

**Submission to the Committee on the Elimination of Racial Discrimination  
(CERD) on discrimination against civil and political rights in the UK**

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**Submitted by: Association for Defending Victims of Terrorism**



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## **Introduction**

### **Discrimination against Civil and political rights**

Civil and political rights, which are referred to as the first generation of human rights, include rights such as the right to privacy, the right to peaceful assembly, the right to freedom of expression, the right to vote, and the right to religious freedom. These rights are guaranteed by principles such as equality, non-discrimination, and respect for freedom and human dignity.

The law provides freedom of expression, including for the press, and the government routinely respects these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

The right to privacy is an element of various legal traditions that intend to restrain governmental and private actions that threaten individuals' privacy. Over 185 national constitutions mention the right to privacy.

Freedom of peaceful assembly, sometimes used interchangeably with the freedom of association, is people's individual right or ability to come together and collectively express, promote, pursue, and defend their collective or shared ideas. The right to freedom of association is recognized as a human, political, and civil liberty.

### **Freedom of expression**

Governments have a duty to prohibit hateful, inciteful speech, but many abuse their authority to silence peaceful dissent by passing laws criminalizing freedom of expression. This is often done in the name of counterterrorism, national security, or religion. More recently, freedom of expression has come under threat from authorities clamping down on activists, NGOs, and individuals helping refugees and migrants.

How governments tolerate unfavorable views or critical voices is often a good indication of how they generally treat human rights.

The UK now has some of Europe's most authoritarian restrictions on free speech. The basis for much of Britain's censorious legislation is the concept of protected characteristics—identities deemed vulnerable and enshrined in the Equality Act of 2010. Initially, that law had a noble intention: to fight prejudice and discrimination against minority groups. Unfortunately, protecting a select group of people in the name of “equality” has made equality under the law no longer tenable, and the Equality Act itself has wound up chilling freedom of speech. Engaging in whatever authorities may deem hate speech can bring police to your door.

The erosion of free speech in the United Kingdom hasn't occurred overnight. Brits have been heading in an illiberal direction for years, with the instinct to protect individual feelings over freedom of expression steadily gaining ground.

- **Violence against journalists**

1. Journalists continue to face violence around the world, and the UK is no exception. Five years ago, 29-year-old freelancer Lyra McKee was shot dead while witnessing a riot in Londonderry in 2019. Three men are due to face trial for her murder in a Belfast court.<sup>1</sup>
2. The scale of violence against UK journalists was laid bare in a 2020 survey of over 300 members of the National Union of Journalists. More than half (51%) of respondents reported experiencing online abuse in the past year, while 22% had suffered physical assaults for their work. An overwhelming 78% agreed with the statement that “abuse and harassment has become normalised and seen as part of the job”.<sup>2</sup>
3. Journalists face regular harassment in UK; a 2020 National Union of Journalists (NUJ) survey found that over half of its members encountered online abuse, while nearly a quarter were physically attacked. The government published its first-ever National Action Plan to enhance the safety of journalists in 2021. In August 2022, six antilock down activists received convictions for verbally abusing and chasing BBC journalist Nicholas Watt on a London street in 2021. Five were handed community sentences.<sup>3</sup>

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<sup>1</sup> <https://theconversation.com/four-major-threats-to-press-freedom-in-the-uk-228932#:~:text=The%20scale%20of%20violence%20against,physical%20assaults%20for%20their%20work.>

<sup>2</sup> <https://www.nuj.org.uk/resource/nuj-safety-report-2020.html>

<sup>3</sup> <https://freedomhouse.org/country/united-kingdom/freedom-world/2023>

4. Threats of violence by armed groups continued against journalists in Northern Ireland, particularly those investigating illegal paramilitary and criminal activity. In June, a reporter for the Sunday World newspaper was warned by police that “criminal elements” had been monitoring their movements with a view to “some form of violent attack” in which firearms could be used.<sup>4</sup>
5. Paramilitary groups in Northern Ireland have also issued threats against journalists in recent years. In June 2022, the NUJ condemned a pro-UK paramilitary group for threatening a journalist operating in Belfast. Minority groups, particularly Muslims, continue to report discrimination, harassment, and occasional assault.<sup>5</sup>

- **Suppression of Islam and Muslims**

1. The UK’s Prevent strategy violates some of most fundamental rights. Its stated purpose is to ‘stop people becoming terrorists’. To do so it requires schools, hospitals, local councils, universities, and other institutions to refer to the police people who they think might be drawn to terrorism – even though those individuals have not committed any crimes.<sup>6</sup>
2. Following the approval of this law, a lot of Muslims experience a loss of trust in state institutions; stress, anxiety and other mental health consequences; unmanageable financial costs associated with challenging referrals and worries over their privacy and data protection.<sup>7</sup>
3. Efforts by institutions and individuals to comply with Prevent are leading to violations of people’s rights to freedom of expression, freedom of thought, conscience and religion, freedom of peaceful assembly, and critically, the right to equality and nondiscrimination. Indeed, the violations documented in this report lead to a stark conclusion: the UK must scrap the Prevent strategy in order to comply with its international human rights obligations.<sup>8</sup>
4. Muslims have been reluctant to discuss religious subjects or their identity in some settings, especially in the classroom, due to Prevent, a strategy designed to divert individuals vulnerable to terrorist or extremist recruitment. Prevent has been criticized for forcing Muslims to self-censor for fear of referral.

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<sup>4</sup> <https://www.ecoi.net/en/document/2089663.html>

<sup>5</sup> <https://freedomhouse.org/country/united-kingdom/freedom-world/2023>

<sup>6</sup> [https://www.amnesty.org.uk/files/2023-11/Amnesty%20UK%20Prevent%20report%20\(1\).pdf](https://www.amnesty.org.uk/files/2023-11/Amnesty%20UK%20Prevent%20report%20(1).pdf)

<sup>7</sup> [https://www.amnesty.org.uk/files/2023-11/Amnesty%20UK%20Prevent%20report%20\(1\).pdf](https://www.amnesty.org.uk/files/2023-11/Amnesty%20UK%20Prevent%20report%20(1).pdf)

<sup>8</sup> [https://www.amnesty.org.uk/files/2023-11/Amnesty%20UK%20Prevent%20report%20\(1\).pdf](https://www.amnesty.org.uk/files/2023-11/Amnesty%20UK%20Prevent%20report%20(1).pdf)

5. Academic freedom is generally respected, though the government has recently made political forays into the academic curriculum.<sup>9</sup>
6. The Counter-Terrorism and Security Act 2015 requires schools and universities to help divert students from recruitment into terrorist groups, as part of the Prevent strategy. Educators are expected to report students suspected of terrorist or extremist sympathies to a local government body and vet the remarks of visiting speakers, among other obligations.<sup>10</sup>

## Freedom of Assembly

1. In May, parliament passed the Public Order Act, furthering a legislative crackdown on peaceful protest that started with the 2022 Police, Crime, Sentencing and Courts Act. The Public Order Act criminalized various forms of peaceful protests, such as “locking on,” expanded police stop-and-search powers, created protest banning orders, and gave the Home Secretary powers to seek civil injunctions against peaceful protesters.
2. The Police, Crime, Sentencing and Courts Act 2022 increased police and ministerial powers to restrict further the right to freedom of peaceful assembly, including new policing powers to implement restrictions on the grounds of noise and nuisance, which risk being disproportionate.
3. At the end of the year, the Public Order Bill was pending approval. This bill criminalizes a wide range of peaceful protest activities, expands police stop-and-search powers, and removes the rights to peaceful assembly for individuals subjected to specific protest banning orders.
4. In June, the Public Order Act 1986 (Serious Disruption to the Life of the Community) Regulations were passed. This secondary legislation expanded the circumstances in which police can impose conditions on protests, backed by prison sentences. Conditions can be anything police consider necessary to prevent “serious disruption”, defined in the regulations as an obstruction causing “more than minor hindrance to day-to-day activities”.<sup>11</sup>

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<sup>9</sup> <https://freedomhouse.org/country/united-kingdom/freedom-world/2023#:~:text=While%20the%20government%20enforces%20robust,Islamophobia%20and%20anti%20immigrant%20sentiment.>

<sup>10</sup> <https://freedomhouse.org/country/united-kingdom/freedom-world/2023#:~:text=While%20the%20government%20enforces%20robust,Islamophobia%20and%20anti%20immigrant%20sentiment.>

<sup>11</sup> <https://www.amnesty.org/en/location/europe-and-central-asia/western-central-and-south-eastern-europe/united-kingdom/report-united-kingdom/>

- **Violence pro-Palestinian demonstration**

1. The pro-Palestinian demonstration - which coincided with Armistice Day - saw some 300,000 people march through central London calling for a Gaza ceasefire. It was the biggest UK rally since the war between Israel and Hamas began on 7 October.<sup>12</sup>
2. Tens of thousands of people marched through central London on Saturday reiterating calls for a ceasefire in Gaza in the first national demonstration since Rishi Sunak suggested pro-Palestine demonstrations were a display of “extremism”.<sup>13</sup>
3. The march began in Hyde Park Corner and ended outside the US embassy in Nine Elms. Near the start of the march, a crowd gathered around drummers, whose instruments were clad with the Palestinian flag and who played to chants calling for an end to Israeli occupation.<sup>14</sup>
4. The Palestine Solidarity Campaign, which organized the demonstration, said in a post on X that about 400,000 people had attended the march. The Met police have yet to release their estimated count.<sup>15</sup>
5. According to the Guardian report on May 2024, 40 people were arrested during a pro-Palestine protest in Westminster, central London, on Tuesday night, Scotland Yard said. One officer was left with a severe facial injury after she was hit by a bottle thrown from the crowd.<sup>16</sup>
6. According to the Reuters report on Nov 11, More than 300,000 pro-Palestinian demonstrators marched through central London on Saturday, with police arresting over 120 people as they sought to stop far-right counter-protesters from ambushing the main rally.<sup>17</sup>
7. Following the Hamas attacks in Israel on 7 October, and the subsequent Israeli bombardment and ground invasion of Gaza, regular large-scale, non-violent protests occurred calling for a ceasefire. The then Home Secretary and other government ministers sought to pressure police to ban these protests, characterizing them as “hate marches”. Police leaders responded that they

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<sup>12</sup> <https://www.bbc.com/news/uk-67531294>

<sup>13</sup> <https://www.theguardian.com/uk-news/2024/mar/09/tens-of-thousands-of-pro-palestine-protesters-march-through-london>

<sup>14</sup> <https://en.mehrnews.com/news/212834/Thousands-of-pro-Palestine-protesters-march-through-London>

<sup>15</sup> <https://www.theguardian.com/uk-news/2024/mar/09/tens-of-thousands-of-pro-palestine-protesters-march-through-london>

<sup>16</sup> <https://www.theguardian.com/uk-news/video/2024/may/29/police-injured-arrests-pro-palestine-protest-london-video>

<sup>17</sup> <https://www.reuters.com/world/huge-crowds-expected-london-pro-palestinian-rally-police-gear-trouble-2023-11-11/>

lacked the legal powers to ban the protests. The government indicated its intention to legislate to expand policing powers further to intervene against non-violent protests.<sup>18</sup> Some people in the UK on temporary visas had their leave to remain curtailed because of their involvement in pro-Palestine protests.<sup>19</sup>

8. In May, dozens of peaceful protesters were arrested at and around the coronation of Charles III, including pre-emptive arrests.<sup>20</sup>

- **Violence against protests in Charles III during the coronation**

9. London's Metropolitan Police said it made 52 arrests during the coronation of King Charles III on Saturday, as the force faces growing scrutiny over its attitude toward anti-monarchy demonstrators.<sup>21</sup>

10. Republic, Britain's largest anti-monarchy group, told CNN that police – without providing any reason – arrested organizers of the anti-monarchy protest. At around 7 a.m. (2 a.m. ET) police stopped six of Republic's organizers and told them they were detaining and searching them, Republic director Harry Stratton told CNN at the protest. Graham Smith, the chief executive of Republic, was among those detained, according to a video shared by the Alliance of European Republican Movements.

- **Arrests, prosecutions, and imprisonment of peaceful environmental protesters**

1. Since 2022, the Conservative British government has passed an arsenal of laws criminalizing the peaceful protest actions of climate activists.<sup>22</sup>

2. During protests in December 2023, an Environmental Defender sentenced to six months in prison for having taken part in a peaceful north London march for only "approximately thirty minutes."<sup>23</sup>

3. In 2022, the Police, Crime, Sentencing and Courts Act also gave the police expanded powers to restrict the right to protest: They could make arrests on the sole grounds that demonstrators were making too much noise. This law

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<sup>18</sup> <https://committees.parliament.uk/publications/43477/documents/218954/default/>

<sup>19</sup> <https://www.aljazeera.com/news/2024/5/10/uk-government-revokes-visa-of-palestinian-student>

<sup>20</sup> <https://apnews.com/article/king-charles-coronation-police-protesters-arrested-04b571c1e9268f59e65a02272af4fe75>

<sup>21</sup> [https://www.cnn.com/uk/live-news/king-charles-iii-coronation-ckc-intl-gbr#h\\_64c3af96d7fd3cddb045dc336f4d981a](https://www.cnn.com/uk/live-news/king-charles-iii-coronation-ckc-intl-gbr#h_64c3af96d7fd3cddb045dc336f4d981a)

<sup>22</sup> [https://www.lemonde.fr/en/international/article/2023/01/18/uk-government-seeks-to-restrict-protest-rights-to-stem-climate-activists\\_6012030\\_4.html](https://www.lemonde.fr/en/international/article/2023/01/18/uk-government-seeks-to-restrict-protest-rights-to-stem-climate-activists_6012030_4.html)

<sup>23</sup> [https://www.lemonde.fr/en/environment/article/2024/02/16/for-climate-activists-in-the-uk-protests-are-increasingly-criminalized\\_6529434\\_114.html](https://www.lemonde.fr/en/environment/article/2024/02/16/for-climate-activists-in-the-uk-protests-are-increasingly-criminalized_6529434_114.html)

also created the offense of "intentionally or recklessly causing public nuisance," which is punishable by up to 10 years' imprisonment.<sup>24</sup>

4. Arrests, prosecutions, and imprisonment of peaceful environmental protesters continued throughout 2023. In some instances, protesters charged with offenses were prevented by judges from referencing climate change or other environmental concerns in their defense to the jury. Those who ignored such orders faced prosecution for contempt of court and prison sentences.<sup>25</sup>
5. At least 18 peaceful environmental protesters were jailed in the UK until 2023. Ten Insulate Britain activists spent Christmas in jail, with 10 spending Christmas Day behind bars.<sup>26</sup>
6. As concern about the climate crisis grows, activists have been jailed after blocking roads, disrupting court proceedings, and, in one case, climbing on top of an airplane in an attempt to draw attention to the escalating emergency.<sup>27</sup>

## Recommendations

1. We consider anyone imprisoned solely for peacefully exercising their right to free speech a prisoner of conscience and call for their immediate and unconditional release.
2. According to Article 2 of the Universal Declaration of Human Rights, everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media, regardless of frontiers.
3. We urge the UK government to condemn in the strongest terms all attacks and violence against journalists, such as torture, extrajudicial killings, enforced disappearances, and arbitrary detention, as well as intimidation and harassment.
4. We urge the government to pay particular attention to the safety and protection of women and women human rights defenders from acts of intimidation and harassment, as well as gender-based violence, including sexual assault, in the context of peaceful protests.

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<sup>24</sup> [https://www.lemonde.fr/en/environment/article/2024/02/16/for-climate-activists-in-the-uk-protests-are-increasingly-criminalized\\_6529434\\_114.html](https://www.lemonde.fr/en/environment/article/2024/02/16/for-climate-activists-in-the-uk-protests-are-increasingly-criminalized_6529434_114.html)

<sup>25</sup> <https://www.theguardian.com/world/2023/dec/04/police-arrest-climate-protesters-london>

<sup>26</sup> <https://www.theguardian.com/environment/2021/dec/28/at-least-18-peaceful-environmental-protesters-jailed-in-uk-this-year>

<sup>27</sup> <https://www.theguardian.com/environment/2021/dec/28/at-least-18-peaceful-environmental-protesters-jailed-in-uk-this-year>



5. We urge the UK government to avoid using force during peaceful protests and to ensure that, where force is vital, no one is subject to excessive or indiscriminate use of force.