31st Council
10-13 June 2020
Online
by the European Greens

Title: **AM-28-1 to Res 4.: Defending the Right to Protest**

Tabled by: Bündnis90/Die Grünen

From line 27 to 28:

3. (sit-ins, occupations, media stunts, protest camps, and acts of non-~~cooperation)~~cooperation must be assessed under the principles of necessity and proportionality. Where such acts breach domestic law, sanctions must be proportionate and must take account of the peaceful, conscientious motivation of those involved) that may breach domestic law.

Explanation / Comment

The original proposal protects actions that violate the law as part of fundamental rights. This is unacceptable for Greens in government and parliaments because they are bound by law. The proposal adheres to the core principle: peaceful protest deserves special protection and proportionate treatment. However, it does not recognize breaking the law as a right. This aligns with German criminal law, in which reprehensibility, proportionality, and motives play a role in sentencing and case dismissal.