



Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights

The Deputy Director

Warsaw, 21 October 2019

Ms. Natalie Prouvez
Chief, Rule of Law and Democracy Section
Office of the United Nations High Commissioner on Human Rights
Geneva

Dear Ms. Prouvez,

Following the invitation to submit written contributions to the thematic report on new technologies requested in Human Rights Council resolution 38/11, I am honoured to provide you with the submission of ODIHR as the freedom to assemble peacefully is an important part of our work.

ODIHR and the Venice Commission have issued Guidelines on Freedom of Peaceful Assembly (Guidelines), the current 2nd edition is from 2010, and 3rd edition is planned to be published in 2019. Our submission is naturally based on the extensive research needed for Guidelines, legal reviews offered to the OSCE participating States, and monitoring public assemblies across the OSCE region. In this work the Panel of Experts on the Freedom of Peaceful Assembly and of Association (the Panel) assists the two bodies. As technologies are constantly evolving we have also updated the research in this submission.

ODIHR has developed a range of tools and expert networks to support participating States in implementing their commitments related to the freedom of peaceful assembly. This includes:

Legal reviews of respective draft and existing legislation in OSCE participating States upon request. Reviews are usually published in co-operation with the Council of Europe's Venice Commission, and supported by input from the ODIHR Panel of Experts on Freedom of Peaceful Assembly. All reviews can be found here:
<http://www.legislationline.org/topics/topic/15>.

Guidelines on Freedom of Peaceful Assembly: The Guidelines include relevant jurisprudence, particularly the case law of the European Court of Human Rights and of national constitutional courts and examples of good state practices. They are also a useful tool for legislatures to review existing or relevant draft legislation; they provide tools for national and local authorities, as well as law-enforcement agencies. They have been referred to by courts and also used as an advocacy tool by non-governmental organizations and a resource tool for monitoring and training activities.

Assembly monitoring: ODIHR has been monitoring public assemblies across the OSCE region since 2011. The reports of the previous three monitoring cycles covering assembly-monitoring exercises in over 30 OSCE participating States were published in
November 2012: <http://www.osce.org/odihr/97055>;
December 2014: <http://www.osce.org/odihr/132281>;
December 2016: <https://www.osce.org/odihr/289721>.

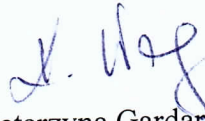
September 2019: <https://www.osce.org/odihr/430793>.

Capacity-building for civil society actors in the area of assembly monitoring: To build the capacity of non-governmental organizations and human rights defenders to systematically monitor assemblies and policing thereof, ODIHR published a Handbook on Monitoring Freedom of Peaceful Assembly in 2011, <http://www.osce.org/odihr/82979>.

Capacity-building for law-enforcement actors on human rights-compliant policing of assemblies: ODIHR, in collaboration with the OSCE's Strategic Police Matters Unit, has published a Human Rights Handbook on Policing Assemblies. The handbook is intended to provide law-enforcement officials and commanders with key information on upholding human rights standards in the context of assemblies and public-order management. It can be accessed at: <http://www.osce.org/odihr/226981>.

I would like to thank you for the opportunity to contribute to this thematic report and hope that the attached submission will prove to be useful to the Office of the United Nations High Commissioner on Human in its work. ODIHR would be grateful if you could inform us about the follow-up to our submission and we remain at your disposal for any further assistance

Yours sincerely,



Katarzyna Gardapkhadze
First Deputy Director