



## Inputs to new General Comment of the HR Committee: Right to Peaceful Assembly

by a group of children and young people from Moldova

Opinions and suggestions were collected through a consultation workshop took place end of December 2019. Eleven adolescents from around Moldova:

- reflected critically on the implementation of the right to peaceful assembly and their experiences with such assemblies;
- identified obstacles and challenges faced by adolescents when they want to participate or organize peaceful gatherings; and
- formulated recommendations for the State to make it possible for all children to enjoy this right.

Participants were selected following a public announcement by Child Rights Information Centre (CRIC) and based on inclusive criteria. Six girls and five boys, from 14 to 19 years of age took part in the workshop. They have had various experiences with promoting children's human rights. For some, this was the first time to critically discuss their rights, and some were already engaged in the work of regional youth councils or advocacy groups. They were coming from 5 regions of the country, rural and urban environments and different types of schools – primary and secondary level, vocational schools and universities. A member of the LGBTI community was as well among participants.

The consultations workshop was structured around [questions](#) suggested by Child Rights Connect. To set the stage and approach the topic from rights-based perspective 2 sessions of the workshop were devoted to strengthening participants' critical understanding of human rights, including relationship between rights holders and duty bearers. The workshop lasted one and a half days.

### Activity 1: What Do you understand by right to peaceful assembly?

Formulations collected through discussions in pairs or individual reflections:

- The right of a group of people to participate in or organize a meeting to reflect on a subject, in which all ideas are respected, and moral norms and peace promoted.
- The process of making decisions through discussions or taking actions in a group - two or more persons, without a conflict or physical violence.
- Creating groups based on interests or concerns/problems to express opinions about laws/decisions publicly – to encourage and support or draw attention to the limits of these laws– with the idea to influence final decisions of the government.
- Possibility to associate with others for a particular purpose without causing harm/damage to the community.
- Free speech – The formation of a system of cooperation between several people who reach a common denominator when they are of different opinions (without



fights and conflicts) and communicate this common opinion in a non-violent manner both in the online and offline environment.

- A group of people who are discussing peacefully about a common topic: People meet at a roundtable and try to find solutions. When during a protest people breaks goods and fight with each other, this is a violent gathering.

**Keywords/summary/common things:**

Discussion in plenary: What are the common things you notice in your presentations? What items would you select for a common definition?

- A group of people (two or more people)
- Debate a problem/situation and/or
- Take an attitude/position
- The process is without violence/aggression: it respects the rights to protection, free speech, association, access to information within this group
- Decide to publicly express this opinion/position
- Without causing harm to society, without mistreating those who express their opinions/position
- To make themselves heard or to attract people who have the same opinion
- With the final purpose of influencing the decisions of the authorities.

**Activity 2: Experiences with peaceful assemblies**

Step 1. Work in small groups: Participants share experiences (their or of their peers) with organizing and/or participating peaceful assemblies.

Step 2. Presenting and discussing results of the small groups in the plenary. Questions for discussion:

- What kind of a meeting/gathering/assembly was it?
- Which topics/problems were addressed?
- What were the results/benefits of this meeting?
- What kind of obstacles were encountered in this process?

**Experience 1**

<b>Summary and brief analysis</b> – as it resulted from the plenary discussion after the group presented.	
What kind of a meeting was that?	Petition
What was the form of expressing views?	
What topic/problem has been addressed?	The duration of hours and breaks in school was increased.



What were the results/benefits of this meeting?	One of the students' requirements was implemented by the school administration. The situation as reported by the students was taken over by the Student council.
What kind of obstacles have you encountered in this process?	The school administration did not take students' petition into account first time it was submitted in the name of students. It was necessary to involve the student council in the process.
<b>Short Description</b>	
<p>Once school reparations started, the duration of the classes was increased by 10 minutes. Some breaks were increased as well. With all this, students stayed 1.5 hours longer in the school. Students were not consulted about these changes.</p> <p>Each group/class wrote a petition to the director, but the school administration did not react to them. Only after the Students' Council collected the signatures of approximately 1500 pupils, the school administration accepted only one of their requirements - only the longest lesson was shortened.</p>	

## Experience 2

<b>Summary and brief analysis</b> - as it resulted from the plenary discussion after the group presented	
What kind of a meeting was that? What was the form of expressing views?	Public Speech
What topic/problem has been addressed?	Pauses are too short, which does not allow students enough time for lunch.
What were the results/benefits of this meeting?	It was an ad hoc action in which students "profited" from the public action organized by the school administration. Several students supported the request as formulated by a group of students. The administration implemented the request.
What kind of obstacles have you encountered in this process?	-
<b>Short description:</b>	
<p>Students did not manage to get to the lunch/canteen because the breaks were too short. During a brief whole school meeting set by the administration to discuss a subject, a group of pupils "profited" from the context and publicly requested increasing of two breaks by 5 minutes. This was supported by several other students and the administration accepted the request.</p>	



### Experience 3

<b>Summary and brief analysis-</b> as it resulted from the plenary discussion after the group presented	
What kind of a meeting was that? What was the form of expressing views?	Strike
What topic/problem has been addressed?	Climate change and the environmental crisis
What were the results/benefits of this meeting?	It was the first student participation in this strike. The strike was organized after offline action and online promotion Students from at least 2 localities attended. There were supportive adults, who helped students to analyze & learn from this first experience and promoted this with other students. Civil society organisations came up with public reactions that supported students participation in the strike
What kind of obstacles have you encountered in this process?	The school administration threatened, including in the public, the students who participated in the strike with expulsion and non-admission to exams. The representative of the District Department of Education scolded students in the public and in front of the media.
<b>Short description</b>	
<p>A peaceful strike against government's inaction on the climate/environmental crises was organized on 29 October in my locality and around the world. This strike was organized by me and a few others. We informed young people about the strike via social media and youth centers. The strike took place during the school hours in front of the city hall. No one came out to talk to us about our requirements, only one representative from the Education Department to criticize/scold us in public and in front of the mass media because we were not in schools.</p> <p>After the strike, the administration of a school from which several students came to strike gathered everyone from the school to threaten to expel the students who participated (or would like to) in strikes during school. They threatened with expelling or not admitting to the final exam.</p> <p>This got attention of the national public. Fridays For Future Moldova communicated about this case through social media and one of the organizers took informed an NGO</p>	



[CRIC] directly. Civil society organizations published statements in support of students [CRIC and Amnesty International Moldova], and a member of the national parliament contacted the high school principal and asked her to stop with the threats. That's how it all ended.

The school psychologist in my school as well was supportive and open to discuss with students about this case and encouraged us to participate in strikes if we want to.

Obstacles that remain –

Many students don't see any value in dealing with the topic of environment, climate crisis during school hours [not matter the form - in a strike or otherwise] since this topic is not part of the school programme.

It is sad that the school teaches us about civic activism and democratic society [officially], but all teachers threaten and criticize/scold us when we stand up for our rights.

#### Experience 4

<b>Summary and brief analysis</b> - as it resulted from the plenary discussion after the group presented	
What kind of a meeting was that?	Strike
What topic/problem has been addressed?	Climate change and the environmental crisis
What were the results/benefits of this meeting?	It was the first for students from my locality to take part in this national/global children and young people's strike. The strike was organized after offline action and online promotion
What kind of obstacles have you encountered in this process?	It is unclear who are the adults who paid for the journey of the students to get to the strike from their locality and back. The District Department of Education (DDE), the school administration and the teachers criticized/scolded the students who participated in the strike and took photos with the banners in front of the school. A representative of the DDE has scolded the students in public in front of the media.
<b>Short description</b>	
Some of my colleagues participated in the climate strike. They made their banners and took photos with them in front of the school before they moved on to strike. These	



photographs, where you see the name of the school and the banner "Why would we be at school if we have no future" were seen by the District Department of Education (DDE). The DDE contacted the school administration and requested explanations. All form teachers and the school director scolded the students who went on strike during classes and took photos with banners in front of the school.

Two adults paid for the bus tickets for my colleagues to get to the strike from their village and back.

Obstacle that remains:

How can children deal with financial cost (eg. traveling) in order to participate in a peaceful assembly? What should be the „procedures“ when getting financial support from adults?

### Experience 5

<b>Summary and brief analysis</b> - as it resulted from the plenary discussion after the group presented	
What kind of a meeting was that?	Strike
What topic/problem has been addressed?	Climate change and the environmental crisis
What were the results/benefits of this meeting?	It was the third students' strike in Chisinau. There were adults who supported students during the strike. The police ensured the protection of students during the action, they accompanied us all the time and intervened when an employee of the City Hall scolded students.
What kind of obstacles have you encountered in this process?	Adults who do not participate in the strike intervene with political statements or other messages that are not relevant to the subject/problem addressed by students. Representatives of State institutions criticize/disapprove/scold students for the organization of the strike.
<b>Short description</b>	
I attended a climate strike. We protested in front of the Ministry of Environment, but no one came out. We went to the City Hall. We got there by the time the working day was over. Many came out of the building and did not look at us, others opened the door and closed it back. A guardian of the City Hall came out and told us that [we don't have a permission to protest since] we did not write a request for the organization of the protest and we were, hence, violating the law. We explained that this was not a protest, but a	



strike and that no such permission/request is need. He continued arguing that this is all the same, but nothing else happened [it did not escalate]. Then someone else came out of the City Hall, started yelling and asking “How old are you? Is this normal for minors to ask/request anything from the authorities?” The policemen who accompanied us all the time intervened in this moment. They took the person from the City Hall to the side and said something to him, and he then went back into the building.

During the strike, we passed by several adults who did not understand what we were doing and were interfering with speeches with political connotations.

### Activity 3: Peaceful Assembly: How should this take place?

Work in small groups: What should the state do before, during and after a peaceful assembly to make it possible for all children to enjoy this right. If you could make such recommendations to the state, what would you recommend?

#### Before:

The state should

- Inform general public about human right to peaceful assembly, and that children have this right as well.
- Inform children about what is a peaceful assembly:
  - This should be included in the mandatory school programme - in Moldova this could be included in the classes “Personal Development” and “Education for Society”.
  - There should be written information available to children about what it means to have this right. This information should include explanations how to organize a peaceful assembly, which authorities should be address, which form can it have, how to identify and manage risks etc. This information should be in a format that is accessible to children.
  - Police should as well get involved in informing children about this right, including in the schools.
- Train schools in respect of this right and about the role of schools when students want to organize or participate in peaceful assemblies.
- Train employees of public authorities and services (for example police, healthcare etc) which are having a role in peaceful assemblies about the right of children to participate in or organize such actions. These trainings should help police and others to change their attitudes and take children and young people’s intentions and requests seriously, understand better specifics of children and young people’s assemblies as well as communication with and among adolescents, emotional management etc



- Increase protection measures related to children’s peaceful assemblies since adults who do not support children’s messages can react aggressively or try to manipulate.
- Establish a system of coordination between all State institutions (City Hall, police, healthcare, school) involved in ensuring the right to peaceful assembly and inform organizers and participants about their responsibilities and provide contacts for help during and after such assemblies.
- Inform participants about the legal requirements for organizing peaceful assemblies. Ex: What is the minimum distance to which participants can approach buildings.
- Schools should collaborate with parents when students want to attend peaceful assemblies during classes and ensure that students have parental consent.

#### During peaceful assemblies:

State institutions should

- have a functioning response/feedback mechanism to the participants ' requirements during and after the assemblies.
- monitor and develop strategies to manage situations with provocateurs from outside (those who do not participate in peaceful assemblies).
- make sure that participants are safe; prioritize participants not buildings.

#### After:

- Schools should analyze with students their experiences with peaceful assemblies and support sharing the learning in the school.

State should

- have developed prevention and intervention strategies in the event of hate speech in the online environment.
- inform the organizers/participants in peaceful assemblies and the general public about the actions taken after the peaceful assemblies.
- involve organizers/participants of peaceful assemblies in further decision making i.e. when decisions are made based on the demands of the participants.

### Activity 4: Recommendations for adults (for example parents)

Individual reflections: What would you say to an adult who is ready to support children/adolescents who want to participate in peaceful assemblies?

- Take seriously children’s opinions and experiences without trying to influence.
- Give children space to decide to participate in peaceful assemblies and to support them with managing risks.





- Listen to children, encourage them to reflect and explore different opportunities, but without imposing your perspective.
- Recognize and promote the value of youth structures such as national and local youth councils, youth clubs, school councils etc.
- Respect children's choices to support causes that are not supported by the adults.
- Respect children's decision not to participate in a peaceful assembly.
- Accept decision of every child to participate in a peaceful assembly, regardless of their school achievement, their family background etc.

### ... by way of conclusion:

For most participants this was for the first time to discuss about the right to peaceful assembly (and other civil and political rights). For some it was for the first time to take part in such workshops and consultations. Everyone liked it. They agree it was useful, interesting and even fun.

*"It is for the first time for me to take part in such an activity and I liked that we analyzed this right in so many details."*

*"I did not know much about this right and it was interesting to find out what it includes."*

The biggest difficulty was related the concept – understanding the connection between rights holders and duty bearers what this has to do with peaceful assemblies. In Moldova, role of duty bearers is usually neglected in the discussions about human rights. During the workshop this was getting clearer, and it would be best to continue to strengthen everyone's understanding and confidence. This has been suggested by the participants as well.

They would like to be kept informed about the further process and very much interested in the feedback from the HR Committee. Some said that they would be interested to continue to contribute to the General Comment (GC).

*"Once there is a new version of the GC, we could meet in a workshop to review and provide feedback to the Committee. And once the final version is published, we could develop an information campaign about this right." [paraphrase]*

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