

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 Erika Schlager
to the OSCE Human Dimension Implementation Meeting
September 29, 2009

Thank you, Madame Belhassen, for your kind remembrance of the life and work of Natalia Estemirova. I had the privilege of meeting Ms. Estemirova in Washington two years ago and was struck by the wisdom of her assertion that “you cannot uphold the rule of law with illegal means.” I echo the call for justice in her and other cases of slain human rights defenders.

Mr. Moderator,

Twenty years ago, Europe and the world experienced a new birth of hope as totalitarian oppression collapsed, the Cold War ended, and a continent divided by force was united in freedom for tens of millions. The Hungarian parliament sanctioned a multiparty system and set the stage for competitive elections; East Germans streamed through Hungary’s suddenly porous border with Austria; the Solidarity trade union movement in Poland gave rise to the election of the first non-communist prime minister in Central Europe since 1948; some two million people formed a human chain across the then Soviet-occupied Baltic states on the 50th anniversary of the notorious Molotov-Ribbentrop Pact; and mass demonstrations of Czechoslovaks in November precipitated a Velvet Revolution.

The dramatic people-power political transformations in the region rolled on, in wave after stunning wave. The events of 1989 provided vivid illustration of the power of civil society to spur change through the exercise of fundamental freedoms of expression, assembly, association and movement. Because of the events of 1989 we now live in a very different and better world.

Nevertheless, two decades later, while there is much greater scope for the exercise of personal and political freedom in the OSCE participating States that emerged from the events of 1989, some states continue to limit these basic freedoms.

In Belarus, despite some positive steps such as the registration of the movement “For Freedom,” the freedoms of association and assembly continue to be severely curtailed. Many independent parties and organizations, such as the Belarusian Christian Democracy Party, the Party of Freedom and Progress, and *Nasha Viasna*, are still denied registration. Activists attempting to assemble peacefully continue to be subjected to harassment, and detention.

In Russia, authorities continue to restrict the fundamental freedoms of assembly and association, selectively refusing permits to assemble and/or demonstrate, or offering alternate venues that are unsuitable or in inconvenient locations. Police have used force in suppressing and dispersing demonstrations by opposition groups, and in some instances, organizers and participants have been harassed or detained, including a grass-roots advocacy group of car owners, protesting in Vladivostok. The authorities restricted and sometimes harassed the activities of some nongovernmental organizations, particularly those involved in human rights, in some cases moving to close the organizations, through selective application of the laws and other mechanisms.

Turkmenistan – even after almost 20 years of independent statehood – has yet to register any opposition parties. Turkmenistan simply does not permit demonstrations at all, and in the last four years has registered only one truly nongovernmental organization. Uzbekistan restricts or interferes with demonstrations. Armenia and Azerbaijan exercise tight control over the right of those seeking to organize protests. Freedom of assembly has become restricted in Kyrgyzstan. Although Georgia has permitted demonstrations in Tbilisi this year, recently adopted regulations could prove restrictive.

In Kazakhstan there are still opposition parties that cannot register, despite numerous attempts to do so.

In Hungary, we appreciate that authorities acted to better protect marchers in the Budapest Pride event in early September, after violence had marred similar events there in 2007 and 2008. We remain concerned over the denial of permission for Pride events in other countries and the violence that has been directed at participants in marches that do occur.

Looking back at those seminal events of 20 years ago, one is reminded of the essential role that the freedoms of association, assembly, and movement play in democratic development. We urge participating States to strive to comply with their freely undertaken commitments, including those in the 1990 Charter of Paris, which unequivocally characterized democracy as the only system of government for our countries.

Thank you, Mr. Moderator.