

Tawasol Organization for Human Rights

Together to protect rights and freedoms
and build democratic societies based on the rule of law

HUMAN RIGHTS MEMORANDUM

Tawasol Organization for Human Rights

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The Hague – Netherlands

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TAWASOL ORGANIZATION FOR HUMAN RIGHTS

Human Rights Memorandum

Regarding Public Protests and the Security Response to Demonstrators in the

United Kingdom, France, Germany, the Netherlands, and Portugal

Submitted to European Institutions and Entities Concerned with the Protection of Human Rights

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Tawasol Organization
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Tawasol Organization for Human Rights

I. Introduction

Tawasol Organization for Human Rights submits this memorandum to European institutions and relevant international and national human rights bodies. This submission addresses developments observed during the period under review in several European countries—including the United Kingdom, France, Germany, the Netherlands, and Portugal—regarding protests and public gatherings. These events were marked by police and security measures, arrests and detentions, restrictions on movement and assembly, and the use of various crowd-control tactics.

Tawasol maintains that the rights to peaceful assembly and freedom of expression are fundamental, serving as an integral component of democratic participation, the rule of law, and political pluralism. Protection in this context extends beyond merely permitting an assembly; it encompasses the expressive, political, and social functions of such gatherings—including marches, vigils, sit-ins, and other peaceful forms of collective action.

Conversely, the organization acknowledges that public authorities bear a legal responsibility to protect lives, physical safety, and property; to prevent crime; and to safeguard demonstrators from violence, as well as to protect police officers, bystanders, and emergency service personnel. Recognizing the right to peaceful assembly does not grant immunity to any individual who commits acts of assault, vandalism, or other independent criminal offenses.

Nevertheless, a critical human rights standard is that individual responsibility must not be conflated with collective responsibility. The fact that some participants may engage in acts of violence does not, in itself, strip all other peaceful participants of their legal protections. Any intervention by authorities must be based on a realistic, individualized, and proportionate assessment of the specific circumstances**.**

Accordingly, any restriction on assembly must be subjected to tests regarding legality, legitimate objective, necessity, proportionality, and non-discrimination. Priority must be given to the least intrusive measures, and effective remedies and accountability mechanisms must be in place.

In this assessment, the organization relies on the rules of international human rights law and relevant European standards—including the International Covenant on Civil and Political Rights, the European Convention on Human Rights, and the Charter of Fundamental Rights of the European Union (within the scope of its application)—as

well as the standards and guidelines issued by the Organization for Security and Co-operation in Europe (OSCE) and its Office for Democratic Institutions and Human Rights (ODIHR).

When evaluating any restrictive measure, it is necessary to independently examine its legal basis, the legitimate objective it seeks to achieve, its necessity in a democratic society, its proportionality in relation to the risk or purpose it addresses, and whether the authorities have opted for the least intrusive means capable of achieving that legitimate objective.

Furthermore, public authorities have a duty to provide a sufficient legal and factual basis to justify any restrictions imposed on the exercise of the freedom of peaceful assembly, thereby enabling effective judicial or independent oversight regarding the legality, necessity, and proportionality of the measure.

The organization emphasizes that this memorandum does not presuppose the illegality of all measures taken by the authorities, nor does it attribute responsibility to any party for the events under review without sufficient evidence. Rather, its purpose is to assess the extent to which the documented actions align with relevant legal obligations and human rights standards. In presenting the facts, the organization takes care to distinguish between information contained in official statements, accounts provided by press reports or the parties involved in the events, and matters that still require independent verification. The mere inclusion of an event in this memorandum should not be construed as definitive proof of its accuracy or of the responsibility of any specific entity or individual for it.

II. Scope of the Memorandum and Assessment Methodology

This memorandum covers developments regarding protests, public assemblies, and the policing of such events in the United Kingdom, France, Germany, the Netherlands, and Portugal, with a particular focus on events that took place between late October and early November 2026.

The organization does not treat these occurrences as a monolithic European phenomenon; rather, it distinguishes between each national context, given the variations in domestic legislation, the nature of the assemblies, the legal basis for police actions, and the specific risks faced by the authorities.

The organization employs three interconnected levels of analysis: a factual assessment, a legal assessment, and a human rights assessment. The factual assessment covers the number of participants, arrests, injuries, acts of violence, and

police measures. The legal assessment compares the reported actions against international and European standards. The human rights assessment examines risks such as unnecessary arrests, the disproportionate use of force, collective punishment, the "chilling effect," and restrictions imposed on journalists and minors.

The organization notes that the information provided reflects what was available at the time of drafting; certain figures—particularly the number of arrests and injuries—may change as investigations continue and further official statements are released. In its assessment, the organization distinguishes between peaceful participants in a gathering and individuals whose personal involvement in acts of violence or specific criminal offenses has been established. It also takes into account journalists, observers, human rights defenders, minors, and other individuals who may be entitled to special guarantees or protections under international or national law.

The organization does not conclude that a human rights violation has occurred simply because an arrest was made or force was used; rather, each incident is evaluated based on its legal grounds, the surrounding circumstances, the necessity and proportionality of the actions taken, the nature of the conduct attributed to the individual concerned, the availability of alternative measures, and the existence of procedural safeguards, remedies, and subsequent accountability mechanisms.

In assessing police interventions, the organization relies, in particular, on the principles of legality, necessity, proportionality, and non-discrimination, as well as the duty of authorities to facilitate and protect peaceful gatherings—bearing in mind that the protection of public order does not justify the assumption that an entire gathering is non-peaceful due to the conduct of specific individuals.

The memorandum also acknowledges that, while constitutional and legislative frameworks vary across the countries under review, government and police actions remain subject to the international and European obligations binding upon each state—with due regard for the specific scope of each legal instrument and the relevant national and European jurisdictions.

When documenting and evaluating incidents, the organization draws upon official sources, institutional reports, and information published by relevant stakeholders, as well as reliable press coverage and other pertinent, accessible materials. The organization strives to indicate the source of every piece of information, to the extent that allows for verification. It distinguishes between primary data and

subsequent findings, as well as between facts supported by multiple sources and information that relies on a single source or could not be independently verified. In cases where there are discrepancies between published accounts or figures, the organization presents these differences while attributing them to their respective sources; it does not favor one account over another without a documented basis to justify doing so.

III. International Framework for the Protection of Freedom of Assembly

1. Article 21 of the International Covenant on Civil and Political Rights (ICCPR)

The right to peaceful assembly is explicitly protected under Article 21 of the International Covenant on Civil and Political Rights (ICCPR). This protection is particularly significant in the context of political and social protests, as public assembly serves as a direct means for the collective expression of opinion and for demanding changes to public policy.

In its General Comment No. 37 (2020), the Human Rights Committee affirmed that the right to peaceful assembly is a fundamental component of public participation, democracy, and pluralism, and that states are, in principle, required to facilitate and protect the exercise of this right.

The Committee emphasizes that any restrictions must be lawful, necessary, and proportionate. A ban on an assembly should be a measure of last resort, with priority given to less intrusive means. Furthermore, restrictions should not be applied in a manner that deters citizens from exercising this right.[1]

Depending on the nature of the measure under examination, reference may also be made to the Human Rights Committee's General Comment No. 24 (1994)—which addresses reservations and interpretative declarations made upon ratification of or accession to the ICCPR—when analyzing the scope of the international obligations

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1 United Nations Human Rights Committee, General Comment No. 37 (2020) on the right of peaceful assembly (Article 21 of the International Covenant on Civil and Political Rights), UN Document CCPR/C/GC/37, 17 September 2020, particularly paragraph 17 concerning the presumption that an assembly is peaceful and the principle that isolated acts of violence committed by some participants should not be attributed to the other participants, the organizers, or the assembly as a whole; paragraph 18 concerning the fact that violence committed by the authorities or by third parties against participants does not affect the characterization of the assembly as peaceful; and paragraphs 23 and 24 concerning the State's negative and positive obligations to respect and facilitate peaceful assemblies and to protect their participants. Official text.

assumed by States Parties under the Covenant and any reservations they may have entered.[2] This is also reflected in General Comment No. 29 (2001) on states of emergency (Article 4 of the Covenant), particularly when assessing exceptional measures taken during such emergencies—specifically, the extent to which they meet the requirements of Article 4, including necessity, proportionality, non-[3]discrimination, and respect for non- derogable rights.

IV. The European Framework

1. The European Convention on Human Rights

Article 11 of the European Convention on Human Rights constitutes one of the primary legal foundations for the protection of freedom of peaceful assembly and freedom of association in Europe. This article safeguards both rights, stipulating that any interference with their exercise is permissible only if it is prescribed by law, pursues one of the legitimate objectives specified within the article, and is necessary in a democratic society.

The mere possibility of disturbances or the disruption of public order is insufficient to justify interference with the freedom of assembly. Instead, authorities must conduct an actual assessment of the nature and extent of the risk; any measures taken must be based on relevant and sufficient grounds and must be proportionate to the legitimate objective being pursued.

European standards place fundamental importance on the principle of proportionality. Restrictions must be limited to what is strictly necessary to achieve the legitimate purpose, while taking into account the nature of the right being protected and the significance of freedom of peaceful assembly within a democratic society. Furthermore, a distinction must be made between a peaceful assembly as a whole and the unlawful conduct of certain individual participants. The occurrence of acts of violence or disorder by some individuals does not, in itself, deprive all other participants of the protection afforded by Article 11—particularly when their own

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2 United Nations Human Rights Committee, General Comment No. 24 (1994) on issues relating to reservations and interpretative declarations upon ratification of or accession to the International Covenant on Civil and Political Rights or the Optional Protocols thereto, UN Document CCPR/C/21/Rev.1/Add.6, 4 November 1994. Official text.

3 United Nations Human Rights Committee, General Comment No. 29 (2001) on states of emergency (Article 4 of the International Covenant on Civil and Political Rights), UN Document CCPR/C/21/Rev.1/Add.11, 31 August 2001. Text.

personal conduct remains non-violent and lawful. [4]

The obligations of the State under Article 11 are not limited to refraining from unjustified interference in peaceful assemblies; they also encompass taking reasonable positive measures to facilitate the exercise of this right, ensure that assemblies proceed peacefully, and protect participants from acts of violence—whether originating from third parties or from participants in counter-assemblies. Such measures may include implementing appropriate security precautions, engaging with assembly organizers, and seeking to address tensions through dialogue and negotiation whenever possible. Furthermore, authorities are expected to exercise an appropriate degree of tolerance toward peaceful assemblies—including those that may not have met certain procedural requirements—provided that the circumstances do not warrant more stringent intervention. The extent of this tolerance should be assessed in light of the specific circumstances of each case, the actual level of disruption caused by the assembly, and the nature of any existing risks. This does not exempt participants from their obligation to abide by the law; rather, it implies that procedural irregularities or minor disturbances should not, in themselves, serve as an automatic justification for dispersing an assembly or imposing disproportionate measures.

2. Article 10 of the European Convention on Human Rights – Freedom of Expression

Article 10 of the European Convention on Human Rights protects freedom of expression, including the freedom to hold opinions and to receive and impart information and ideas without interference by public authorities. This protection extends to political opinions and expression concerning public affairs—forms of expression that hold particular significance in a democratic society. Protest may serve as one of the means by which this freedom is exercised. Therefore, any interference based on the content of an expression or its political impact must be evaluated in light of Article 10, alongside Article 11, of the Convention. Any such restriction must be prescribed by law, pursue a legitimate aim as defined in the Convention, and be both necessary in a democratic society and proportionate to

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4 European Court of Human Rights, Guide on Article 11 of the Convention – Freedom of Assembly and Association, prepared by the Registry of the European Court of Human Rights, Council of Europe, updated on 28 February 2026, in particular the sections concerning the conditions applicable to restrictions on freedom of assembly, the principle of proportionality, and the distinction between the assembly as a whole and unlawful conduct by some participants. Official European Court of Human Rights Guide on Article 11.

that legitimate aim—with special protection afforded to political expression and matters of public interest.[5]

3. Guarantees of Personal Liberty and a Fair Trial

When addressing cases of arrest, detention, or criminal proceedings linked to public assemblies, the assessment is not limited to Articles 10 and 11 of the European Convention on Human Rights; it also encompasses Article 5, regarding the right to liberty and security, and Article 6, regarding the right to a fair trial. Article 5 requires that any deprivation of liberty occur only in circumstances permitted by the Convention and in accordance with procedures prescribed by law. It further mandates that safeguards associated with arrest and detention be upheld—including informing the individual of the reasons for their arrest, bringing them before a competent judicial authority (in cases stipulated by the Convention), and enabling them to challenge the lawfulness of their detention. Article 6 guarantees the right to a fair trial, which includes the right to a public hearing within a reasonable time before an independent and impartial tribunal, the presumption of innocence, and fundamental defense rights—such as being informed of the nature of the charges, having adequate time and facilities to prepare a defense, and the right to legal counsel—depending on the specific circumstances and procedural stage of each case.[6]

V. The Charter of Fundamental Rights of the European Union

Article 11 of the Charter of Fundamental Rights of the European Union provides for freedom of expression and information, while Article 12 guarantees freedom of peaceful assembly and freedom of association. Together, these provisions establish a framework for the protection of such rights and freedoms within the scope of European Union law.[7]

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5 Council of Europe, European Convention on Human Rights, Article 10 – Freedom of Expression (European Convention on Human Rights, Article 10 – Freedom of Expression). Official text of the Convention. See also: European Court of Human Rights, Guide on Article 10 of the Convention – Freedom of Expression (Guide on Article 10 of the Convention – Freedom of Expression). Official European Court of Human Rights Guide on Article 10.

6 Council of Europe, European Convention on Human Rights (Convention for the Protection of Human Rights and Fundamental Freedoms), Articles 5 and 6, concerning the right to liberty and security and the right to a fair trial. Official text of the European Convention on Human Rights. See also: Council of Europe, Right to a Fair Trial, concerning fair trial guarantees, defence rights, and the presumption of innocence. Official Council of Europe explanation.

7 European Union, **Charter of Fundamental Rights of the European Union**, Official Journal of the European Union, C 202, 7 June 2016, Articles 11 and 12 concerning freedom of expression and

However, the provisions of the Charter do not automatically apply to every national measure taken by Member States. Article 51 stipulates that the Charter's provisions apply to Member States only when they are implementing European Union law. Consequently, when assessing the situations in France, Germany, the Netherlands, and Portugal, it is necessary to determine—on a case-by-case basis—whether there is a sufficient legal link to European Union law to justify the application of the Charter before invoking it as a direct source of obligation.[8]

Even where the Charter does not apply, rights and freedoms may still be protected through other relevant legal frameworks, such as national constitutions and laws, the European Convention on Human Rights, and other international agreements to which a given state is a party.

Furthermore, whenever the Charter is applicable, Article 52 must be taken into account. This article sets out the general conditions for any limitations imposed on the rights and freedoms recognized therein: any such limitation must be provided for by law, must not undermine the essence of the right or freedom, must respect the principle of proportionality, and may only be imposed if it is necessary and genuinely serves an objective of general interest recognized by the European Union, or is intended to protect the rights and freedoms of others. These criteria are of particular importance when assessing the legitimacy of restrictions that authorities might impose on peaceful assemblies or the expression associated with them.[9]

As for the United Kingdom, the Charter of Fundamental Rights of the European Union does not apply, given that it is no longer a member state; the UK withdrew from the EU on January 31, 2020, and the transition period—during which EU law remained applicable in the UK—concluded on December 31, 2020. Consequently, the primary legal framework for protecting freedom of assembly and expression in the British context consists of the European Convention on Human Rights, the International Covenant on Civil and Political Rights, and domestic law—while also

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information, freedom of peaceful assembly, and freedom of association. Official text of the Charter – EUR-Lex.

8 European Union, **Charter of Fundamental Rights of the European Union**, Official Journal of the European Union, C 202, 7 June 2016, Article 51 concerning the scope of application of the Charter, in particular limiting the application of its provisions to Member States to situations where they are implementing European Union law. Official text of Article 51 – EUR-Lex.

9 European Union, **Charter of Fundamental Rights of the European Union**, Official Journal of the European Union, C 202, 7 June 2016, Article 52 concerning the scope and interpretation of rights and principles, in particular paragraph 1 concerning the conditions for limiting rights and freedoms and the principle of proportionality. Official text of Article 52 – EUR-Lex.

taking into account any specific legal implications that may persist under the Agreement between the UK and the EU, within the scope of the]Withdrawal provisions it covers.[10]

Sixth: Standards for Police Conduct During Gatherings

In a democratic society, the police should not be viewed merely as an entity tasked with dispersing protests; rather, they are a public authority with a dual responsibility: to protect public security and to facilitate the exercise of the right to peaceful assembly.

In this context, the guidelines of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) emphasize the importance of adopting a human rights-based approach to managing gatherings. This involves engaging in communication, dialogue, and negotiation with participants; working to de-escalate tensions; and distinguishing between peaceful assembly and unlawful acts committed by specific individuals. The primary objective of police intervention should be to facilitate the exercise of the right to peaceful assembly and ensure the safety of participants, rather than treating the gathering itself as a security threat.

When some participants engage in violent or unlawful acts, police intervention—circumstances permitting—should be directed specifically at those responsible for such actions, while avoiding disproportionate collective measures against the remaining peaceful participants. Furthermore, any use of force must adhere to the principles of legality, necessity, and proportionality, with accountability ensured for any abuses that may occur during law enforcement operations. [11]

European Union Agency for Fundamental Rights (FRA)

Materials and studies issued by the European Union Agency for Fundamental Rights (FRA) regarding freedom of peaceful assembly, freedom of expression, and the rights of individuals in the context of law enforcement may also be consulted. As

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10 European Union and United Kingdom, **Withdrawal Agreement**, in particular Article 126 concerning the duration of the transition period and Article 127 concerning the continued application of European Union law during that period; see also Council of the European Union, timeline for the United Kingdom's withdrawal from the European Union. Official text of the Withdrawal Agreement – Article 126; Council of the European Union – Withdrawal timeline.

11 OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), **Human Rights Handbook on Policing Assemblies**, 11 March 2016, concerning the facilitation of the right to peaceful assembly, principles of planning and decision-making, communication with participants, necessity and proportionality, use of force, and accountability. Official text: Official text of the Handbook.

supplementary European institutional sources, they assist in understanding human rights standards and evaluating the practical conduct of authorities in Member States—particularly concerning the creation of an environment conducive to the exercise of civil liberties, as well as police handling of assemblies and demonstrations. These materials are advisory and interpretive in nature; they do not replace binding legal texts or rulings by competent courts. Rather, they serve as a helpful institutional reference when analyzing the extent to which national practices align with relevant human rights standards. [12]

Seventh: Standards for the Use of Force

The use of force by law enforcement authorities is governed by the principles of legality, necessity, proportionality, precaution, and non-discrimination. Force may only be employed to achieve a legitimate objective and strictly to the extent required by the circumstances. Police personnel must strive to de-escalate situations, exhaust non-violent alternatives, and—whenever feasible—issue a prior warning before resorting to force, unless doing so would be clearly ineffective. Furthermore, the force used must not exceed the minimum necessary and must be proportionate to the legitimate objective being pursued. Every instance of the use of force must be documented in a transparent report detailing the reasons for the intervention, the methods employed, their effectiveness, and the resulting outcomes. Additionally, any allegation or reasonable suspicion of the unlawful use of force must be subject to an effective, impartial, and timely investigation, with those responsible for any violations held accountable.[13]

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12 European Union Agency for Fundamental Rights (FRA), Protecting Civic Space in the EU, Publications Office of the European Union, Luxembourg, 2021, in particular Chapter III concerning freedom of peaceful assembly and freedom of expression; and European Union Agency for Fundamental Rights (FRA), Fundamental Rights-Based Police Training: A Manual for Police Trainers, Publications Office of the European Union, Luxembourg, 2019, concerning the integration of human rights into police training and the handling of assemblies and demonstrations. Report on Protecting Civic Space in the EU; Fundamental Rights-Based Police Training Manual.

13 United Nations Human Rights Committee, General Comment No. 37 (2020) concerning the right of peaceful assembly (Article 21 of the International Covenant on Civil and Political Rights), Document CCPR/C/GC/37, 17 September 2020, in particular paragraph 78 concerning de-escalation, exhausting non-violent means, prior warning, and the principles governing the use of force; paragraph 79 concerning the minimum force necessary and proportionality; paragraph 90 concerning the duty to conduct an effective, impartial, and timely investigation into allegations or reasonable suspicion of unlawful use of force; and paragraph 91 concerning the recording of instances of the use of force and the preparation of transparent reports on them. Official text of the General Comment.

The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials emphasize the primacy of non-violent means whenever possible, the necessity of exercising restraint, the minimization of harm and injury, respect for human life, and the provision of medical assistance to the injured as promptly as possible. These principles further stipulate that law enforcement authorities should avoid the use of force when dispersing non-violent, unlawful assemblies; where this is not practically possible, the use of force must be limited to the absolute minimum necessary. In the case of dispersing violent assemblies, firearms may only be used when less dangerous means are not practically feasible, and then only to the minimum extent necessary and in accordance with the established conditions for their use. These principles mandate the immediate reporting of any injuries or deaths resulting from the use of force, and require that such incidents be subject to effective review and investigation. Furthermore, they establish the liability of superiors if they knew, or should have known, that their subordinates were using force unlawfully, yet failed to take the necessary measures to prevent, halt, or report such actions.[14]

Eighth: United Kingdom – London

On October 31, 2026, a protest took place in London in front of the U.S. Embassy. In an initial update, the Metropolitan Police Service reported the arrest of 139 individuals, with further arrests ongoing. In a subsequent update on November 1, 2026, the police announced that the total number of arrests had risen to 325. Of these, 320 individuals were arrested on suspicion of expressing support for the organization "Palestine Action," which is proscribed under British counter-terrorism legislation.[15]

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14 United Nations, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August–7 September 1990, in particular Principles 4, 5, 6, 12, 13, 14, 22, and 24, concerning the priority of non-violent means, restraint and the minimization of harm, reporting injuries and deaths, the use of force in unlawful or violent assemblies, review procedures, and the responsibility of superior officers for the unlawful use of force by their subordinates. Official text of the Principles.

15 Associated Press, London police arrest 139 people outside US Embassy for supporting banned pro-Palestinian group, London, 31 October 2026, concerning the Metropolitan Police's announcement of the initial arrest of 139 people; see also: ITV News, More than 300 arrested outside US embassy after supporting Palestine Action, 1 November 2026, concerning the police's subsequent update announcing that the number had risen to 325 people, including 320 arrested on suspicion of expressing support for a proscribed organisation under the Terrorism Act. Associated Press initial report; ITV News report on the subsequent update; see also the

This incident raises a complex issue regarding the balance between the enforcement of laws proscribing certain organizations—along with broader security legislation—and the rights to political expression and assembly. This does not imply that the proscription itself, or any individual arrest, is necessarily unlawful; rather, it necessitates an individual assessment of the legal basis for each case, the nature of the expression in question, the necessity and proportionality of the arrest and detention measures, and the availability of judicial safeguards. Furthermore, an arrest should not be equated with a conviction, nor should it be considered evidence that a crime has been committed.

IX. France

On October 31, 2026, France witnessed widespread protests, with approximately 320,000 participants nationwide—including about 70,000 in Paris—according to estimates by the French Ministry of the Interior, which also recorded 291 separate demonstrations in public spaces. In contrast, the organizers estimated the number of participants at approximately 500,000 nationwide, including about 200,000 in Paris, highlighting a discrepancy between official figures and those provided by the organizers—specifically the *Intersyndicale de la jeunesse* (Youth Trade Union Coordination). [16]

Methodological rigor requires distinguishing between data on protest participation and cumulative data regarding arrests or security-related incidents—which may encompass other events occurring throughout the day or over a broader,

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Metropolitan Police's earlier statement concerning the policing operation and warnings related to the gathering, 30 October 2026. Official police statement. For the relevant legal provisions, see the UK Terrorism Act 2000, section 12(1) and (1A). Official text of section 12; see also the Supreme Court of the United Kingdom, R v ABJ; R v BDN, [2026] UKSC 8, in particular paragraphs 59–60 concerning the distinction between expressing an opinion consistent with the aims of a proscribed organisation and expressing an opinion supportive of the organisation itself, and paragraphs 78–81 concerning the requirement that the defendant be aware of the risks and be reckless as to the possibility of encouraging the addressee to support the organisation. Official Supreme Court judgment.

16 French Ministry of the Interior, Bilan de la journée de mobilisation du 31 octobre 2026 et de la soirée d'Halloween, press release, 1 November 2026, concerning estimates of participation in the protests of 31 October 2026 and the number of public-space mobilizations; see also: Le Monde, news coverage of the protests of 31 October 2026, concerning estimates provided by the organizers. Official statement of the French Ministry of the Interior; Le Monde coverage.

17 Le Monde, on-the-ground coverage of the protests in France on 31 October 2026, in particular its reporting on the use of tear gas and stun grenades in Marseille during the dispersal of assemblies, with reference to tensions at other locations, in its report published and updated on 1 November 2026. News report.

continuous timeframe. Consequently, figures concerning arrests or injuries should not be attributed specifically to the protests of October 31, 2026, unless a clear link is established via a source that specifies the time, location, and nature of the incident.

Tensions arose in certain locations during the dispersal of gatherings—notably in Paris, Grenoble, and Marseille. In Marseille, press reports indicated the use of tear gas, stun grenades, and other crowd-dispersal measures following a march that was otherwise described as peaceful. Evaluating these police interventions requires assessing whether they met the criteria of necessity and proportionality, taking into account the reasons for the intervention, the surrounding circumstances, the nature of the methods employed, and their impact on participants and bystanders—including individuals not involved in any acts of violence. [17]

Tenth: Germany

On October 31, 2026, several German cities witnessed widespread protests. While largely peaceful during the daylight hours, the events later escalated into confrontations and unrest in some locations. According to press reports, police deployed water cannons in Cologne and Hamburg, and both water cannons and pepper spray in Frankfurt. In Frankfurt, incidents of vandalism and looting were reported, and some police officers sustained injuries. Evaluating these interventions requires examining the nature and severity of the threat faced by the police, determining whether the measures employed were necessary and proportionate to that threat, and assessing whether the use of force was directed specifically at individuals engaging in violence or posing an actual threat, rather than affecting peaceful participants. Furthermore, it should be verified whether prior warnings were issued—whenever feasible—and whether peaceful participants were provided with a safe passage to leave the area, while ensuring the safety of bystanders and those not involved in the violence.[18]

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18 Agence France-Presse (AFP), German police, protesters clash after 'Gen Z' demos, 31 October 2026, and German rioters loot shops as 'Gen Z' demos turn ugly, 31 October 2026, concerning the youth protests that took place in several German cities, which were largely peaceful during the daytime before disturbances and clashes occurred in the evening, particularly in Frankfurt, Cologne, Hamburg, and Berlin, with police using water cannons and pepper spray and injuries being reported among police officers, while a number of people were detained. First AFP report and Second AFP report. See also: Associated Press, French protest violence eases while scattered riots hit Germany ahead of school return, 1 November 2026, concerning the protests in Germany and the nighttime disturbances in Frankfurt and other cities. Associated Press report published on 1 November 2026.

For a comprehensive assessment, it is advisable to cross-reference press reports with official statements issued by local police authorities and relevant German agencies in each city—particularly regarding the number of injuries and arrests, as well as the justifications for the use of water cannons or pepper spray. It is crucial to avoid conflating a localized incident in a single city with the situation across Germany as a whole; the importance of this distinction is, in fact, underscored within the official data itself. The Cologne police reported that 23 of their officers were injured during the night's events, while the Hamburg police stated that final figures regarding injuries and arrests were not yet available at the time their statement was issued. Meanwhile, the Frankfurt police addressed the assaults and acts of vandalism that took place in the city center and called on witnesses to provide any relevant recordings or photographs.[19]

Eleventh: The Netherlands – The Hague

On October 31, 2026, Dutch police announced the arrest of 34 individuals in The Hague, most of whom were minors aged between 15 and 18. According to the police, the reasons for the arrests included suspicion of disturbing public order, public violence, wearing face coverings, violations of identification laws, and possession of prohibited items—such as illegal fireworks—as well as failure to comply with directives issued under an emergency order declared by the city's mayor.[20]

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19 Official statements issued by local German police authorities:

- Frankfurt Police, Ausschreitungen in Frankfurter Innenstadt – Wer hat Fotos oder Videos?, 31 October 2026, concerning acts of vandalism and assaults against police officers in central Frankfurt. Official statement by Frankfurt Police.
- Cologne Police, Einsatz der Polizei Köln zu Halloween – erste Einsatzbilanz, 31 October 2026, concerning the use of water cannons following assaults on police officers, and the subsequent statement issued on 1 November 2026 concerning injuries to 23 police officers. First statement by Cologne Police and subsequent statement.
- Hamburg Police, Abschlussmeldung zum Polizeieinsatz anlässlich mehrerer Versammlungen und des Halloweenabends, 1 November 2026, concerning police measures and the use of water cannons during the events of 31 October, noting that final figures for injuries or detentions were not available at the time the statement was issued. Official statement by Hamburg Police.

20 Dutch Police (Politie), "34 aanhoudingen na onrust door Gen Z oproep in Den Haag," official statement concerning events in the city centre of The Hague and the arrest of 34 people, most of whom were minors between 15 and 18 years of age, 31 October 2026. Official text of the Dutch Police statement.

In this context, it is necessary to distinguish between arrest, detention, the initiation of criminal proceedings, and the application of administrative measures. Police data regarding the number of individuals arrested do not, by themselves, indicate the duration of their detention or the ultimate outcome of the proceedings taken against them. The official police statement was limited to disclosing the number of those arrested, the age range of the majority, and the grounds for suspicion; it provided no details regarding the duration of detention for each individual or the final resolution of subsequent legal or administrative processes.

This case is particularly significant given the high proportion of minors among those arrested. Under the Convention on the Rights of the Child, the "best interests of the child" must be a primary consideration in all actions concerning them. Furthermore, any arrest or deprivation of liberty must adhere to the principle of legality, and the deprivation of a child's liberty should be used only as a measure of last resort and for the shortest appropriate period of time. Accordingly, each case should be assessed on an individual basis, taking into account the child's age, their circumstances, and the nature of the act attributed to them, while also verifying that the legal and procedural safeguards established for children are in place.[21]

Twelfth: Portugal – Lisbon

On October 31, 2026, Lisbon witnessed protests concerning the housing crisis and a proposed rent bill, followed by the establishment of a protest camp consisting of over fifty tents in Rossio Square. In the early hours of November 1, police intervened to dismantle the camp—after issuing three warnings to vacate the site—using shields and batons to disperse hundreds of protesters who attempted to protect the encampment. Police officers accompanied by K-9 units also participated in the operation.[22]

The dismantling of the camp raises a legal issue that extends beyond the mere regulation of public space; while the right to peaceful assembly does not grant an

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21 See also: Convention on the Rights of the Child, adopted by United Nations General Assembly resolution 44/25, 20 November 1989, Articles 3 and 37(b), Official text of the Convention; and Committee on the Rights of the Child, General Comment No. 24 (2019) on children's rights in the child justice system, Document CRC/C/GC/24, 18 September 2019, in particular paragraph 85, Official text of the General Comment.

22 Reuters, Police clear new Lisbon housing protest camp after thousands rally, 1 November 2026, concerning the establishment of more than fifty tents in Rossio Square, the issuance of three warnings before police intervention, and the use of shields and batons, with police officers accompanied by police dogs. Full Reuters report.

absolute right to set up a camp anywhere or for an indefinite period, the fact that pitching tents may be unlawful under national regulations does not absolve authorities of their obligation to respect the freedom of assembly. Consequently, the removal of the camp and any use of force must be grounded in a clear legal basis, and must be both necessary and proportionate to a legitimate objective. This requires considering less intrusive alternatives and distinguishing between the removal of temporary structures and the handling of individuals who object to such removal.

Assessing the lawfulness of the camp's removal cannot rely solely on the fact that the removal took place or that prior warnings were issued. Instead, it is necessary to identify the specific national legal basis upon which the authorities acted, the jurisdiction that issued the order, the scope and content of that order, and whether less restrictive alternatives were considered before force was employed. Furthermore, an independent assessment is required regarding the necessity and proportionality of each measure used during the eviction. In this context, Article 18 of Portuguese Decree-Law No. 310/2002 stipulates that the establishment of temporary campsites outside of designated camping or caravan areas is subject to authorization from the relevant municipality, in accordance with the conditions set forth therein. Conversely, Decree-Law No. 406/74 guarantees the right to peaceful assembly in public spaces. It permits authorities to halt such gatherings only under specific, legally defined circumstances—such as when actions occur that cause a serious and actual disruption to public order or the rights of others—and requires that the reasons for any such intervention be documented. Consequently, determining whether the regulations governing campsites apply to the protest encampment in question, and whether the conditions for intervention under the law on assemblies are met, requires an examination of the specific administrative decision—including its stated rationale and the authority that issued it—rather than relying on a general reference to legislation governing public spaces.[23]

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23 Reuters, "Police clear new Lisbon housing protest camp after thousands rally," 1 November 2026, concerning the removal of the protest camp in Rossio Square, which consisted of more than fifty tents, following the issuance of warnings, and the use by police of shields and batons to disperse protesters, with officers accompanied by police dogs. Original Reuters report. See also: Agence France-Presse (AFP), "Portuguese police clash with housing protesters, arrest 13," 1 November 2026. Original AFP report. See also: United Nations Human Rights Committee, General Comment No. 37 (2020) on the right of peaceful assembly, Document CCPR/C/GC/37, 17 September 2020, in particular paragraphs 36–37 concerning restrictions on peaceful assembly and the requirements of legality, necessity, and proportionality. Official text of the General Comment.

Official statements from the Portuguese police further underscore the importance of verifying the legal basis for such interventions. In two separate statements issued on October 20 and 25, 2026, the Public Security Police (PSP) announced operations in Rossio Square to remove camping structures, asserting that they had been set up without the requisite legal authorization and in violation of applicable legislation. In these statements, the police indicated that their intervention was intended to restore the legal status of the public space, which they characterized as being subject to unauthorized occupation. However, these two statements relate to previous operations and do not, in themselves, establish the specific legal or administrative basis for the operation to dismantle the November 1, 2026 camp. Therefore, it is necessary to obtain the decision or order pertaining to this operation—if it has been published—in order to verify its legal grounds, scope, and the authority that issued it.[24]

Thirteenth: Mass Arrests and the Chilling Effect

The impact of disproportionate or arbitrary arrests in the context of assemblies is not limited to those directly subjected to them; it can extend to the broader public, creating a "chilling effect" that discourages individuals from participating in future protests for fear of arrest, prosecution, or the imposition of penalties.

Consequently, the mere existence of a general legal authority is insufficient to justify an arrest. Instead, it is necessary to verify that there is a specific legal basis for each individual case, that there are serious grounds justifying the action, and that the measure is both necessary and proportionate to the conduct attributed to the person concerned. Furthermore, procedural safeguards—including the right to challenge the arrest and seek a review—must be upheld. Indiscriminate mass arrests, which lack an individual assessment of each person's conduct and the specific circumstances of their case, must be avoided. The United Nations Human Rights Committee has affirmed that the practice of indiscriminate mass arrest—

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24 Portuguese Republic, Decree-Law No. 310/2002, issued on 18 December 2002, concerning the regulation of the licensing and supervision of certain activities by municipalities, Chapter V, Article 18, concerning the licensing of occasional camps established outside suitable camping and caravaning sites. Official legal text. See also: Decree-Law No. 406/74, issued on 29 August 1974, concerning the guarantee and regulation of the right of assembly, in particular Articles 1 and 5 concerning the guarantee of freedom of peaceful assembly and the conditions governing intervention by the authorities to stop assemblies and the recording of the reasons for such an order. Official legal text.

whether occurring before, during, or after an assembly—constitutes an arbitrary and unlawful detention.[25]

The term "mass arrest" should not be used as a blanket legal judgment for every large-scale apprehension. Assessing such situations requires determining whether the arrests were based on specific, individual grounds; whether they were necessary and proportionate; and whether procedural safeguards were respected. Moreover, a distinction must be made between apprehension, detention, continued custody, referral (to prosecution), the filing of charges, and conviction. Each stage carries its own distinct nature and legal implications; the occurrence of one stage cannot be inferred merely from the existence of another. Accordingly, assessing the legitimacy of large-scale operations requires an examination of the circumstances of each case, the legal basis for the action taken, and the final outcome—without assuming that all those arrested remained in detention, were charged, or were convicted.

Fourteenth: Protection of Journalists, Observers, and Human Rights Defenders

Independent journalism and human rights monitoring are fundamental safeguards for transparency and accountability during public assemblies. Consequently, journalists, photographers, observers, and human rights defenders must be protected while performing their duties. Their work should not be obstructed or restricted without a necessary and legally justified basis. Furthermore, their mere presence at the site of a protest or their act of recording events does not constitute sufficient grounds for their arrest or the confiscation of their equipment.

Recordings and visual materials are particularly significant for documenting the sequence of events, assessing the lawfulness of the use of force, establishing accountability, and distinguishing between peaceful participants and individuals who have engaged in violent acts. Such materials must not be arbitrarily destroyed or confiscated; rather, their availability for use in investigative and accountability proceedings should be ensured, while duly observing rules regarding privacy and data protection. [26]

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25 United Nations Human Rights Committee, General Comment No. 37 (2020) on the right of peaceful assembly (Article 21 of the International Covenant on Civil and Political Rights), Document CCPR/C/GC/37, 17 September 2020, paragraph 82, which provides that practices of indiscriminate mass arrests before, during, or after an assembly are arbitrary and unlawful. Official text of the General Comment.

26 United Nations Human Rights Committee, General Comment No. 37 (2020) on the right of peaceful assembly, Document CCPR/C/GC/37, 17 September 2020, paragraph 30, concerning the

Fifteenth: Minors in Protests

The participation of minors in peaceful assemblies imposes additional obligations on public authorities and law enforcement agencies. They must respect the minors' right to participate and express their views, while prioritizing the "best interests of the child" and taking into account their age, level of maturity, and specific needs when implementing any measures concerning them. Participation in a peaceful assembly should not, in itself, serve as a basis for imposing measures that are more restrictive than what is strictly necessary. Furthermore, the arrest or detention of minors should only be resorted to in accordance with the law, as a measure of last resort, and for the shortest appropriate duration. Policing measures during gatherings should be designed to minimize the risk of injury to children or their unnecessary exposure to crowd-dispersal and control methods, while taking into account their specific circumstances and ensuring they are treated in a manner that upholds their dignity as well as their physical and psychological well-being. [27]

Sixteenth: Emergency Orders and Exceptional Restrictions

States may adopt exceptional measures in response to emergency situations that meet established legal criteria. However, the declaration of a state of emergency or the granting of extraordinary powers to authorities does not exempt a state from its obligation to uphold fundamental human rights guarantees, nor does it justify the imposition of indefinite or disproportionate restrictions on the freedoms of assembly and expression.

In this context, a distinction must be made between ordinary restrictions that may be imposed on the freedom of assembly—in accordance with Article 21 of the International Covenant on Civil and Political Rights—and the exceptional derogation from obligations under the Covenant, as provided for in Article 4. While ordinary restrictions remain subject to the requirements of legality, necessity, and

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protection of journalists, observers, and human rights defenders during assemblies; Official text of the General Comment.

27 Convention on the Rights of the Child, adopted by United Nations General Assembly resolution 44/25, 20 November 1989, in particular Articles 3 and 37(b); and Committee on the Rights of the Child, General Comment No. 24 (2019) on children's rights in the child justice system, Document CRC/C/GC/24, 18 September 2019, paragraph 85, concerning the use of arrest or detention of a child only as a measure of last resort and for the shortest appropriate period; and United Nations Human Rights Committee, General Comment No. 37 (2020) on the right of peaceful assembly, Document CCPR/C/GC/37, 17 September 2020, paragraph 82, concerning the prohibition of indiscriminate mass arrests and arbitrary restrictions on participation in assemblies. Official text of the Convention on the Rights of the Child; General Comment No. 24; General Comment No. 37.

proportionality, an exceptional derogation requires the existence of a public emergency that threatens the life of the nation, alongside compliance with the conditions and procedures stipulated in Article 4. Consequently, the mere occurrence of violent protests or disturbances to public order is not, in itself, sufficient to justify invoking the regime of derogation from international obligations. Furthermore, the Human Rights Committee emphasizes that states may not resort to derogating from the right to peaceful assembly if their objectives can be achieved through the imposition of restrictions under Article 21 of the Covenant. [28]

Restrictions imposed during a state of emergency must be grounded in a clear legal basis; they must be defined in terms of their temporal, geographical, and substantive scope; they must be directly linked to the threat they seek to address; and they must not exceed what is strictly required by the actual necessity of the situation. Furthermore, decisions should be subject to challenge and judicial review, and orders and instructions should be drafted with sufficient clarity to enable individuals to understand what conduct is prohibited and what obligations are imposed upon them. [29]

Seventeenth: Comparative Legal Assessment by the Tawasol Organization for Human Rights

The facts presented in this memorandum reveal that the legal and practical challenges faced by authorities in the countries under study vary significantly—whether in terms of the scale of protests, the nature of security interventions, or the legal and administrative measures adopted in response. In the United Kingdom, key issues concern the relationship between restrictions imposed on certain activities or

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28 International Covenant on Civil and Political Rights, Articles 4 and 21; United Nations Human Rights Committee, General Comment No. 29 (2001) on states of emergency (Article 4), Document CCPR/C/21/Rev.1/Add.11, 31 August 2001, in particular paragraph 2 concerning the exceptional and temporary nature of measures and the conditions for declaring a state of emergency; and United Nations Human Rights Committee, General Comment No. 37 (2020) on the right of peaceful assembly, Document CCPR/C/GC/37, 17 September 2020, paragraph 96, concerning the non-derogation from the right of peaceful assembly where the objectives can be achieved through restrictions permissible under Article 21. Official text of General Comment No. 29; Official text of General Comment No. 37.

29 International Covenant on Civil and Political Rights, Articles 2(3) and 4; United Nations Human Rights Committee, General Comment No. 29 (2001), Document CCPR/C/21/Rev.1/Add.11, 31 August 2001, in particular paragraphs 2, 4, and 5, concerning the obligation of legality and the rule of law, the requirement that exceptional measures be limited to the extent strictly required by the exigencies of the situation, and the requirement that such measures remain consistent with other international obligations. Official text of General Comment No. 29.

organizations and the exercise of political expression. In France, the primary challenges relate to managing large-scale protests and addressing acts of violence that occurred in specific locations. In Germany, the focus is on the use of crowd-dispersal methods and their proportionality relative to the risks present. In the Netherlands, concerns center on safeguards for minors and the application of emergency orders, while the situation in Portugal raises questions regarding the dismantling of protest encampments and the limits of state intervention in regulating the use of public spaces.

This comparison does not aim to equate disparate events or assume that national legal frameworks are identical. Rather, it seeks to examine the extent to which the measures taken by authorities align with relevant international and European obligations concerning the protection of freedom of expression and freedom of peaceful assembly—specifically the principles of legality, necessity, proportionality, and non-discrimination—as well as the requirements for accountability and effective remedies.

The cases under study underscore the importance of distinguishing between the regulation of the right to peaceful assembly and its restriction or obstruction; they also highlight the need to differentiate between the protection of public order and the use of such protection as a pretext for coercive measures that exceed what is strictly necessary. The mere presence of disturbances or irregularities in the vicinity of a gathering is not, in itself, sufficient to justify interfering with the rights of all participants. Rather, it is necessary to assess the nature of the actual threat, the conduct of the individuals involved, the methods employed, and the availability of less restrictive alternatives.

Furthermore, it is clear that the responsibilities of the authorities extend beyond merely refraining from unlawful interference; they also encompass taking proactive, positive measures to facilitate the exercise of the right to peaceful assembly, protect peaceful participants, journalists, and observers, ensure the safety of those not involved in acts of violence, and subject any allegations of the abuse of authority or excessive use of force to investigation and accountability in accordance with the law.

Consequently, the assessment of how authorities handle protests should not be limited to immediate security outcomes. Instead, it must also encompass the extent to which legal and procedural safeguards are respected, and whether the measures taken succeed in striking a balance between the requirements of public order and

the protection of fundamental rights and freedoms.

Eighteenth: Recommendations

In light of the facts and legal analyses presented in this memorandum, the Tawasol Organization for Human Rights calls upon national authorities and relevant institutions to take the necessary measures to strengthen the protection of freedom of expression and freedom of peaceful assembly, through the following recommendations:

First: Ensuring the Exercise of Fundamental Rights and Freedoms

1. Ensure the exercise of freedom of expression and peaceful assembly without imposing restrictions that lack a clear legal basis or fail to meet the criteria of necessity and proportionality established under international and European standards.

2. Respect the peaceful nature of assemblies, and refrain from holding peaceful participants responsible for violent acts committed by others; instead, apply appropriate legal measures against the actual perpetrators of such violations on an individual basis.

3. Strengthen channels for dialogue and communication between public authorities, civil society organizations, trade unions, youth movements, and human rights groups, in order to address the root causes of protests and reduce the likelihood of escalation.

Second: Regulating Police Interventions and the Use of Force

4. Adopt an individualized assessment of participants' conduct, distinguishing between those exercising their right to peaceful assembly and those committing violent acts or posing an actual threat.

5. Promote the use of dialogue, negotiation, and de-escalation in the management of assemblies, and develop police training programs in accordance with international human rights standards.

6. Limit the use of force to situations where it is strictly necessary and proportionate to the threat being addressed, prioritizing measures that are least restrictive of rights, while ensuring the safety of participants, bystanders, and individuals not involved in acts of violence.

7. Ensure the protection of journalists, photographers, observers, and human rights defenders while they are performing their duties; refrain from obstructing their

work, arresting them, or confiscating their equipment without a legal basis that meets established requirements.

Third: Safeguards for Arrest, Detention, and Accountability

8. Review cases of arrest and detention related to assemblies to verify that there is a specific legal basis and individual justification for each action, and to ensure that the legal and procedural safeguards afforded to the individuals concerned have been respected.

9. Guarantee the rights of persons who are arrested or detained, including informing them of the reasons for the action taken against them, enabling them to access legal counsel, and ensuring their right to challenge the legality of their deprivation of liberty in accordance with the law.

10. Ensure that independent, effective, impartial, and timely investigations are conducted into allegations of the unlawful use of force or abuse of authority, and hold those responsible accountable, once their liability is established, in accordance with legal procedures.

11. Strengthen the independence and effectiveness of mechanisms for receiving and investigating complaints regarding the conduct of police personnel, and ensure that complainants and witnesses are protected from any acts of retaliation or intimidation.

12. Encourage the publication of accurate and transparent official data regarding arrests, detentions, injuries, charges, judicial proceedings, and their outcomes, while ensuring the protection of personal data and upholding the presumption of innocence.

Fourth: Protection of Vulnerable Groups

13. Ensure the protection of children and minors who participate in or are present in the vicinity of gatherings, with due regard for their best interests, age, and specific needs. Arrest or detention of such individuals should only occur in accordance with the law, as a measure of last resort, and for the shortest appropriate duration.

Fifth: Safeguards for Exceptional Measures and Institutional Cooperation

14. Ensure that emergency orders and exceptional restrictions imposed on gatherings adhere to the requirements of legality, necessity, and proportionality. Such measures must be clearly defined in terms of their temporal, geographical, and substantive scope, and must be subject to judicial oversight and review by the

relevant legal mechanisms.

15. Strengthen cooperation and the exchange of expertise and best practices among national and European institutions concerned with the protection of human rights—within the limits of their respective legal mandates—to contribute to the development of policies for managing gatherings and to enhance safeguards for accountability and transparency.

Nineteenth: Legal Conclusion

Tawasol Human Rights Organization concludes that the developments addressed in this memorandum warrant serious attention from both a human rights and an institutional perspective. This is not based on an assumption that all security measures taken by the authorities are inherently unlawful; rather, it stems from the broad scope of the protests, the numerous instances of arrest and detention, the use of crowd-control methods, and the issuance of exceptional orders and restrictions in certain cases. These matters necessitate independent and transparent oversight to verify the extent to which the measures taken align with international and European human rights obligations.

The organization emphasizes that combating violence, protecting lives and property, and maintaining public order are legitimate objectives. However, pursuing these goals must occur within a framework that respects fundamental rights and freedoms; they should not serve as a justification for imposing unnecessary or disproportionate restrictions on freedom of expression and the right to peaceful assembly. Furthermore, the fact that some participants may engage in violent acts does not strip other, peaceful participants of their legal protections, nor does it justify collective measures that infringe upon their rights.

Conversely, any individual found responsible for committing a criminal act must be held personally accountable under the law, while ensuring the presumption of innocence, the right to a defense, and the right to a fair trial before a competent, independent, and impartial judicial authority. Consequently, the true test of European states' commitment to human rights is not limited to how they handle peaceful demonstrations; it extends to how they manage difficult and contentious protests, and the extent to which they respect the rights of individuals and groups who express critical views of government policies—even when such views run counter to the authorities' positions or are politically unacceptable to them.

In concluding this summary, the organization emphasizes that respecting the rights of protesters does not imply tolerance for violence or unlawful conduct; likewise,

the protection of public security does not justify the sacrifice of fundamental rights and freedoms. The ongoing challenge for European governments lies in striking a balance between the requirements of public security and human rights guarantees. This must be achieved by adhering to the principles of legality, necessity, proportionality, distinction, and accountability—all of which serve as essential criteria for evaluating the legitimacy of security interventions in the context of public gatherings.

Twentieth: Requests Addressed to European Institutions

Tawasol Organization for Human Rights calls upon relevant European, international, and national institutions and bodies—each within the scope of its legal mandate and authority—to take appropriate measures to strengthen the protection of freedom of expression and freedom of peaceful assembly, and to monitor compliance with relevant international and European obligations. Depending on the nature of the issue at hand and the specific mandate of each entity, these bodies include: the European Commission, the European Parliament, the European Union Agency for Fundamental Rights (FRA), the Council of Europe, the European Court of Human Rights (within the limits of its jurisdiction and the admissibility criteria for applications and cases), the Organization for Security and Co-operation in Europe (OSCE) and its Office for Democratic Institutions and Human Rights (ODIHR), as well as the national authorities responsible for oversight, investigation, and accountability in each state. This is to be achieved through the following:

1. Monitor developments regarding freedom of expression and peaceful assembly in European countries, and assess the extent to which measures taken align with international and European human rights standards.

2. Urge states and competent authorities to adhere to the principles of legality, necessity, and proportionality when regulating public assemblies or intervening through police action during such events.

3. Support the independence and effectiveness of mechanisms for investigating allegations of unlawful use of force; ensure that investigations are prompt, impartial, and transparent; and hold those responsible accountable when violations are established.

4. Encourage competent authorities to publish accurate and transparent data concerning arrests, detentions, injuries, charges, judicial proceedings, and their outcomes, while ensuring the protection of personal data and upholding the

presumption of innocence.

5. Emphasize the necessity of distinguishing between participants exercising their right to peaceful assembly and individuals who commit acts of violence or pose an actual threat; avoid collective measures that infringe upon the rights of peaceful participants.

6. Strengthen the protection of journalists, photographers, observers, and human rights defenders as they cover protests and document events; ensure that their work is not obstructed, and that they are not subjected to arbitrary arrest or the confiscation of their equipment.

7. Reiterate the obligations to protect children and minors in the context of protests, taking into account their best interests, age, and specific needs; ensure that detention is used only in accordance with legal safeguards and strictly as a measure of last resort.

8. Review the compliance of emergency orders and restrictions imposed on assemblies—including spatial and temporal limitations—with the requirements of legality, necessity, and proportionality, and ensure they are subject to judicial oversight and appropriate legal mechanisms.

9. Encourage institutional dialogue among governments, local authorities, civil society organizations, youth movements, labor unions, and human rights groups, to help address the root causes of protests and mitigate escalation.

10. Support human rights training and capacity-building programs for police personnel and units tasked with managing assemblies, to enhance their understanding of international human rights standards and crowd-management protocols.

11. Promote the use of dialogue, negotiation, de-escalation, and measures that are less restrictive of rights before resorting to the use of force; ensure that any coercive intervention adheres to the principles of necessity, proportionality, and accountability.

12. Ensure the availability of effective and independent remedies for individuals who claim their rights have been violated during assemblies—including the right to file complaints, have them investigated, and obtain redress in accordance with the law.

The mention of these institutions and entities does not imply that this memorandum assumes they possess specific judicial or investigative jurisdiction,

nor does it suggest that all of them are authorized to receive or adjudicate individual complaints. Rather, the intent is to identify relevant entities that—within the scope of their respective mandates and competencies—may follow up on or address the issues raised, provide assessments and recommendations, or take actions permitted by their own legal and institutional frameworks.

Twenty-First: Concluding Position of the Tawasol Organization for Human Rights

The Tawasol Organization for Human Rights affirms that freedom of expression and freedom of peaceful assembly are fundamental rights guaranteed by international and European human rights instruments, as well as by safeguards established under national laws. It further asserts that protecting public security and upholding the rights of others are legitimate objectives—which are not, in themselves, incompatible with respect for human rights—provided that these objectives are pursued through measures grounded in law and that adhere to the requirements of necessity and proportionality.

The Organization calls upon the governments of the United Kingdom, France, Germany, the Netherlands, and Portugal to ensure that independent and transparent reviews are conducted regarding the security and policing measures employed during the protests examined in this study. These reviews should assess the extent to which such measures align with relevant legal obligations. Furthermore, information concerning arrests, detentions, injuries, and the use of force should be made available to foster transparency and public accountability.

The Organization also urges European institutions—within the scope of their respective mandates—to recognize freedom of peaceful assembly as a key indicator of a healthy democratic life and respect for the rule of law. It calls for moving beyond a narrow, security-focused view of protests, acknowledging instead their role as a legitimate means for civic engagement, political expression, and the pursuit of change.

Ultimately, the Organization concludes that the approach most consistent with the principles of democratic societies is one that balances the protection of public security with the preservation of fundamental freedoms; ensures that law enforcement is coupled with respect for legal safeguards; and guarantees that while authorities exercise their powers, they remain subject to accountability and independent oversight. Respect for freedom of expression and peaceful assembly is not measured solely by the extent to which uncontroversial protests are protected; rather, it is most clearly demonstrated by the degree to which these rights are

upheld when they involve critical stances or contentious protest demands.

Methodological and Concluding Note

The facts, figures, and data presented in this memorandum reflect information available as of November 1, 2026. Certain data—such as the number of participants, individuals detained or injured, or details regarding judicial proceedings—may be subject to updates, corrections, or supplementation by competent authorities or relevant independent bodies.

The inclusion of any specific incident, or reference to any police or security action, should not be construed as a definitive determination of legal liability or a conclusive confirmation that a human rights violation has occurred, unless supported by reliable evidence and findings that establish such a conclusion in accordance with applicable legal standards. Conversely, the absence of a judicial ruling or a final investigative report does not preclude the identification of potential violations or the assessment of human rights risks that warrant investigation and review. Where possible, this memorandum distinguishes between established facts, official statements, information derived from press reports, and human rights assessments conducted by the Tawasol Organization for Human Rights.

The purpose of this memorandum is to monitor potential human rights risks, promote transparency, accountability, and independent oversight, and advocate for compliance with relevant international and European obligations—particularly those concerning freedom of expression and freedom of peaceful assembly—while upholding the principles of legality, necessity, proportionality, non-discrimination, and the rule of law. The memorandum does not aim to interfere with the work of judicial authorities or to substitute for competent national or international investigative mechanisms. Rather, it seeks to provide an independent human rights assessment—based on international and European standards as well as information available at the time of its drafting—without prejudice to the authority of judicial and investigative bodies to determine and adjudicate legal responsibilities.

I. Legal, International and European References

1 United Nations Human Rights Committee, General Comment No. 37 (2020) on the right of peaceful assembly (Article 21 of the International Covenant on Civil and Political Rights), UN Document CCPR/C/GC/37, 17 September 2020. Official text: Official text of General Comment No. 37. See also: United Nations Human Rights Committee, General Comment No. 34 on Article 19: Freedom of Opinion and Expression, CCPR/C/GC/34, 12 September 2011. Official text: Official UN link – full

text.

2 European Court of Human Rights, Guide on Article 11 of the Convention – Freedom of Assembly and Association, Council of Europe, prepared by the Registry, updated on 28 February 2026. Official text: Article 11 Guide – European Court of Human Rights. See also: European Court of Human Rights, Article 11 – Freedom of Assembly and Association, Case-Law Guide and relevant updates. Official source for Article 11 – European Court of Human Rights.

3 European Union, Charter of Fundamental Rights of the European Union, Official Journal of the European Union 2016/C 202/02, 7 June 2016, in particular Articles 11, 12, and 51. Official text: Official text of the Charter of Fundamental Rights of the European Union – EUR-Lex. See also: Official Journal of the European Union, C 202, 7 June 2016, pp. 389–405, which constitutes the officially published version of the Charter. Official version on EUR-Lex.

4 OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), Human Rights Handbook on Policing Assemblies, 11 March 2016. Official text: Human Rights Handbook on Policing Assemblies – OSCE/ODIHR. See also: the same Handbook, full PDF version, in particular the principles concerning the facilitation of peaceful assemblies, advance planning, and the use by police of necessary and proportionate measures. Full text of the Handbook – PDF.

5 OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), in cooperation with the Omega Research Foundation, Guide on Law Enforcement Equipment Most Commonly Used in the Policing of Assemblies, 2 July 2021. Official text: Guide on Law Enforcement Equipment – OSCE/ODIHR. See also: OSCE/ODIHR resources on freedom of peaceful assembly, including guidance concerning the monitoring of assemblies and the use of law enforcement equipment during assemblies. Official resources page on freedom of peaceful assembly – OSCE/ODIHR.

II. Press and Official Sources Concerning the Facts Addressed in the Memorandum

1. France

A. Associated Press, A third weekend of protests in France as youth-led rallies sweep Europe, 31 October 2026, concerning the protests that took place in France during the third consecutive weekend, the estimates of the number of participants announced by the authorities, the deployment of police and gendarmerie forces, and the clashes and acts of violence that occurred in Paris and several French cities,

as well as the spread of the protests to a number of European countries. Press report: Full Associated Press report.

B. Associated Press, French protest violence eases and scattered riots hit Germany ahead of more action, 1 November 2026, concerning developments in the protests in France and Germany, the decline in the intensity of violence in France compared with previous protests, the number of arrests announced by the authorities, injuries among police officers, and the disturbances that occurred in several German cities following the demonstrations. Press report: Full Associated Press report.

C. Agence France-Presse (AFP), Clashes break out as hundreds of thousands protest in France, 31 October 2026, concerning the clashes that occurred during the French protests, the use by police of tear gas, water cannons, and batons to disperse some assemblies, the throwing of projectiles and fireworks at security forces, and the estimates of the number of participants announced by the authorities and the organizers. Press report: Full Agence France-Presse report.

D. French Ministry of the Interior (Ministère de l'Intérieur), Bilan de la journée de mobilisation du 31 octobre 2026 et de la soirée d'Halloween, official statement, 1 November 2026, concerning the official assessment of the day of mobilization and protests on 31 October and Halloween evening, including the number of participants and arrests, injuries among security forces, and the interventions and measures taken by the authorities during the day of protest. Official text: French Ministry of the Interior – Official assessment of 31 October 2026 and Halloween evening.

See also: Reuters, French interior minister to deploy 70,000 police for Halloween protests, 29 October 2026, concerning the announcement by the French Interior Minister of the deployment of approximately 70,000 police and gendarmerie personnel to secure the protests, official warnings concerning risks to public order, and the precautionary security measures taken by the authorities before the day of the protests. Reuters report.

2. Germany

A. Associated Press, French protest violence eases and scattered riots hit Germany ahead of more action, 1 November 2026, concerning the protests and disturbances that occurred in several German cities, particularly Frankfurt, Cologne, and Berlin, the acts of violence and vandalism that occurred following the demonstrations, injuries among police officers and protesters, and the arrests announced by the authorities, noting that the demonstrations involved more than one hundred

thousand participants across the country. Press report: Full Associated Press report.

B. Agence France-Presse (AFP), German police, protesters clash after 'Gen Z' demos, 31 October 2026, concerning the clashes between police and protesters in a number of German cities following the youth protests, the use of water cannons and pepper spray to disperse crowds, the throwing of fireworks, stones, and bottles at police forces, injuries among police officers, and arrests made during police interventions. Press report: Full Agence France-Presse report.

See also: Financial Times, Gen Z protests turn violent in Germany, 1 November 2026, concerning developments in the protests in Berlin, Frankfurt, and Hamburg, acts of violence and vandalism and assaults against police officers, injuries to more than one hundred police officers in Frankfurt, the number of detainees, and the security measures taken by the German authorities. Financial Times report.

3. Netherlands

Dutch Police (Politie), 34 aanhoudingen na onrust door Gen Z oproep in Den Haag, official statement, 31 October 2026, concerning the security measures taken by the police in cooperation with the Municipality of The Hague and the Public Prosecution Service in anticipation of calls for protest and potential disturbances in the city centre; the occurrence of a brief public-order disturbance at approximately 3:00 p.m.; the intervention of riot police to separate two groups; the issuance by the Mayor of The Hague of an emergency order covering the central shopping area and subsequently extended to the Malieveld and the area surrounding Central Station; and the arrest of 34 people on suspicion of offences including public-order disturbances, public violence, wearing face coverings, possession of prohibited materials, and violation of orders issued by the authorities, noting that the majority of those detained were minors between 15 and 18 years of age. Official text: Dutch Police – 34 arrests following disturbances in The Hague.

See also: Dutch Police (Politie), the same statement, particularly the section concerning the use of illegal fireworks against police officers, the transfer of one police officer to hospital on suspicion of hearing damage, and the measures taken by the police and the Public Prosecution Service to pursue the suspects. Official Dutch Police statement.

4. Portugal

A. Reuters, Police clear new Lisbon housing protest camp after thousands rally, 1 November 2026, concerning the police intervention to remove the protest camp

established by demonstrators in Rossio Square in Lisbon following a march attended by thousands of people protesting the housing crisis and the rent bill, the warnings issued before the intervention, the use of shields and batons and the dispersal of protesters, the removal of a smaller camp in the city of Porto, and the political criticism that followed the operation. Press report: Full Reuters report.

B. Al Jazeera, Police storm Portugal housing protest camps, 1 November 2026, concerning the intervention by Portuguese police forces to remove the protest camps in Lisbon and Porto, the entry of dozens of police officers into Rossio Square in the early hours of Sunday, the use of shields, batons, and police dogs to disperse protesters, the warnings issued before the intervention, and political and human-rights objections to the use of force against protesters, in the context of protests related to the housing crisis and rising rents. Press report: Full Al Jazeera report.

See also: Agence France-Presse (AFP), Portuguese police clash with housing protesters, arrest 13, 1 November 2026, concerning the clashes accompanying the removal of the protest camps in Lisbon and Porto, the arrest of 13 people, injuries to 13 police officers, eight of whom were taken to hospital, as well as the account provided by the group organizing the protests concerning injuries to dozens of protesters during the operation. AFP report.

5. United Kingdom

A. Associated Press, Dozens arrested outside US Embassy in London for supporting proscribed pro-Palestinian group, 31 October 2026, concerning the arrest of protesters outside the US Embassy in London during a demonstration expressing support for the organization Palestine Action, which is proscribed under UK terrorism law, and documenting the protest and police interventions through press coverage and on-the-ground photographs, with reference to the number of arrests announced at the time of publication. Press report: Associated Press via ABC News.

B. The Guardian, Almost 140 arrested at protest against Palestine Action ban outside US embassy in London, 31 October 2026, concerning the arrest of approximately 139 people during the protest outside the US Embassy in London, the warnings issued by police to participants before the protest began, the legal basis relied upon by the authorities for the arrests, objections concerning freedom of expression and peaceful assembly, and the judicial context surrounding the challenge to the decision to proscribe Palestine Action. Press report: Full Guardian report.

C. ITV News, More than 100 arrested outside US embassy after supporting Palestine Action, 31 October 2026, concerning the protest held outside the US Embassy in

London, the arrests of participants who expressed support for Palestine Action, the police measures taken pursuant to a dispersal order issued under section 35, and the increase in the number of arrests during the day. Press report: Full ITV News report.

D. Metropolitan Police, Update on Palestine Action protest arrests, official update concerning the arrests made during the London protest of 31 October 2026, in which the police announced that the total number of arrests had reached 325, including 320 people arrested on suspicion of expressing support for a proscribed organization under UK terrorism law (Terrorism Act). This figure represents the subsequent total announced by the police following the initial updates published by the media during the day of the protest. Original police statement: Metropolitan Police statement as reproduced in an Agence France-Presse report.

E. Agence France-Presse (AFP), UK police say 325 people were arrested at Palestine Action demo, 1 November 2026, concerning the announcement by the Metropolitan Police that the number of arrests during the London protest had reached 325, of whom 320 were arrested on suspicion of expressing support for a proscribed organization under terrorism law, as well as developments concerning the parallel protest in Edinburgh, where Police Scotland had recorded no arrests at the time the report was issued. Press report: Full Agence France-Presse report.

F. The Guardian, Police detain 325 people at pro-Palestine Action protest at US embassy in London, 1 November 2026, concerning the subsequent total of arrests announced by the Metropolitan Police, confirming the arrest of 325 people, including 320 on suspicion of expressing support for a proscribed organization, and the legal background to the protest and the anticipated judicial challenge concerning the decision to proscribe the organization. Press report: Full Guardian report.

G. Sky News, Police arrest 325 people during Palestine Action protest, 31 October 2026, concerning the announcement by the Metropolitan Police that 325 people were arrested during the protest outside the US Embassy in London, clarifying that the majority of those arrested, numbering 320, were arrested on suspicion of expressing support for a proscribed organization under terrorism law, together with the legal background to the proscription of the organization and the anticipated judicial challenge before the UK Supreme Court. Press report: Full Sky News report.

H. ITV News, More than 300 arrested outside US embassy after supporting Palestine Action, 1 November 2026, concerning the subsequent update on arrests in London

and reporting the announcement by the Metropolitan Police that the number had reached 325, including 320 on suspicion of expressing support for a proscribed organization under UK terrorism law. Press report: Full ITV News report.

Tawasol Organization for Human Rights

HUMAN RIGHTS MEMORANDUM

On Protests and the Security Response in the United Kingdom, France, Germany, the Netherlands and Portugal



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