**Human Rights Council resolution 38/11 on the promotion and protection of human rights in the context of peaceful protests**

1. **Laws, policies and programmes that have been developed to address the impact of new technologies, including information and communications technology, on human rights in the context of assemblies, including peaceful protest**

Section 46 of the Information and Communication Technologies Act has been amended in December 2018 to make provision for using a telecommunication service to cause annoyance, humiliation, or inconvenience to those who attend to assemblies and peaceful protests.

Currently, no specific legislation has been developed with regard to the utilization ofinformation and communications technology which impacts on human rights. However, the following laws are in force:

* The Computer Misuse and Cybercrime Act
* The Data Protection Act
* The Electronic Transactions Act
* The National Computer Board Act
* The Public Gatherings Act
1. **Effective use of technologies as enablers of the exercise of human rights in the context of assemblies, including peaceful protests (e.g. how new technologies have facilitated the organization of assemblies, including peaceful protests)**
2. The internet and social media are used to facilitate the organization of assemblies, including peaceful protest.
3. The assemblies can be broadcasted live on Facebook and other social media so that the larger population can be reached.
4. People can comment on the social media, thus fostering freedom of expression and speech.

Government has not yet set up any technologies which facilitate gathering for assemblies and peaceful rallies.

1. **Human Rights challenges posed by interferences with the availability and use of technology in the context of assemblies, including peaceful protest (e.g. through networks disruptions, blocking on internet services or restrictions on secure and confidential communications)**

Government does not interfere in the operation network infrastructures and the Internet. Government officials only ensure that all rallies are done in compliance with the law.

1. **Human rights challenges that can be posed by the use of technologies in the context of assemblies, including peaceful protests (e.g. the use of surveillance and monitoring tools by the authorities, including biometricsbased recognition technology to identify protestors)**
2. The Safe City project which makes use of facial recognition technology has been implemented with the objective of safeguarding the security and safety of citizens against potential criminals and for maintaining law and order. However, surveillance cameras can be perceived to represent a breach of privacy, movement and liberty of those who attend or take part in the assemblies.
3. Moreover, broadcasts on the social media can create inconvenience or intrusion to privacy to those who form part of assemblies.
4. **Impact on human rights of the use of new lesslethal weapons and ammunition technology in the context of assemblies, including peaceful protests.**

Non-lethal weapons are used to disperse assemblies or peaceful protest when they are unlawful.

It is to be noted that, under the *Public Gatherings Act 1991*, the organizer or holder of assemblies and public gatherings should notify the Commissioner of Police at least 7 days prior to the gathering. Even if this has been done, the assembly can still be unlawful though it is peaceful, if the persons assembled have the intent to commitan offence or their conduct is likely to lead to or provoke a breach of the peace *(section 139, Criminal Code).* Then reasonable force can be used by law enforcers to disperse the crowd *(section 141, Criminal Code)*