

# The right to protest under threat:

G7 Monitoring Mission Report

Executive Summary



Photo : Isabelle Lévesque

**LDL**

Ligue des  
droits et libertés

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**Full report available in French.**



Photo: Patrick Sicotte

This year's G7 Summit was held in La Malbaie, Quebec, Canada from July 7 through July 9, 2018. In recent years, the holding of international meetings like this one resulted in serious violations of rights and freedoms. Fearing that similar violations might occur at the G7, the Quebec-based groupe Ligue des droits et libertés (LDL) and Amnesty International Canada (AI) agreed in March 2018 to lead a joint civil liberties monitoring mission at this event.

Hoping that the presence of observers would ensure respect for protesters' rights and prevent them from being violated at the G7 Summit, the LDL and AI documented and publicly denounced the violations of human rights in the exercise of civil liberties that occurred before, during, and after the G7. The mission members' mandate was to observe and record the conditions for the exercise of civil liberties during the demonstrations and to document any situations that might lead to violations of human rights at the sites of protests and in detention facilities.

The G7 ultimately took place in a climate of fear and intimidation. The federal and provincial political leaders and police authorities failed to meet their obligation to ensure and facilitate the conditions for exercising freedom of expression and freedom of peaceful assembly, including the right to protest. They participated in the fearmongering campaign that preceded the summit,

by making statements that associated demonstrations with violence, and they sanctioned the implementation of security measures whose scope and cost were not justified.

By taking an approach based on deterrence and intimidation, the police authorities violated the exercise of freedom of expression and the right to protest, instead of facilitating it.

In response to peaceful demonstrations, the police resorted to crowd control tactics such as the use of kettling and other demonstration containment methods, the generalized wearing of riot gear, carrying various types of crowd control weapons, including a number of assault rifles, and unjustified, abusive, targeted arrests with excessive use of force in some cases. Police officers also subjected demonstrators to unjustified searches and identity checks. All of these tactics constituted unjustified impediments to the right to protest. It should also be noted that some members of the media were subjected to unacceptable, intimidating police behaviour that violated freedom of the press and the right to information.

The people arrested were subjected to abusive detention. Also, by ruling in favour of requests from Quebec's Director of Criminal and Penal Prosecutions, judges unduly prolonged the time that the people arrested spent in detention and imposed abusive conditions for their release.

The vast majority of eyewitness accounts indicate that these tactics were perceived as threatening by demonstrators, onlookers, and the media. This approach infringes demonstrators' rights and freedoms and could unquestionably have a deterrent effect on future gatherings.

It is therefore a matter of great concern that the authorities have made a positive assessment of the security measures employed at the 2018 G7 Summit.<sup>1</sup> Rather than equating "demonstrations" with "danger", authorities must honour their obligations to protect and guarantee the exercise of the rights to freedom of expression and peaceful assembly, including the right to protest, and recognize the importance of protecting and guaranteeing the exercise of these fundamental rights and freedoms in a democratic society.



1. "The partners in the Integrated Security Unit (ISU) make a positive assessment of the security measures implemented for the 2018 G7 Summit," official Sécurité du G7 Canada Security Twitter account, June 9, 2018. See also Royal Canadian Mounted Police, G7 - Final Assessment by the Integrated Security Unit, June 9, 2018: <http://www.rcmp-grc.gc.ca/en/news/2018/g7-final-assessment-the-integrated-security-unit>



#### The LDL and AI therefore recommend that:

1. The leaders of the governments of Quebec and Canada reaffirm the importance of protecting and guaranteeing the exercise of the right to freedom of expression and peaceful assembly and the right to protest, including the obligation for police forces to facilitate the exercise of these rights.
2. Political and police authorities ensure that at every stage of their operations (preparation, communication, deployment, etc.), they fulfil their positive obligation to facilitate the exercise of the right to protest and refrain from any statements, behaviours, or tactics designed to intimidate, threaten, or harass individuals wishing to exercise this right, or that pose a risk of doing so.
3. Representatives of law enforcement make sure to respect and protect the right to freedom of expression, including freedom of the press and the right to information, which includes in particular refraining from any hostile behaviours toward media representatives and giving them the opportunity to document such behaviours, including cases in which law enforcement representatives make use of force.
4. Police authorities commit to guaranteeing that any independent monitoring mission be afforded the conditions necessary to carry out its complete mandate, including access to the site of any intervention by police forces and to any person held in any detention facility.
5. Canada ratify the Optional Protocol to the UN Convention against Torture, which provides for the establishment of a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, in order to prevent torture and other cruel, inhuman, or degrading treatment or punishment. In parallel, the governments of Canada and Quebec should consider allowing visits – in accordance with the provisions of the Optional Protocol – by independent monitoring committees to any places of detention, including police stations, detention centres for asylum seekers, and courthouse cells.
6. The political and police authorities concerned be required to provide a public account of the justification for all security arrangements, in particular as regards measures for controlling and managing demonstrations, and of the indicators used to perform risk and threat analyses before and during the G7 and similar meetings to be held in future.
7. Police forces refrain from using, during demonstrations, any containment tactics (including police cordons and kettling) that may impede the exercise of the right to protest or prevent anyone from leaving a demonstration if they wish to do so.
8. Police forces refrain from making any form of arrest (such as the arrest methods that were used at the G7) that involves the use of excessive, unjustified force, in particular when the individuals being arrested do not offer any kind of resistance.

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9. Members of law enforcement make sure that their badge numbers are visibly displayed at all times, including during law enforcement operations at demonstrations.
10. Police forces refrain from dispersing an assembly or demonstration or declaring it illegal simply because the notification of the assembly or of the route of the demonstration was not provided in advance and refrain from making arrests based on alleged or proven violations of municipal by-laws.
11. The City of Quebec abrogate provisions concerning the route that have the effect of unjustifiably restricting the exercise of freedom of expression and the right to protest.
12. The Ministry of Justice provide the attorneys of the Director of Criminal and Penal Prosecutions with clear instructions concerning release conditions so that they consider the circumstances and the freedoms of expression, peaceful assembly, and association, and the government's obligation to facilitate the exercise of these freedoms.
13. The Ministry of Justice issue clear directives to ensure that all persons detained have access to a lawyer as soon as possible after their arrest, as well as the opportunity to speak with their lawyer face-to-face in private before any questioning by the police and any court appearance. The Ministry should also ensure that the presence of a lawyer be mandatory at any court appearance.
14. The Ministry of Justice issue clear directives to ensure prompt court appearances in person, which afford better guarantees than appearances by video link, notably in terms of preventing mistreatment and protecting defendants' rights. In its directives, the Ministry should indicate that appearances by video link should be used only when the conditions for appearances in person would prolong the period of detention beyond the legally allowable time limits for persons arrested and detained.
15. The Director of Criminal and Penal Prosecutions, or any other authority that has jurisdiction, conduct a review of the cases pending against persons arrested at the G7 in order to re-evaluate the justification and appropriateness of pursuing charges in light of the facts revealed.
16. The Director of Criminal and Penal Prosecutions, or any other authority that has jurisdiction, withdraw the charges against any persons whose constitutional rights were violated during the events surrounding the G7.
17. The Quebec Ministry of Public Security officially and publicly renounce the application of any systematic physical restraint measures, such as plastic or other types of handcuffs, to persons who are already being held in cells and under police control.



Photo: Patrick Sicotte

## Amnesty International Canada (French and English branches)

**Amnesty International** is a global movement of more than seven million supporters, members, and activists in over 150 countries and regions who campaign to end serious human rights violations. Our vision is of a world in which everyone has access to all the rights set out in the Universal Declaration of Human Rights and other international human rights texts. We are independent of any political grouping, party, or ideology, of any economic interest, and of any religion, and our funding is provided mainly by the dues of our members. Until each person can enjoy all these rights, we will continue our efforts. We will not stop until the day when everyone can be heard and no one will be tortured or killed. Our members are at the heart of all these efforts. They tackle human rights issues through letter writing, online and offline campaigns, demonstrations, vigils, and advocacy with people of power and influence. At the local, national, and global levels, we come together to mobilize public opinion and demonstrate international solidarity. Together we change lives, laws, and practices.

Amnesty International was founded in London in the United Kingdom in 1961. Amnesty International Canada Francophone was founded in 1978 and the English branch, Amnesty International Canada (Anglophone Branch), was founded in 1974. Our members are active in schools, universities and cities across the country. Over 430 000 supports actively take part in our calls to action.



## Ligue des droits et libertés

The **Ligue des droits et libertés** (LDL) continues, as it has done throughout its history, the struggles against all forms of abuse of power as well as for civil, political, economic, social, and cultural rights. Its actions have had an influence on several government policies and have contributed to the creation of different institutions that are dedicated to the defense and the advancement of human rights, such as the Charte des droits et libertés de la personne and the Commission des droits de la personne et des droits de la jeunesse. The LDL demands full judicial recognition of economic, social, and cultural rights. Furthermore, in a context where excessive means are used in the name of security, the LDL fights for full respect of civil and political rights. The LDL calls into question the political class in order to remind them of their obligations when it comes to rights, in both national and international contexts, and to speak out against situations where they are responsible for the violation of human rights. Through education and mobilization, the LDL advocates for human rights and strives to create a social movement that calls for the full respect of all rights.



Recently, the LDL has intervened on the right to protest, endorsing the "Manifeste sans peur" campaign that demands that municipal administrations, as well as the governments of Québec and Canada, prohibit the use of intermediate impact projectile weapons and explosive weapons during protests and demonstrations.

Founded in 1963, the Ligue des droits et libertés (LDL) is a non-profit, independent, and non-partisan organization based in Quebec and affiliated with the International Federation for Human Rights (FIDH). The LDL advocates for the protection and advancement of the universal, indivisible and interdependent nature of all human rights recognized by the Universal Declaration of Human Rights.



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