



United States Mission to the OSCE

Session 17: Freedom of Association And Freedom of Assembly

As prepared for delivery by Ambassador Richard Williamson
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Mr./Madam Moderator

While firm commitments exist for all OSCE participating States to respect the right of peaceful assembly and to freedom of association, these commitments are not always honored. The link between these rights and democracy is clear, and their curtailment greatly impedes democratic development.

Last month's massive marches in the U.S. capital are a demonstration within the United States of the enjoyment of the right to peaceful assembly and freedom of association, and how these freedoms form a part of the democratic process. The courts of the United States have a robust jurisprudence protecting the right of individuals to peaceful assembly and providing redress for individuals whose rights have been violated. This stands in contrast to some participating States which not only crack down on peaceful demonstrators and non-governmental organizations, but add insult to injury by repressing human rights defenders – those courageous individuals and organizations who work, often in difficult circumstances, to provide redress to the victims of violations.

How the exercise of freedoms may be regulated in law and practice may not be always straightforward, but the presumption by each participating State should be in favor of the holding of peaceful rallies and honoring the right to freedom of association. This, unfortunately, is often not the case, and these freedoms are all too often undermined by authorities. Regrettably, there are still some OSCE states that view non-governmental organizations, or people participating in peaceful rallies, with undisguised hostility, rather than as partners in improving the State's well-being – a goal, one might suppose, that any OSCE participating State's leadership would share.

Dozens of organizers and participants involved in peaceful rallies in Belarus have been detained this year, including those involved in the March 25 "Day of Freedom" rally in Minsk. NGOs, such as the youth movement *Malady Front* have repeatedly been refused registration and their activists arrested. The leader of the movement, Dmitry Dashkevich, continues to be imprisoned. Other NGOs, such as the Viasna public human rights organization, have been denied registration, and human rights defenders such as the Belarusian Helsinki Committee remain subject to various pressures. Individual human rights and democracy activists continue to face detentions and various repercussions at home, work, or school for their peaceful activities. Even cultural events

are not immune. On August 22, Belarusian police forcibly disbanded a play being performed at a private home and detained the 50 people present, including the actor directors, five theater professionals from France and the Netherlands, and several children.

In Russia, NGOs continue to operate under strict registration and reporting regulations that hinder their ability to fully contribute to civil society. In one egregious case, alleged financial transgressions by the president of the Moscow-based Educated Media Foundation were used as a rationale to close down the entire organization.

The U.S. delegation would again express its disappointment at the apparent inability of the Russian government to distinguish between genuine terrorist organizations – against which Russia and any other sovereign state is entirely justified in defending itself – and the Russian-Chechen Friendship Society, the activities of which – even as described by our distinguished colleagues in the Russian delegation -- hardly qualify as terrorism. Indeed, the Russian Chechen Friendship Society was the laureate of the 2004 Recognition Award of the International Helsinki Federation. In this connection, we would reiterate our disagreement with the decision by the Chairman in Office to exclude the representative of the Russian-Chechen Friendship Society from the recent OSCE meeting on terrorism.

Reports of the heavy-handedness and brutality employed by police in Russia to break up peaceful protests or prevent individuals from exercise their rights to peaceful assembly and free expression are alarming. This has occurred on at least four occasions in Moscow, St. Petersburg, and Nizhni Novgorod. These human rights are enshrined in the international agreements to which Russia is bound. It is perplexing that the popular and powerful Russian Government feels threatened by a few thousand people demonstrating in favor of an alternative viewpoint.

In some OSCE states, citizens desirous of pursuing common political interests with likeminded people cannot do so. Thus, there are no registered opposition parties in Uzbekistan. The same is true for Turkmenistan, but we are hopeful that certain changes underway in that country will bring about liberalization in this regard as well. Yet even in states which permit organized political opposition, not all parties can function. The Alga and Atamenken parties have been seeking political party registration since 2006. Both groups were unable to secure political party standing before the recent parliamentary elections and therefore were not able to participate in the recent elections.

In both Uzbekistan and Turkmenistan, people do not enjoy the right of peaceful assembly. In other countries such as Azerbaijan and Kazakhstan, citizens' right to demonstrate is tightly controlled. In Azerbaijan, the authorities often do not give permission for rallies and occasionally break them up with undue force.

In closing, Mr./Madam Chair, we welcome the recent focus of the OSCE on these human rights, particularly the March 29-30 and July 12-13 Supplementary Human Dimension Meetings and urge participating States to consider recommendations made at these sessions and this meeting to strengthen civil society.

Thank you.