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Freedom of Assembly (4 October 2010, 10 a.m.–1 p.m.)

In Kazakhstan freedom of assembly is linked directly to freedom of expression.

In our country it is very easy to hold any sort of assembly, any sort of mass event, if its purpose is not related to citizens' political freedoms or to the defence of other human rights.

For example, on 29 August of this year, in the central square of the town of Semei, over 200 young people held a flash mob event dedicated to the International Day against Nuclear Tests.

Two weeks ago, on a square in the centre of our capital, Astana, some 3,000 people simultaneously performed the karazhorga, a folk dance.

Celebrations of every kind are held regularly on the main squares of all of Kazakhstan's major cities, marking the anniversaries of banks and other businesses, along with an assortment of wedding processions and performances by rollerbladers and skateboarders, while bicycle races and other events are held in city streets.

As soon as citizens gather to "stand up for their rights", however, that is, as soon as they exercise their right to freedom of assembly for something other than general fun and good times, and instead seek to draw public attention to their problem and gain a platform for criticizing the authorities, the bureaucratic machinery immediately shifts into high gear and starts to ban everything, and the law-enforcement authorities come down hard on those who fail to comply with orders.

For many years various parties and public groups have been submitting applications to hold events in the streets and squares of our cities, and because the events are not sympathetic to the authorities, all of these applications are denied. No court has ever ruled that any of these denials were unjustified.

While State-run television networks show flash mobs, marches and other demonstrations held for fun and entertainment, and newspapers and magazines publish appealing photographs and reports, when exactly the same kinds of events are held with the aim of criticizing the authorities and defending human political rights and freedoms, all of the participants are subjected to persecution, and information about these events is intentionally suppressed in the State-run and pro-government media.

Throughout the entire civilized world, events need the approval of local authorities if the rights of other citizens may be restricted as a result of the event (if pedestrian or vehicular traffic may be disrupted, for example). That is, the authorities need to be notified in advance so that there will be time to prepare plans for the movement of vehicular and pedestrian traffic, arrange for public order and safety measures, and so on.

In Kazakhstan the mechanism for providing advance notice of peaceful gatherings is essentially used for censorship purposes, so that the authorities will have an opportunity to prohibit any gathering that might make them uncomfortable.

In our country the International Covenant on Civil and Political Rights, which has priority over local legislation, is never applied by the courts and law-enforcement authorities, and all repressive actions by the authorities are always based solely on the norms of the draconian local laws.

I ask the countries of the OSCE to call upon Kazakhstan within the framework of the Organization to apply in practice the norms of the International Covenant on Civil and Political Rights when dealing with issues related to freedom of assembly.