularly for the most vulnerable groups, and reveal a worrying trend toward the criminalization of social dissent in different regions. In this context, examining and strengthening legal standards regarding state action during protests becomes crucial to ensuring that states fulfill their positive duty to protect and do not commit human rights violations.

Thus, the responsibility of governments to protect human rights during social protests responds not only to legal requirements but also to political and ethical principles inherent in democratic societies, reinforcing the importance of this issue within SOCHUM's mandate and the international human rights agenda.

4. Historical Background

The right to social protest has been internationally recognized as a fundamental element for the consolidation of democratic societies, the defense of human rights, and the promotion of significant political and social change. International instruments such as the Universal Declaration of Human Rights (Art. 20) and the International Covenant on Civil and Political Rights (Arts. 21 and 22) enshrine freedom of expression and peaceful assembly as inherent rights of every person. The Inter-American Commission on Human Rights emphasizes that "social protest is an essential element for the existence and consolidation of democratic societies and is protected by a constellation of rights and freedoms guaranteed by the Inter-American system." Historically, social protests have been driving forces for change, ranging from the fight against slavery and apartheid to the demand for universal suffrage and reparations for victims of human rights violations.

Despite their importance, international reality indicates that protests often face adverse contexts marked by repression, criminalization, and the excessive use of force, as well as arbitrary detentions and undue restrictions. The UN Human Rights Council and High Commissioner Navi Pillay have warned that in many cases, peaceful demonstrations have been repressed through mechanisms that violate standards of legality and proportionality, to the detriment of the fundamental rights of those participating in them.

The tendency to limit or obstruct the right to protest, especially under the pretext of maintaining public order, worries international organizations due to the erosion of civic and democratic space. Numerous reports, such as those published by Amnesty International and the Inter-American Commission on Human Rights, have documented how discrimination, inequality, and repression disproportionately affect women, young people, LGBTI people, and other historically vulnerable groups when they participate in demonstrations. This context reinforces the need to strengthen states' obligations under international law to facilitate peaceful protest and effectively protect demonstrators. In recent years, the cases of Madagascar and Nepal particularly illustrate the challenges of protecting human rights during social protests in different political and social contexts.

A. Madagascar:

Citizen mobilizations between 2018 and 2023 have been marked by the state's response to demonstrations called to denounce corruption, the electoral crisis, and governance problems. Various reports from international bodies and non-governmental organizations have documented the use of force by authorities, arbitrary detentions, and the restriction of spaces for citizen participation. Peaceful demonstrations frequently lead to episodes of repression, directly impacting the guarantee of rights such as freedom of expression, association, and access to information. The UN High Commissioner for Human Rights has urged the government of Madagascar to respect international standards, preventing the criminalization of dissent and promoting safe environments for peaceful protest.

B. Nepal:

In Nepal, social protests have gained particular prominence following the political transition process that began in 2015 with the adoption of a new constitution. The mobilizations, driven primarily by indigenous communities, women, and youth, have sought to reclaim civil and social rights in the face of historical exclusion and a lack of political representation. However, the Nepalese state has been criticized by the Inter-American Commission on Human Rights and organizations such as Amnesty International for the excessive use of force, the violent dispersal of protesters, and the restriction of journalists' access during news coverage. The protests of 2020 and 2021, linked to demands for social justice, employment, and political reforms, highlighted shortcomings in the application of international standards on the use of force and the protection of fundamental rights.

Both cases reflect the complex interplay between the state's obligation to guarantee citizen security and the safeguarding of human rights, underscoring the urgency of orienting the international debate toward effective protection and accountability mechanisms in the context of social protests. Thus, adherence to international legal

frameworks and the strengthening of institutional dialogue—core functions of the SOCHUM committee—are fundamental.

5. Problem definition

The central problem lies in the persistent tension between the legitimate exercise of the right to social protest and the responsibility of states to protect the human rights of those participating in these demonstrations. Social protest is internationally recognized as an essential manifestation of the rights to freedom of expression, peaceful assembly, and association (Universal Declaration of Human Rights, Articles 19 and 20; International Covenant on Civil and Political Rights, Articles 21 and 22), and is a key tool for citizen participation and democratic strengthening (IACHR, 2019). However, this right, despite being protected by a robust legal framework, faces significant challenges stemming from state practices that include repression, criminalization of dissent, and the excessive use of force.

The United Nations and various international organizations warn that these practices generate human rights violations, affecting not only protesters but also journalists, observers, and vulnerable groups (Amnesty International, 2024; Ombudsman's Office of Peru, 2025). The problem is exacerbated in contexts where authorities invoke the maintenance of public order to justify restricting or suppressing the right to protest, violating international principles of legality, necessity, and proportionality (IACHR, 2023). This phenomenon jeopardizes the physical integrity, freedom, and other fundamental rights of citizens, eroding trust in institutions and weakening democratic mechanisms for dialogue and conflict resolution.

6. Key Terms:

a. Social Protest

According to the Inter-American Commission on Human Rights (IACHR, 2019), social protest is a “form of individual or collective action aimed at expressing ideas, visions, or values of dissent, opposition, denunciation, or demands.” It constitutes a fundamental mechanism for political participation and raising awareness of social problems within a democratic framework.

b. Human Rights

A set of rights inherent to all people, regardless of their nationality, gender, race, or beliefs, protected by international instruments such as the Universal Declaration of Human Rights (1948) and the International Covenant on Civil and Political Rights (1966). These include rights essential

for peaceful protest, such as freedom of expression, freedom of assembly, and freedom of association (Amnesty International, 2024).

c. Freedom of expression

The right to seek, receive, and impart information and ideas of all kinds without censorship or arbitrary restrictions, recognized as a fundamental pillar of democracies and essential for social protests (UN, 1966).

d. Freedom of peaceful assembly

The guarantee allows the voluntary gathering of people to express opinions, demands, or dissent peacefully, always respecting the legal framework to avoid violence or public disorder (IACHR, 2019).

e. Criminalization of protest

Legal or administrative processes and actions by the State that seek to punish, restrict, or discourage the legitimate exercise of the right to protest, through the misuse of criminal laws, arbitrary detentions, or public stigmatization (Ombudsman's Office, 2025).

f. Excessive use of force

The use of repressive means by state authorities in social protests that exceeds what is strictly necessary to maintain public order, violating rights such as physical integrity and life, and contravening the international principles of legality, necessity, and proportionality (Amnesty International, 2024).

g. International Regulatory Framework

A set of treaties, conventions, resolutions, and standards developed by international organizations to protect human rights and regulate state conduct in contexts of social protest. It includes the International Covenant on Civil and Political Rights, the American Convention on Human Rights, and the guidelines of the UN Human Rights Council (UN, 2023).

h. State Responsibility

States have an obligation to respect, protect, and guarantee the human rights of all persons within their jurisdiction, especially in the context of social protest, which implies refraining from violating rights and adopting appropriate measures to prevent abuses and redress harm (CIDH, 2019).

7. Past Actions

a. **International Covenant on Civil and Political Rights (ICCPR), 1966**

Articles 19, 21, and 22 of the aforementioned pact guarantee freedom of expression, peaceful assembly, and association. Any restriction must meet a strict test of legality (a clear and accessible rule), legitimate aim (for example, security, public order, health, or the rights of others), and necessity and proportionality (the least intrusive measure to achieve the aim). Article 21 imposes positive duties on States: to facilitate assemblies (routes, security, first aid) and to protect demonstrators from violence by counter-protesters. In protests, States cannot criminalize peaceful participation per se or impose disproportionate prior authorizations.

b. **Human Rights Committee – General Comments (No. 34 on freedom of expression, 2011; No. 37 on peaceful assembly, 2020)**

General Comment 34 clarifies the scope of freedom of expression. It protects political and journalistic discourse and protests, and requires that restrictions imposed on the media and the internet pass the proportionality test (blackouts and general blockades pose serious conflicts with this directive). General Comment 37 defines "peaceful assembly," advises against prior permit requirements, calls for a facilitation-oriented policing approach, and sets parameters on the use of force, crowd control, surveillance (including facial recognition), and accountability.

c. **Code of Conduct for Law Enforcement Officials, 1979 (UNGA Res. 34/169)**

The Code establishes the principles of legality, necessity, proportionality, non-discrimination, integrity, and accountability. It mandates minimizing harm, prohibits torture and other cruel treatment, and requires obedience to the law over illegal orders. In protests, it specifies clear and gradual orders, incident reporting, and a prohibition on discriminatory profiling based on ethnicity, gender, or status.

d. **Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 1990**

They establish the universal standard of necessity, proportionality, and precaution: force is the last resort, and firearms may only be used in the face of an imminent threat of death or serious injury. They require the development of operational plans, the graduated use of force, prior warnings, immediate medical assistance, and incident investigations. They

prohibit indiscriminate firing and the use of projectiles or ammunition that cause excessive damage.

e. Minnesota Protocol, 2016

A guide for effective investigations of potentially unlawful deaths: swift, thorough, independent, impartial, and transparent. It details the preservation of the crime scene, the chain of custody, autopsies performed according to forensic standards, family involvement, access to independent experts, and the publication of findings. It is activated in protests when deaths occur due to state intervention or while in custody.

f. Istanbul Protocol (1999, updated in 2022)

A medico-legal standard for documenting torture and ill-treatment, including violence against detained protesters. It establishes clinical and psychological methodologies, non-coercive interviews, safeguards for consent and confidentiality, and a differentiated approach based on gender, age, and identity. The 2022 update strengthens guidelines on "less-lethal" injuries, mental health, and access for independent experts.

g. Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association (created in 2010, HRC Resolution 15/21)

It produces thematic reports (for example, on digital surveillance, funding of associations, or protests in crisis situations) and conducts country visits that result in concrete recommendations: shifting from "control" to facilitation, prohibiting internet shutdowns, regulating intrusive technologies (geolocation or facial recognition), protecting observers, journalists, and human rights defenders, and guaranteeing investigations and reparations.

h. United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement (OHCHR, 2020)

It establishes technical and operational criteria regarding equipment selection, training, deployment rules, maintenance, registration, and impact assessment for state participation in mobilizations. In the case of irritant chemical agents (e.g., tear gas), it mandates proportional use, stipulates that their use in enclosed spaces must be avoided, and prohibits firing canisters directly at the body. For kinetic impact projectiles, it mandates aiming at the largest and lowest areas of the body, never at the head, neck, or torso at close range, and prohibits munitions that pose an indiscriminate risk. It requires the marking and traceability of devices, data

collection (injuries and types of injuries), and the existence of complaint mechanisms.

8. Bloc Positions

a. European Union

This section is based on the premise that rights are the general rule and restrictions are the exception, which must always be subject to legality, necessity, and proportionality. It prioritizes the effective protection of the press and observers, the prohibition of internet shutdowns, and the strict regulation of facial recognition and other surveillance technologies. Furthermore, it demands transparency with disaggregated data on the use of force and clear redress mechanisms for victims. It generally supports clauses that explicitly reference the ICCPR, General Comments 34 and 37 of the Human Rights Committee, and the 1990 Basic Principles, as well as the adoption of the Less Lethal Weapons Guidance (2020), investigations in accordance with the Minnesota Protocol (2016), and clinical-legal documentation according to the Istanbul Protocol (2022), with strengthened safeguards for human rights defenders and journalists. It rejects the use of language that normalizes prolonged states of exception or that employs vague notions such as "public order" or "national security" to enable prior censorship. However, it shows flexibility in recognizing the state's duty to facilitate logistics and engage in dialogue with the organizers, and may accept references to the protection of critical infrastructure, provided they do not dilute standards.

b. Latin America and the Caribbean

In general, although with practical exceptions, it seeks to strike a balance between protecting rights and managing crises, paying particular attention to contexts of structural inequality, Indigenous peoples, and the problem of police violence. Its priorities include ongoing police training, de-escalation protocols, mediation mechanisms, and strengthening independent ombudsman offices, as well as an intersectional approach that considers gender and youth, and specific safeguards for Indigenous peoples. It supports clauses on accountability (autonomous public prosecutors' offices and ombudsmen), comprehensive reparations, social dialogue, statistics on the use of force, and accessible complaint channels. It generally sets limits on external financial "conditionalities" or supervisory bodies that it perceives as punitive or intrusive. However, it accepts gradual commitments regarding data and training, provided they are accompanied by technical cooperation and funding.

c. African Union

This bloc's position typically combines the defense of rights with the need to strengthen institutional capacity, emphasizing the prevention of escalating community violence and the protection of essential services during protests. Priorities include adequate police training and equipment, clear protocols for action, community mediation, and strengthening prosecutors' offices, forensic experts, and investigative units. Measures against hate speech that could trigger violence are also promoted. Generally, it supports technical assistance from the Office of the United Nations High Commissioner for Human Rights (OHCHR), the national adaptation of the 1990 Principles and the Less Lethal Weapons Guidelines (2020), and the application of the Minnesota and Istanbul Protocols with expert support. It also encourages cooperation among countries of the Global South. It maintains, as red lines, any language that weakens sovereignty or imposes rigid deadlines and external audits. However, it accepts indicators of progress if they are linked to funding, training, and capacity building.

d. Organization of Islamic Cooperation (OIC)

This group advocates a rights-based approach, emphasizing non-discrimination and cultural and religious respect. It pays particular attention to the protection of places of worship and sensitivity to religious expressions during demonstrations. Its priorities include condemning and preventing religious hate speech, training police forces on diversity, and developing dialogue protocols to channel demonstrations near holy sites safely and without discrimination. It generally supports clauses against Islamophobia and other hate crimes, as well as operational measures for the respectful management of protests with religious components. Furthermore, it accepts references to General Comments 34/37, provided that the standards of Article 20 of the ICCPR on the prohibition of incitement to hatred and violence are explicitly incorporated. It considers any wording that it perceives as relativizing hate speech under the umbrella of freedom of expression as a red flag, although it shows a willingness to negotiate balanced formulations that reconcile freedom of expression with clear prohibitions on incitement and with safeguards for equality and non-discrimination.

9. QARMAs

- a. How can we ensure that the core protects the right to peaceful protest (ICCPR arts. 19, 21, 22) prevails and that restrictions strictly adhere to the criteria of legality, necessity, and proportionality?
- b. What concrete operational standards should govern the policing of assemblies (planning, de-escalation, traceability) and the use of less-lethal weapons to minimize harm and ensure accountability?
- c. How can we ensure swift, independent, impartial, and transparent investigations into injuries or deaths during protests, integrating the Minnesota and Istanbul protocols into national practice?
- d. To what extent can internet blackouts, platform blocking, or intrusive surveillance be justified without violating freedom of expression and the documentation of abuses, and what ex-ante/ex-post controls should be required?
- e. What policies allow the state to fulfill its duty to facilitate protest and protect protesters and vulnerable groups (women, youth, Indigenous peoples, LGBTI people), while avoiding discriminatory profiling?
- f. In light of reports of excessive use of force and arbitrary detentions (e.g., in contexts comparable to Madagascar or Nepal), what operational package should SOCHUM promote (technical missions, audits, tactical moratoriums, public data, protection of the press and human rights defenders) to correct practices and ensure reparations?

10. Position Papers

The purpose of this document is to provide an overview of each delegation's position, its potential solutions, and its role within the committee. Delegates are encouraged to follow a structured format when drafting their documents, which will facilitate the writing process and improve readability for the Director. Furthermore, to be eligible for an award, each delegate must submit a Position Paper by the deadline.

In the first paragraph, you should state your country's position on the issue, clearly demonstrating an understanding of your country's policy. In the second paragraph, you may mention the main previous UN actions related to the issue. You should analyze the impact these actions have had on your country, explaining why they were successful or unsuccessful. You may also include actions taken by other international organizations and by your own country on the issue.

In the final and most important paragraph, you should present your proposals for addressing the problem. Each proposal must be supported by detailed information, covering the who, what, when, where, and how of implementation. Regarding the format,



the document should be a maximum of one page, with 1.15 line spacing, Times New Roman font, size 11, and 2.5 cm margins on all sides. Remember that all references must be properly cited. It should be sent to: positionpaperspucpmun@gmail.com.

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CERRANDO BRECHAS

