



10 September 2014 – In Tasmania, citizens defending environmental concerns have come under pressure from the Tasmanian Government for this very practice. The Upper House of the State Parliament of Tasmania in Australia is currently considering adopting legislation that would make protests illegal should they interfere with business' operations.

Peaceful protests can make a positive contribution to the development and strengthening of democracy. They are a powerful way for citizens to express concerns, especially should their opinion differ from government or industry. Yet, beyond this they are a way for citizens to hold the powers-that-be, government or industry, accountable for their actions.

Three UN human rights experts reacted to the proposed bill by urging the parliament to refrain from adopting this measure. "If passed, the law would almost certainly run afoul of Australia's human rights obligations, which Tasmania is also obliged to uphold," [stated the experts](#) . The bill comes in the wake of demonstrations in Tasmania due to environmental concerns, specifically the decimation of state forests through [logging](#)

The Tasmanian Government argues the law is necessary to prevent businesses being disrupted

by protesters. The law, which explicitly makes reference to industries such as forestry, agriculture, or mining was described by Michel Forst, UN Special Rapporteur on the situation of human rights defenders, as “specifically targets environmentalists; this is shocking,” shocking.”

The law would protect business from demonstrations, with direct consequences for peaceful protesters. It imposes mandatory penalties, including fines up to 100,000 Australian dollars (US\$ 93,000) for organisations and up to 10,000 Australian dollars (US \$9,300) for individuals. Repeat offenders face a mandatory minimum prison sentence of three months.

David Kaye, Special Rapporteur on freedom of opinion and expression underlined that, “The bill would have the chilling effect of silencing dissenters and outlawing speech protected by [international human rights law](#).” The danger of this law is that it prizes business interests over citizen’s concerns, undermining the basis of a democratic society.

Given the danger to basic rights of expression and freedom of speech, the UN experts pressed the government and legislature of Tasmania to withdraw the bill and to be consistent with Australia’s international commitments and open and democratic traditions.