



Statement by the Kingdom of the Netherlands

Working Session 4: Fundamental Freedoms; Freedom of Assembly and Association

The Netherlands aligns with the statement made by the European Union and would like to make the following comments in its national capacity.

Support for human rights defenders and an enabling environment for civil society is a core priority of Dutch policy.

Human rights defenders are key actors and partners contributing to furthering fundamental freedoms in their societies. Their work promotes democratization, accountability and stability.

Freedom of assembly and association are essential prerequisites for them to be able to operate.

As the UN High Commissioner for Human Rights said during the opening of the 30th Human Rights Council last week: "I and my predecessor have enumerated at this Council States that have taken extremely serious steps to restrict or persecute the voices of civil society. While I will continue to list them, I am devastated to have to

report that there are now too many countries on that list for me to name them here today.”

We can speak of a trend, and a very negative one.

The Netherlands is concerned by restrictions of the freedom of assembly and association within the OSCE region. We notice barriers to registering NGO's, barriers to funding and resources as well as barriers to organize and assemble. In Azerbaijan, Tajikistan, Turkmenistan, Kazakhstan, Russia, Uzbekistan, Kyrgyzstan and Turkey laws, regulations and practices restrict either one or both of these freedoms. We therefore urge all these participating States to implement their OSCE commitments and guarantee the rights to freedom of association and assembly. It is important that we can openly discuss the implementation of these rights, including with our civil society partners and we appreciate that HDIM provides many opportunities to do this.

Freedom of association and assembly applies equally to LGBTI people. When peaceful marches or demonstrations are held, states have an obligation to ensure that participants are protected from violence. We commend the Serbian authorities in this regard, who have recently shown leadership in protecting and promoting these basic human rights by expressing and demonstrating their support for the organization of the Gay Pride.

However, in other countries we see restrictions to the rights to freedom of expression, association and assembly of LGBTI people.

The Netherlands is particularly concerned about draft legislation to restrict these freedoms currently considered by the Kyrgyz Parliament.

Criminalizing the dissemination of information on so called "non-traditional" sexual relations means silencing an already vulnerable and discriminated minority.

Legislation that forces people to live in fear, and encourages stigma and prejudice, undermines those very fundamental freedoms that we all have promised to uphold.

Such laws harm people rather than protect them, and deny their right of access to information on important issues.

The OSCE commitments regarding non-discrimination and fundamental freedoms apply to all people, without exception, regardless of frontiers.

We therefore urge the Parliament as well as the President of Kyrgyzstan to guarantee the rights to freedom of expression, association and assembly of all people, regardless of sexual orientation or gender identity.