



**OPENING STATEMENT BY THE CHAIRPERSON OF THE PERMANENT COUNCIL
AMBASSADOR VUK ŽUGIĆ AT THE SUPPLEMENTARY HUMAN DIMENSION MEETING**

**FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION, WITH THE EMPHASIS ON
FREEDOM OF ASSOCIATION**

16-17 April 2015, Vienna

Excellencies

Colleagues

Ladies and Gentlemen

On behalf of the Serbian Chairmanship of the OSCE, I would like to welcome all participants, participating States and civil society organizations alike, to this first Supplementary Human Dimension Implementation Meeting of 2015.

We have gathered to talk about what can rightfully be said to be the core of our human dimension commitments. The right of people to assemble and associate is essential to securing a functioning democracy and to the realization of all other human rights. We, as participating States to the OSCE, have repeatedly committed ourselves to guarantee these rights and, in fact, acknowledged that without them we cannot call our societies democratic. We did so as early as 1990 in Copenhagen and have in fact gone beyond simply assuring that freedom of assembly and association matter by more elaborately defining why they matter and in which situations these rights may be more likely to be disrespected and therefore need our special attention:

First, the right to assemble and associate peacefully has a direct impact on the security of our societies. Too often, however, these rights may be curtailed in the very name of security. In light of the many challenges all participating States are facing when it comes to regulating associations and assemblies the discussion on ways to keep limitations commensurate with international principles and proportional are highly timely.

Moreover, the right to peaceful assembly and association may be at risk of being granted or denied in a discriminatory manner with regard to different communities in a society. As we agreed in 1990 in the Paris Document, however, it is “without discrimination” that “every individual has the right to freedom of association and assembly”. We ought to try to make this promise a reality as we strive to make our legislation clear and unambiguous in its application to all of our citizens equally, and to prevent discrimination on all grounds.

Associations play an indispensable role in aggregating the public interest and public will. It is important for any robust and stable democratic society that their voices are heard by the government when proposing legislation. Any state institution will be more respected, less questioned, and any legislation will be more easily implemented if it takes into account the

interests and grievances of those affected by it. In the name of security, of stability and accountability, we have an obligation to be inclusive and responsive rather than unduly restrictive.

Often the right to freedom of association and assembly are promoted along with the freedom of speech as indispensable for promoting all other human rights. This bears repeating, as it is very right: Without the freedom to associate, for instance, the organized efforts of trade unions towards the implementation of economic and social rights would not have been possible. I would like to encourage participants to reflect on interactions of the freedom of association and assembly with economic and social rights as well.

Colleagues, ladies and gentlemen,

The three issues that this meeting will focus on are inter-related. Nothing makes this link clearer, than the myriad challenges that human rights defenders are still facing in the OSCE region. Their freedom to assemble and associate is a precondition to promoting the human rights of all those on whose behalf they advocate, and too often, they are discriminated against because of the community or group they belong to. A year ago in Berne, the Conference on the Protection of Human Rights Defenders organized by the then Swiss Chairmanship as part of our joint consecutive Chairmanships priority and in an effort to bring more attention to the important work the civil society does and the stumbling stones they face.

This Conference gave us an opportunity to reflect on the invaluable contribution that human rights defenders bring to the democratic discourse and, on the other hand, of the many ways they are at risk due to their very activity of assembling and associating in order to promote change and the respect for the human rights of all.

We shall also take this meeting as an opportunity to reflect on what came out of last year's discussion: Where are we in our efforts to make the OSCE a safe environment for human rights defenders and what can be further done towards implementing our commitments to that end?

Before the floor is turned over to the Deputy Director of ODIHR, I would like to express the Chairmanship's appreciation for the important work that ODIHR has been doing on these issues: Most recently, ODIHR produced the Guidelines on Freedom of Association which were launched in early March. We encourage participating States to make good use of this document in managing associations and to refer to ODIHR for further assistance whenever needed.

At the Ministerial Council last year in Basel, we heard from over 40 participating States a call to step up efforts to promote fundamental freedoms in the OSCE area. The Chairmanship welcomes this initiative and is ready to engage on it in 2015, including by advancing the adoption of a ministerial council decision or declaration. Let us exchange ideas in these coming two days on ways to make further moves in that regard.

With this, I would like to wish you a fruitful and forward-looking discussion!

Thank you.