



United States Mission to the OSCE

Right of Reply: Response to the Russian Federation Regarding Freedom of Peaceful Assembly in the United States

As delivered by Ambassador Ian Kelly
to the Permanent Council, Vienna
May 24, 2012

I would like to exercise my delegation's right of reply to respond to the statement made by my colleague from the Russian Federation regarding the recent events surrounding the NATO Summit in Chicago.

Considering the size of the protests over the three days, we believe the Chicago Police Department personnel performed well under significant pressure. Most of those arrested were released without charges being filed. Asked by a reporter after the Summit about the protesters, President Obama said: "I think with respect to the protesters...part of what NATO defends is free speech and assembly." Also commenting on the same thing at the Summit, NATO Secretary General Rasmussen noted that it is "part of being a democratic society that you also allow people to demonstrate, to express themselves." He said that "we should appreciate that we live in a free democracy where it is a constitutional right to participate in demonstrations and express your views."

I would also like to exercise my delegation's right of reply to respond to a question raised by my colleague from the Russian Federation during the May 10 Permanent Council meeting. During a response to our concerns regarding respect for the fundamental freedoms of peaceful assembly and expression in the Russian Federation, my colleague asked what steps are being taken by U.S. authorities to strengthen a dialogue on freedom of peaceful assembly and to strengthen our implementation of OSCE commitments in this area.

We would like to note for the Permanent Council that we have joined several other participating States in welcoming an observation mission by ODIHR to observe and report on the conduct of peaceful assembly in our country. This observation mission is currently in the United States, having already observed actions surrounding the G8 Summit in Camp David and the NATO Summit in Chicago, and will also observe Occupy movements in New York, Oakland, and Los Angeles.

Let me say for the Permanent Council that we welcome ODIHR's initiative and look forward to the presentation of all the observation missions, including in the United States, at the upcoming Supplementary Human Dimension Meeting on Freedom of Peaceful Assembly later this year. We encourage all OSCE participating States to participate in this important initiative.

Mr. Chairman, we also take this opportunity to call attention to a draft law in the Russian Federation that would increase significantly penalties for unsanctioned demonstrations and for violations. On May 22, the Duma approved the first reading of this new legislation. If the proposed legislation goes into force, it would increase fines for public demonstrations without permission by several thousand percent.

We are concerned that one consequence of this legislation would be to create onerous barriers that discourage Russian citizens from exercising their right to freedom of assembly. We encourage the Russian Federation to take advantage of ODIHR's objective expertise to assess the appropriateness of this new legislation, much as we have invited ODIHR to evaluate our own practices on freedom of assembly.

We all, including the United States, can improve our human rights performance, and we value ODIHR as an institutional asset available to all of us.

Thank you, Mr. Chairman.