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Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by Institute of Sustainable Development, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2023]

* Issued as received, in the language of submission only.



Condemnation of the Bill Relating to the Spying on Protesters by the French Police

Since the beginning of 2023, thousands of people have mobilized in various cities of France to denounce the Government's proposed pension reform, and water management policies in the face of the climate emergency. Protesters from all age groups and different social movements – including trade unionists and environmentalists – promoted and adopted peaceful methods, and that the demands of the organizers were clearly stated ahead of gatherings.

The police used tear gas and stun grenades to disperse the crowds; ammunition that France is the only European country to use in public order operations. The police crackdown reportedly left dozens of people injured, including protesters, journalists, and elected officials, as well as passers-by. In Paris police threatened and hit demonstrators, and in Sainte-Soline police allegedly fired rubber bullets from moving quad bikes, while emergency services were reportedly prevented from intervening to rescue a seriously injured person. Across different cities, there were reports of several people being arbitrarily arrested.

In a situation when the people of France have gathered in the streets to obtain their rights and have brutality been subjected by police, the government authorities have passed an anti-human law instead of supporting the demands of the people.

Lawmakers agreed that police in France should be able to spy on suspects by remotely activating the camera, microphone, and GPS on their phones and other gadgets. Covering laptops, cars and other connected objects as well as phones, the measure would allow the geolocation of suspects in crimes punishable by at least five years' jail. Devices could also be remotely activated to record sound and images of people suspected of terror offenses, as well as delinquency and organized crime. The provisions raise serious concerns over infringements of fundamental liberties. However, the right to freedom of peaceful assembly and association is protected by article 20 of the Universal Declaration of Human Rights. In addition, spying on these devices is a violation of the right to privacy, which is mentioned in Article 12 of this declaration. Violations of privacy are labeled as either “interference” or “attacks,” which negatively affect a person's life and threaten their other human rights.

Recommendations

We request the Human Rights Council to remind its Member states that:

Any policing strategy must respect the principles of necessity and proportionality, with the sole aim of facilitating peaceful assemblies and protecting the fundamental rights of participants – including their right to life and to physical and psychological integrity.

To adhere to the existing international instruments designed to protect and promote freedom of assembly and to regulate the use of force by law-enforcement agencies.

To adopt and implement a human rights-based approach to monitor respect for the privacy of protesters.