



## United States Mission to the OSCE

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

*Freedom of assembly and association;*

*Freedom of movement;*

*National human rights institutions and the role of civil society in the protection of human rights.*

*As prepared for delivery by Director of European Security and Political Affairs*

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*to the OSCE Human Dimension Implementation Meeting*

*Warsaw, September 30, 2008*

Mr./Madam Moderator:

In all too many OSCE participating States, some authorities still view opposition parties and civil society -- exercising freedoms of association and assembly essential to any democratic society -- as a threat to stability. Quite the opposite is true: it is the consistent and persistent deprivation of these freedoms and the suppression of civil society that will foster instability over the long run. True stability results from society being able to draw from different sources of information and allowing citizens to pursue their own individual aspirations.

Repressive actions against human rights defenders are especially destructive as they target for persecution those who seek to defend and protect the very individuals or groups fighting for human rights and dignity. Human rights defenders, including NGOs, are our collective conscience, as an ODIHR report aptly called them. Non-governmental organizations -- which form an important part of a system of checks on governments -- are crucial to the development of free societies and in ensuring accountable, democratic government.

In Russia, local elected and administrative officials have denied the fundamental freedoms of assembly and association, selectively refusing some groups permission to assemble, or offering alternate venues that were in inconvenient locations. Police have used excessive force in violently suppressing demonstrations by political opposition and there were cases of unlawful detentions and harassment of human rights activists and participants in a number of the so-called Marches of Dissenters. We note that a new government edict in Russia could eliminate tax-free status for NGOs receiving foreign funds.

The Belarusian government, too, continues to clamp down on the freedoms of assembly and association. Peaceful protest actions frequently result in arrests, fines, detentions and beatings. Over the last few months, activists in several cities have been detained for collecting signatures to petition Belarus' entry into the European Union, collecting signatures to nominate opposition candidates for the September 28 parliamentary elections, and displaying the EU flag and historic Belarusian flag. At a July demonstration protesting the arrests of young activists, police beat the chairman of the United Civic Party, Anatoly Lebedka. The authorities also continue their pattern of hostility and repression of civil society, refusing to register the "Movement for Freedom," "Viasna," and other NGOs committed to promoting human rights in Belarus.

Freedom of association and assembly is likewise disregarded in Uzbekistan and Turkmenistan, where opposition parties are not permitted. Nor are demonstrations allowed -- those which occasionally take place are immediately and forcibly broken up by the authorities.

In Kazakhstan some opposition parties are still denied registration, specifically Alga and Ata Meken. Last year in Madrid, Kazakhstan pledged to liberalize registration requirements for political parties by the end of 2008. As a future OSCE Chair-in-Office, Kazakhstan should deliver on this promise and expeditiously implement related reforms.

We are concerned about recent changes in the laws regulating freedom of assembly in Kyrgyzstan. It is our view that those changes restrict citizens' rights, and we call on Kyrgyz authorities to reconsider their approach.

In Armenia and Azerbaijan, opposition parties frequently encounter difficulties organizing demonstrations. After the violence that followed the Armenian presidential election in February, Yerevan amended its laws on freedom of assembly, in accordance with recommendations by the Parliamentary Assembly of the Council of Europe, but has not fully implemented those changes.

In Georgia, since November 7, 2007, as well as during and after this year's presidential and parliamentary elections, allegations of police beatings or intimidation of citizens have risen; many observers have concluded that beatings of opposition supporters are politically motivated. Further, there has been no accountability yet for the violence that resulted in the deaths of ten protestors.

In closing, the U.S. would like to reiterate our commitment to the fundamental freedoms of assembly and association, for all, including members of NGOs and opposition political parties. Respect for such fundamental freedoms for all contributes to a healthy system of checks on government power, which is critical to democratic governance. We encourage all participating States to demonstrate their support for these fundamental freedoms both in word and deed.