

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Croatia: Authorities must guarantee freedom of assembly

Amnesty International is concerned at the large number of arrests and short-term detentions during the peaceful demonstration which took place in Zagreb on 15 July 2010 and during which reportedly at least 140 people were arrested, which may have amounted to an unnecessary restriction of the right to freedom of peaceful assembly. In the view of new protests being called Amnesty International calls on the authorities to guarantee the right to freedom of assembly.

The protests were organized by the civil society initiative *Pravo na Grad* (Right to a City) in order to protect the historic part of Zagreb, Varsavska Street, from being partially destroyed during the construction of an entry-exit ramp to a shopping centre. The construction works were supposed to involve cutting down several trees and turning a public walking area into an entry to a private property.

Amnesty International believes that the conduct of the police officers during the protest resulted in violation of the right to freedom of peaceful assembly.

“The authorities have an obligation to secure and protect peaceful assembly. Any restriction of this right must be prescribed by law, necessary and proportionate. This was clearly not the case during the Varsavska Street protests” said Marek Marczyński, Amnesty International’s researcher on Croatia.

Freedom of peaceful assembly is guaranteed by a number of international human rights standards, including Article 21 of the International Covenant on Civil and Political Rights and Article 11 of the European Convention on Human Rights.

According to those international human rights standards, freedom of expression, peaceful assembly and association should not be restricted or prohibited simply on the grounds that something might disturb the public.

In several cases the European Court of Human Rights ruled that whilst a demonstration may annoy or give offence to persons opposed to the ideas or claims that it is seeking to promote, the participants must be able to hold the demonstration.

“Amnesty International believes that during the last protests on Varsavska Street the authorities instead of protecting the peaceful demonstration effectively prevented citizens from enjoying their rights” said Marek Marczyński.

Background

Since January 2008 *Pravo na grad* together with the NGO *Zelena akcija* (“Green action”) organized numerous protests against using Varsavska street as an entry to a private car park in the centre of Zagreb.

In September 2008 they set up a crisis committee, which also involved several artists, a faculty of law professor and some other well known personalities. A petition to stop the construction was organized in Zagreb, and more than 54, 000 signatures were collected.

In 2009 the inhabitants of Varsavska street filed a complaint to the Ministry of Environmental Protection, Physical Planning and Construction, requesting that public space of the street where they lived not to be sacrificed for private interest.

Other complaints were addressed to the Ministry of Culture for allowing the destruction of two historical buildings on the street.

In 2010 *Pravo na grad* and *Zelena akcija* filed a complaint to the department for fighting corruption and organized crime of the State Attorney's Office, against the mayor of Zagreb whom they accused of corruption.

Between 19 May and 20 June 2010, a non-stop 24 hours protest was taking place on Varsavska Street.

On 20 June 2010 the protest was terminated as the State Attorney's Office and the Ministry of Culture acknowledged irregularities in the project for the construction. Also the City Assembly called for moratorium on the construction works until all legal disputes are resolved.

Despite that on 15 July 2010 construction works started on the site which prompted new protests which are still ongoing.