

OSCE Human Dimension Implementation meeting 2011

**Canadian Statement for the Working Session 3:
Fundamental freedoms II:
Including Freedom of assembly and association**

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Madam Chair,

As colleagues present here will know, OSCE states have agreed through their human dimension commitments that democracy is the only system of government suitable to effectively guarantee human rights.

One of the pillars of democracy is a vibrant, established and pluralistic civil society that helps citizens find a voice to be more effective participants in decision-making processes that affect their lives.

Civil society has a number of essential roles to play. One of its key functions is to act as a check and monitor. As many governments recognise, civil society can contribute in unique ways to political, social, economic, and cultural development.

Despite its contribution to a healthy democracy, civil society is under threat in a number of countries worldwide. Over the last decade, civil society has not only had to contend with more visible repressive tactics such as arrests, torture and disappearances of activists, today it is faced with a more insidious threat whereby states use the law to constrain its work. Canada is concerned about this growing trend.

Here are some examples of restrictive laws, most often in the form of NGO laws, which are slowly stifling civil society in some countries:

Some would prohibit civil society organizations from undertaking specific activities—with democracy and human rights promotion being the principal targets;

Some would restrict funding to civil society organizations, which can severely limit the reach and impact of projects;

Others, more quietly, would impose complicated registration processes that result in an organization's activities being considered illegal.

Regardless of whether the laws are overtly restrictive or more insidious in nature, their aim is clear: to limit freedom of association and freedom of assembly, among other key fundamental freedoms.

To address this issue, Canada has stepped up to the plate by chairing a Working Group on Enabling and Protecting Civil Society under the auspices of the Community of Democracies.

The Working Group aims to contribute to improved diplomatic responses to this closing of democratic space through legal and regulatory threats.

Canada notes the important work of the OSCE in this field with the publication of the Key Guiding Principles of Freedom of Association with an Emphasis on Non-Governmental Organizations; the Legislative Support Unit's work in assisting member states drafting their own regulations; the development of guidelines on Freedom of Peaceful Assembly; and the newly released AssociatiOnline, an online interactive guide to Freedom of Association for government authorities and civil society.

Canada encourages the coordination of existing OSCE efforts with those of the new UN Special Rapporteur on Freedom of Association and Peaceful Assembly. We also call on the OSCE and its member states to look for other opportunities to work in inter-governmental settings, such as with the Canada-Chaired Community of Democracies Working Group on Enabling and Protecting Civil Society.

Thank you.