



## United States Mission to the OSCE

### **Session 3: Fundamental Freedoms II**

*Right of Reply on Freedom of Assembly and Association*

October 8, 2010

In an October 4 intervention delivered by the delegation of the Russian Federation on questions of freedom of assembly, specific reference was made to arrests at a demonstration in front of the White House on September 27. The U.S. Delegation has obtained the following information about the demonstration from the U.S. Park Police.

On September 27, the United States Park Police arrested 114 people for demonstration violations at the White House.

The group that was demonstrating had a permit for the demonstration. This permit, as all others for demonstrations at this location, has conditions which must be followed. These terms are codified in the Code of Federal Regulations at 36 cfr 7.96.

The specific term in this section that was violated was the condition that the demonstrators must keep in motion, stay walking, while in the center portion of the White House sidewalk. The people who were arrested violated this restriction by stopping their walking and sitting down.

When violations of this type occur, the area typically is cordoned off; the violating demonstrators are advised of the particular violation; and they are advised regarding what they need to do to come into compliance. Should violations of the provision continue, they then face arrest.

Three warnings were given over a period of about ten minutes. When the demonstrators failed to comply with the term in question of the permit, they were arrested. In this case, a total of 105 of the demonstrators failed to comply with the term in question (that they remain moving). These were charged with "failure to obey lawful order." Nine additional demonstrators crossed over the established police line and joined those sitting in violation. These were charged with "crossing a police line."

All were transported to a U.S. Park Police facility. They were released later the same day.