

Forum: Youth Action Committee (YAC)

Issue: The disputed legitimacy of escalating street protests (SDG 16)

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Introduction

Throughout modern history, the prevalence of protests urging a range of demands has been a common sight in our society. From Gandhi to Martin Luther King Jr. to countless other protesters in the world, they fought against the status quo to achieve the best for the subjugated community they proudly serve. Although the most obvious these activists were advocating for issues and changes, the methodology of protest was largely peaceful, often called civil disobedience. However, in 2019 and 2020, the protests seen on the news by many were faced between riot police and masked protesters with improvised weapons, championing against the status quo to achieve the best for the underserved community they proudly live in. The legitimacy of these more violent protests is disputed.

Seen in Honk Kong, Lebanon, and Chile, these epicenters of major protests against major governments are motivated mainly in response to governmental dissatisfaction from its respective citizens. From Hong Kong's anti-extradition to Chile's metro fare hike protests, the first impression of these protests, not all parts of them, though, is that they depend on violence and inducing civil unrests that have affect many non-protest participants, from their personal safety to public utilities like public transportation. Although their use of violence and aggressive tactics deters many from their cause, these protesters' messages are crucial to the country because they are a proxy of the country's most severe issues, ranging from public transport to personal freedom.

The legitimacy of such street protests worldwide is many disputes, but there are possible solutions, like implementing the protesters' demands or to quell a protest by force, though under international laws. However, many problems are very complex and require more than a simple response to solve these disputes.

Definition of Key Terms

Sustainable Development Goal 16 (SDG 16)

According to the United Nations, SDG 16 calls to “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (United Nations).”

Protester

According to the Cambridge Dictionary, a protester is someone who shows that they disagree with something by standing somewhere, shouting, carrying signs, etc.

Rioter

According to the Cambridge Dictionary, a rioter is one of a group of people who meet in a public place and behave in a noisy, violent, and uncontrolled way, often as a protest.

Background Information

2019 Hong Kong Anti-Extradition Law and Amendment Bill (Anti-ELAB) protest

Sparked by the introduction of the extradition bill in April of 2019, a sizable number of Hong Kongers protested in response. At the start, the protests were peaceful but in a few months, the gatherings have morphed into more violence, where cries of unlawful assaults have been attributed to both the police and protesters. Even after the extradition bill was finally withdrawn in September, the protest has not yet abated.

Cause of the Protest

The cause of this protest is stemmed from the introduction of Extradition Law and Amendment Bill (ELAB) by the Hong Kong government, which is a response to a murder case of a Hong Kong citizen in Taiwan, where it does not have an extradition agreement with Hong Kong. However, if Hong Kong were to pass the bill, ELAB also authorizes an extradition agreement with the Mainland because the Hong Kong government recognizes Taiwan as part of the People’s Republic of China. Through this bill’s exegesis, Hong Kongers fear a weakening in Hong Kong’s autonomy and, thus, spark this ongoing protest.

Why Has the Protest Persisted

Even after the Hong Kong government withdrew ELAB, the protest has not yet reached a halt. In fact, the protest has evolved into a more violent one. Both Pro-Beijing and Pro-Democracy

supporters have been harmed in one way or another, where a pro-Beijing politician was stabbed and a few pro-Democracy activists were assaulted for notable incidents.

Pro-Democracy activists demanded more than the withdrawal of ELAB; they urge the Hong Kong government to four other new demands: set up an independent inquiry to probe police brutality, withdraw a characterization of early protests as "riots," release those arrested at protests, and implement universal suffrage in Hong Kong. Along with the contempt against the Beijing-backed government, the protest has yet ceased to stop.



Caption #1: Pro-democracy protesters/rioters throwing tear gas canisters towards the Hong Kong police

2019 Chile protest

Cause

Following a metro rush hour fare rise by 30 pesos (\$0.04) in October, there was a public outcry against the government's decision. When former Chilean Minister of Economy Juan Andres Fontaine retorted that "those upset with the price rise could wake up earlier and pay a lower rate" (Al Jazeera), outrage grew to the point of not conforming with metro rules and policies, such as fare evasion and destroying metro amenities. The protest was also carried on the streets. Whereas many metro stations, supermarkets, and petrol stations were burned as part of the protest, Chilean president Sebastian Pinera declared a state of emergency.

Why is it still ongoing

Although the protest was an outrage against metro fare hikes at first, like the Hong Kong protest, the Chilean protest evolved into more than urging for the initial demand. Other frustrations include increasing cost of living, poor public health system, low wages, and inequality,

to say the least. Efforts have been pushed by the government, such as changing government officials, to mitigate the protests.

Lebanese protests

Following a proposed bill for a \$6 monthly charge for using WhatsApp, millions of Lebanese marched on the street not only to protest the Whatsapp bill but also for other issues, too, such as the rise in prices and many other troubles.

Cause

Although the Whatsapp bill initiated the widespread protest in Lebanon, many of the protesters' motives are not about the charge of six USD, but of issues pertinent to Lebanon for ages. Such issues include corruption, sectarian divide, a weak economy, and dilapidating public facilities that ignited this protest.

Why is it still ongoing

Even after many reforms, including Prime Minister Saad Hariri's resignation, protesters are still pulling out onto the streets because they claim reforms are not being carried out effectively. Some protesters claim that needs, such as power and other public amenities, are not well maintained for the Lebanese people.

Key Issues

Violence

Police violence

Claims of police violence have been an integral part of these protests. From Hong Kong to Chile, public decries on protest violence has been directed at law enforcement officials. For instance, in Hong Kong, Amnesty International reported that "Hong Kong's security forces have engaged in a disturbing pattern of reckless and unlawful tactics against people during the protests...[including] arbitrary arrests and retaliatory violence against arrested persons in custody, some of which has amounted to torture." According to Amnesty, such acts put forth by Hong Kong police violate international human rights law. During the heyday of the Chilean protests, the New York Times reported that from the Chilean state agency National Institute for Human Rights, the Chilean security forces "almost 400 of the incidents...are of torture and cruel treatment[.]

[another] 194 involve sexual violence, including four rapes[,] more than 800 involve excessive use of force by the police[,] [and] at least six killings by security forces as homicides. According to the Human Rights Watch of the Americas, this Chilean protest brought Chile under human rights violations and scrutiny since Chile's military dictatorship. Although this paper generally focuses on the legitimacy of street protests, it should be noted that police mismanagement and power abuse should be accounted for protests

Violence by protesters

Along with accusations against the police, violence by protesters are not unheard of. Most notably in Hong Kong, the government accused the protesters where "unprecedented violence, reckless and organized destruction became the norm." For example, many of the more radical protesters wreaked havoc from vandalizing Hong Kong's Mass Transit Rail (MTR) system to throwing petrol bombs at law enforcement forces. Also, a viral video appeared to show black-clad anti-government protesters burning a man due to an argument.

Government Response

Attempts of reconciliation

At the start of Chile protests, the President of Chile Sebastian Pinera replaced many of his cabinet members to please the protesters. So did many heads of governments and states did in response to reconcile to prevent further civil unrest. In Lebanon, Prime Minister Saad Hariri resigned to appeal to the protesters, and Carrie Lam of Hong Kong Special Administrative Region withdrew the Extradition Law and Amendment Bill in September 2019. However the appeals to quell protests, the responses were not met with favorability, where protest continued instead of stopping. The reason for such a trend may be complex, but on the surface it seems like the attempts of reconciliation were not very inclusive to all the demands from the protesters.

Police Response

While governments raced to provide peaceful solutions, they also rely on forces that cause controversy due to violence by them. Police responses towards these protests, either peaceful or violent, were not met with great response. In Chile, Human Rights Watch reported that the Chilean police murder protesters and even some sustained rape from these security forces. In Hong Kong, Amnesty accused the Hong Kong police of human rights abuses, from assaulting journalists to torture.

Societal Issues

Inequality

In regards to Lebanon and Chile, while the motivators for their protest originated from minor governmental raises on daily necessities, the protests later have demands regarding the age-old and significant issue of inequality. Issues such as the increasing gap between the wealthy and the poor spark the continuation of the protests, in hopes of improving the livelihood of the people from healthcare to employment from the sharp divide between the rich and rags.

Major Parties Involved and Their Views

United Nations

The United Nations has made statements on street protests. The UN Secretary-General Antonio Guterres proclaimed violence should never take place, where “Governments have an obligation to uphold free expression and peaceful assembly, and to “safeguard civic space,” and protesters should “follow the examples of Gandhi, Martin Luther King Jr., and other champions of non-violent change.” Also, in response to the factors causing disputed street protests, Guterres stated that “people are hurting and want to be heard by political leaders who must now address a “growing deficit of trust.” The UN chief also desires governments to listen to the needs of their people to quell the protests.

China

The Chinese government, along with the Hong Kong government, has been very critical of street protests, historically and presently. In response to the Hong Kong anti-ELAB protest on violence, the Hong Kong government released a state in which calls “[the] use of violence is not the way to resolve problems and the government is displaying great sincerity in setting up a dialogue platform to communicate with HK residents.” The Chinese government, through its response, deplores these escalating street protests.

Timeline of Relevant Resolutions, Treaties and Events

Date	Description of event
June 14th, 2019	<p data-bbox="440 1821 991 1848">Start of Hong Kong Anti-ELAB Protests</p> <p data-bbox="440 1883 1442 1964">In response to a murder in Taiwan by a Hong Konger, Hong Kong passed an extradition bill with Taiwan but would also allow extradition to China, where</p>

opponents of this bill fear that it would give China power to abuse human rights in Hong Kong. It sparked a protest that continues today.

ELAB withdrawn

September, 2019 After months of protests, Carrie Lam announced she would withdraw the Extradition Law and Amendment Bill to in an attempt to please Hong Kong protesters

Chile Fare Hike

October, 2019 In Chile, its government announced that the metro rush hour prices would rise by 30 pesos (\$0.04), prompting public dissatisfaction. After former Minister of Economy Juan Andres Fontaine responded that those upset with the price rise could wake up earlier and pay a lower rate, it sparks huge protests.

Whatsapp Taxation

October 17, 2019 After the government of Lebanon announced to tax Whatsapp calls, it prompted protest not just against the new tax policy but also on the ongoing issues plaguing Lebanon.

Relevant UN Treaties and Events

- The uprising (intifadah) of the Palestinian people, 11 December 1991, (A/RES/46/76)
- Security Council resolution 560, 12 March 1985, (S/RES/560)
- The promotion and protection of human rights in the context of peaceful protests, 9 April 2013, (A/HRC/RES/22/10)
- Promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, 10 April 2012, (A/RES/66/164)
- Violations of International Law in the Context of Large-scale Civilian Protests in the OPT, 18 May 2018, (A/HRC/S-28/L.1)

Evaluation of Previous Attempts to Resolve the Issue

The United Nations has proposed and passed resolutions regarding street protests, from resolutions about South Africa to Palestine. While these resolutions are directed towards protests, many

of its solutions are specifically focused on the authoritarian nature of governments and saving the civilians from the harsh rule. In regard to the issue at hand, the disputed legitimacy of escalating street protests, these previous attempts to solve street protests have been aimed to denounce government overbearing action on protesting civilians and human rights violations of governments. While the United Nations, under the Secretary-General Antonio Guterres, stated that violence from protesters shall not be championed, hardly the resolutions at hand refer to the violence of protesters and how to handle them.

Possible Solutions

One possible way to determine the legitimacy of a protest and post a solution is to listen to the demands of the protesters and determine whether such demands yearns merit to the truth. If demands are the direct response to a specific issue pertaining to the livelihood of citizens in a said country, then a solution is actually to respond and implement directives to solve that issue. Firstly, because an issue pertinent to the livelihood of citizens in a said country affects the citizens of that country, it is the responsibility of that country to respond to help its citizens. As many street protests around the world are a response to government inaction to serve the daily amenities for citizens, such acts of inaction that lead to street protests should lead governments to understand that measures for better crucial, public services are a necessity.

However, another way to determine the legitimacy of a protest and make a solution is to use the rule of law to counter such street protests. Under the stance of the United Nations, protests done in peace is optimal, but if done in violence, the organization has every right to criticize those protests because of the violence involved. For example, if such street protesters utilize violence as a method and attempt to achieve their goals that harm citizens and the rule of law, then the government has the prerogative to use protest dispersion and/or rioting tactics against violent street protesters. Because such violent protesters harm the livelihood and amenities of non-participating citizens, the government should respond to quell such protests, as innocent lives are not to be disturbed with violence.

While there are only two general, possible solutions to respond to the issue at hand, it is only a demonstration of a few solutions at hand. Delegates can use either one or both of the solutions to formulate the best solutions at hand, and at best delegates also are encouraged to come up with their own solutions that fit their own respective member states' stances.

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