

Expert Seminars on Current Challenges to Human Rights: Policing of Assemblies: Use of Force and Accountability

1-2 May 2017, Villa Barton, Auditorium Jacques Freymond, 134 rue de Lausanne

The Geneva Academy Expert Seminars on current challenges to human rights provide an annual space for discussion among those who are at the forefront of securing promotion and protection of human rights in contemporary practice. They connect experts and practitioners in the United Nations and regional systems, diplomats, academics, and civil society representatives.

While the first Expert Seminar in 2016 aimed at a comprehensive overview of issues relating to the right to life, this year's seminar will focus specifically on the rights affected by the use of force by law enforcement officials, in particular during the policing of assemblies. Future topics will be selected based on practical relevance, and on an identified need for expert discussion and clarification.

Participation is by invitation only and is limited to approximately 45 participants.

DAY 1	
<p>Session 1 09:00 - 09:30</p>	<p>Introduction</p> <ul style="list-style-type: none"> • <i>Kamelia Kemileva, Executive Manager Geneva Academy</i> • <i>Christof Heyns, member of the UN Human Rights Committee and Professor of Human Rights Law at the University of Pretoria</i> • <i>Nils Melzer, UN Special Rapporteur on torture, Human Rights Chair at the Geneva Academy and Professor of International Law at the University of Glasgow</i> <p>Tour de Table Participants briefly introduce themselves, their functions and their experience and expertise, highlighting links with the topic of the seminar.</p>

<p>Session 2 09:30 - 11:00</p>	<p>Human Rights and the Use of Force in Law Enforcement – the Legal Framework: with a Particular Focus on Policing of Assemblies</p> <p>Outline of the Legal Framework</p> <ul style="list-style-type: none"> • <i>Gloria Gaggioli, Professor at the University of Geneva</i> <p>What Role Can International Human Rights Mechanisms Play?</p> <ul style="list-style-type: none"> • <i>Christof Heyns, Professor of Human Rights Law at the University of Pretoria</i> <p>What Role Can Local Human Rights Mechanisms Play?</p> <ul style="list-style-type: none"> • <i>Sean Tait, Coordinator, African Policing Civilian Oversight Forum, South Africa</i> <p>Introduction and general discussion of the general principles governing the use of force by law enforcement officials from the perspectives of the right to life and the prohibition of torture and other cruel, inhuman or degrading treatment.</p> <p><i>All presentations are followed by a discussion</i></p>
<p>Coffee Break</p>	
<p>Session 2 11:30 - 13:00</p>	<p>Policing Public Assemblies and Accountability for Use of Force</p> <ul style="list-style-type: none"> • <i>Michael Kellett – Law enforcement expert, CPT-APT</i> • <i>Sarah Cleveland, Louis Henkin Professor of Human and Constitutional Rights Faculty Co-Director, Human Rights Institute, Columbia Law School</i> <p>Self –Defense and Crowd Control</p> <ul style="list-style-type: none"> • <i>Jean-Philippe Roth, Internal Security Attaché, Law enforcement, Embassy of France in Bern, Paris, France</i> <p>The Minnesota Protocol: What is at Stake?</p> <ul style="list-style-type: none"> • <i>Thomas Probert, Head of Research, Freedom from Violence, University of Cambridge</i> <p>Introduction and general discussion on how the standards governing the use of force in the context of public order policing can be operationalised so as to ensure effective compliance and accountability in practice.</p> <p><i>All presentations are followed by a discussion</i></p>
<p>Lunch Break</p>	

<p>Session 3 14:30 - 17:30 (with a coffee break)</p>	<p>The Choice of Means: New Technologies in Law Enforcement: with a Particular Focus on the Policing of Assemblies</p> <ul style="list-style-type: none"> • <i>Neil Corney, Research Associate, Omega Research Foundation & Stuart Maslen, Professor University of Pretoria</i> <p>Exploring the challenges and opportunities of new technologies, including less lethal weapons and unmanned systems, from the perspectives of the right to life and the prohibition of torture and other cruel, inhuman or degrading treatment.</p> <p><i>All presentations are followed by a discussion</i></p>
<p>Session 4 18:00 - 20:00</p>	<p>High-Level Panel - Policing of Assemblies and Human Rights: Freedom of Assembly, Prohibition of Torture, and Right to Life</p> <p>Panelists</p> <ul style="list-style-type: none"> • <i>Christof Heyns, Member of the Human Rights Committee, Professor of Human Rights Law at the University of Pretoria</i> • <i>Nils Melzer, UN Special Rapporteur on torture, Human Rights Chair at the Geneva Academy and Professor of International Law at the University of Glasgow</i> • <i>Anna Giudice, Crime Prevention and Criminal Justice Officer, Justice Section Division of Operations, UNODC</i> • <i>Luís Miguel Ribeiro Carrilho, Chief Superintendent Senior Inspector at the Portuguese National Public Security Police Inspectorate</i> <p>Moderation</p> <ul style="list-style-type: none"> • <i>H.E. Ambassador Valentin Zellweger, Permanent Representative of Switzerland to the Office of the United Nations in Geneva</i> <p>Debate questions</p> <ul style="list-style-type: none"> • Which human rights are at stake during the policing of assemblies? • What are the challenges posed by specific weapons and other means? • What is the role and potential of the revised Minnesota Protocol? <p><i>Followed by Q&A</i></p>
<p>Cocktail</p>	

DAY 2

Session 5 9:00 - 10:30	<p>Extra-Custodial Use of Force and the Prohibition of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CIDTP)</p> <p><i>Nils Melzer, UN Special Rapporteur on torture, Human Rights Chair at the Geneva Academy and Professor of International Law at the University of Glasgow and Natasa Mavronicola PhD, Senior Lecturer at the University of Birmingham</i></p> <p>Discussion based on a questionnaire distributed to the participants prior to the Seminar:</p> <ul style="list-style-type: none"> - Can extra-custodial use of force amount to torture or CIDTP? - Implications of certain means (e.g. less-than-lethal weapons, tasers, robots, drones, riot control agents etc.). - Interrelation between the prohibition of torture/CIDTP and the right to life? - Interrelation between the prohibition of torture/CIDTP and justifications such as self-defence and defence and defence of others?
Coffee Break	
Session 5 11:00 - 12:30	<p>Continuation of discussion from Session 5</p>
Lunch	
Session 6 14:00 - 16:00	<p>Conclusion and Way Forward</p> <p><i>Christof Heyns and Nils Melzer</i></p> <p>What are the main challenges in the future? How should the collective agenda be framed? What is (or should be) the role of the UN Human Rights Council and the UN Treaty bodies?</p>

Villa Moynier Rules:

In order to facilitate frank and open discussions, this seminar is held under the Villa Moynier Rules:

Rule 1. Discussions during and on the margins of the meeting are strictly confidential. A participant is free to report his/her own comments but may not cite or summarize remarks by any other participant.

Rule 2. The identity of the participants is confidential. An individual participant is free to refer to his/her own participation in the meeting, but may not identify any other participant.

Rule 3. A summary report is prepared by the organizers of the sense of the discussions. A draft is circulated to the participants for comment before being finalized. Once the summary report has been made public it may be freely quoted.