



United States Mission to the OSCE

Statement on Freedom of Assembly and Association

As delivered by Ms. Catherine Fitzpatrick, Delegation Member,
to the Human Dimension Implementation Meeting, Warsaw
October 13, 2004

The rights to freedom of peaceful assembly and association are the bedrock of democracy. By definition, one simply cannot have civil society and democratic development without the ability for individuals to come together. Without these rights, political parties, non-governmental organizations and labor unions simply cannot function in any meaningful way. The United States finds this issue especially timely and is pleased that it has been assigned as a special topic for discussion at this meeting.

Participating States agreed in Copenhagen in 1990 to "ensure that individuals are permitted to exercise the right to association, including the right to form, join and participate effectively in non-governmental organizations which seek the promotion and protection of human rights and fundamental freedoms, including trade unions and human rights monitoring groups." Yet more than a decade after the fall of communism, some participating States continue to deny these rights to their citizens, with chilling effects on democratic development.

When the freedoms of association and assembly are absent, the quality of democracy itself is placed at risk. In Ukraine, for example, the lack of these freedoms, for example, threatens to affect the outcome of the critically important, upcoming elections. Ukrainian authorities are thwarting the ability of opposition candidates to campaign effectively by blocking opposition candidates from addressing voters, preventing citizens from attending opposition rallies, and threatening students who attend such rallies. These actions will have serious and negative repercussions for citizens' ability to choose their own government. Other examples of violations of the freedom of assembly in Ukraine have included the systematic denial of requests by opposition groups seeking to reserve assembly halls, and the closure of rally sites on short notice for so-called "urgent repair." The most egregious violation occurred on August 6, when militia attacked and beat a group of students peacefully marching from the city of Sumy to Kiev to protest a merger of local universities.

In Belarus, obstacles to freedom of assembly and association are part and parcel of the ongoing, growing repression of civil society. This includes the closure of academic institutions such as the European Humanities Institute, a respected private institution, in July; persistent harassment of non-governmental organizations, the circumscribing of independent trade unions and the refusal to grant the Belarusian Congress of Free Trade Unions a permit for a peaceful demonstration, the violent dispersal of demonstrations of pro-democracy activists, such as the July 21 rally in Minsk, when dozens were arrested as they attempted to unfurl banners, and government pressure exerted on hotel managers not to host an award ceremony for independent journalists organized by Russian television station First Channel.

Mr. Chairman, we noted President Putin's remarks in his Address to the Federal Assembly in May that cast doubt on the legitimacy of some Russian NGOs that receive foreign funding.

These remarks were received with concern in both the Russian and U.S. NGO communities, as well as by the U.S. Government. The U.S. has and will continue to fund the activities of organizations that support Russian NGOs working to develop civil society and democracy in Russia, priorities that President Putin himself recognized in his address. We call attention to a continuing pattern of tax investigations, unreasonable registration requirements or other forms of harassment targeting some NGOs, such as the National Democratic Institute, that hinder their ability to operate freely.

In other OSCE States, too, the basic freedoms of assembly and association are routinely flouted. In Turkmenistan only one political party is registered, and efforts by others to stage demonstrations are immediately broken up by police and participants suffer harsh reprisals, including incarceration. Uzbekistan has refused to register opposition parties, ignoring calls from OSCE participating States to honor democratic commitments in advance of December's parliamentary election. No opposition political activity has been permitted in Uzbekistan since 1992. Non-governmental organizations have difficulty operating in Uzbekistan. Demonstrations are occasionally dispersed.

Opposition parties are registered in all the Caucasus states. But in Azerbaijan, the authorities have refused to allow the opposition political parties to hold any demonstrations since the confrontations between law enforcement agencies and protesters after last October's presidential election. Armenian authorities have made it more difficult for opposition political groups to rally by limiting access to Yerevan, cracking down on protestors at a peaceful demonstration last April and sentencing several individuals to disproportionately long prison terms for minor offenses.

Almost a decade and a half has passed since the fall of the repressive communist regimes in the Soviet Union and Eastern Europe. It is worth noting that it was the CSCE process that inspired human rights activists in Eastern Europe and the Soviet Union to organize, to demand the freedoms of association and assembly, and to challenge the totalitarian regimes under which they lived. Since then, a great deal of progress has been made toward upholding these fundamental freedoms and consolidating the institutions that protect them. Yet, tragically, we have witnessed backsliding in some OSCE participating States, whose records with respect to freedom of assembly and association were more positive ten years ago than they are today. The fact that in some participating States the right to these most basic of freedoms remains problematic is simply unacceptable.