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2008 OSCE HUMAN DIMENSION IMPLEMENTATION MEETING

Working Session 3 Freedom of Assembly and Association

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Ladies and Gentlemen,

Freedom House's annual study of democratization in 28 OSCE participating States entitled *Nations in Transit* tracks the strength of the civil society in each of these countries. The study found that in 2007 civil society became stronger in five of the participating States: the Czech Republic, Estonia, Kazakhstan, Montenegro, and Poland. On the negative side, civil society suffered setbacks in the Russian Federation and Tajikistan. In general, the study found a much weaker civil society in the countries of the former Soviet Union with the exception of Ukraine than in the new EU states and Southeastern Europe. Freedom House urges the OSCE and ODIHR in particular to develop concrete programs to assist civil society in the part of the OSCE region where it is most under threat.

ODIHR's engagement in this area could build on the excellent work done by ODIHR in developing the pioneering *Guidelines on Freedom of Peaceful Assembly* in consultation

with both governments and civil society. The endorsement of the *Guidelines* by the Council of Europe's Venice Commission is also a welcome development which gives this valuable document additional standing.

Freedom House welcomes recent public statements by the ODIHR Director, Ambassador Lenarcic, on the new restrictive amendments to the law on public assemblies of the Kyrgyz republic signed on August 6 by President Kurmanbek Bakiev. The joint opinion of the Venice Commission and the ODIHR clearly highlights the problems that these amendments will create in holding assemblies, marches and demonstrations in the Kyrgyz Republic. In light of these amendments, the OSCE should evaluate the impact of and the rationale for continuing a police assistance program in that Central Asian country. We also call on the ODIHR Director to visit Kyrgyzstan to discuss the setbacks in the freedom of assembly legislation with the authorities. This, parenthetically, would be a first visit by the ODIHR Director to Kyrgyzstan in some 4 years.

Freedom House welcomes ODIHR's focus on reviewing the legislation of various participating States on freedom of association and assembly and other laws affecting these basic freedoms. It is, however, the role of the States themselves and not of international organizations to create an enabling environment, free of harassment and intimidation, for civil society. We call on the OSCE participating States to do just that.