

Delegation of the Russian Federation

**STATEMENT BY THE DELEGATION OF THE
RUSSIAN FEDERATION AT THE OSCE SUPPLEMENTARY HUMAN
DIMENSION MEETING ON FREEDOMS OF PEACEFUL ASSEMBLY
AND ASSOCIATION, WITH EMPHASIS ON
FREEDOM OF ASSOCIATION**

Vienna, 16 and 17 April 2015

**Session II: Non-discrimination and the freedoms of
peaceful assembly and association**

Mr. Chairperson,
Distinguished participants,

Non-discrimination and ensuring human rights remain important priorities in the OSCE. The focus, however, should be on equal opportunities for all people and not on dividing people into particular groups with special rights. Virtually all of the OSCE participating States have established an adequate legal framework for ensuring freedom of peaceful assembly and association. However, there are still some problems in the area of law enforcement practice, which speakers connect with discrimination.

However, is discrimination really the key factor in the exercise of these freedoms, or are there also other factors affecting the exercise of the right to peaceful assembly and association? We believe that there is a common trend that raises serious concern regarding the exercise of all rights and not only these rights and freedoms. This is the problem of finding a balance between freedom and restrictions, between rights and the responsibility for asserting them, between the interests and needs of the majority of the population and those of the minority. This determines the point at which the freedom of some ends and the freedom of others begins.

Unfortunately, in situations when the authorities together with representatives of civil society try to find precisely this fragile balance, a number of OSCE participating States frequently regard this merely as discrimination. For example, if alternative locations for the holding of peaceful assemblies are proposed to non-governmental organizations (NGOs), this is immediately presented as discrimination and harassment of civil society. The rights of some citizens to privacy are also frequently forgotten at times in favour of ensuring the right to assembly of others who insist on holding their rallies on specific squares. The residents of neighbouring districts then bombard the authorities with complaints.

We have repeatedly witnessed obstinate attempts by a number of our Western partners to interpret the refusal to register a particular organization as a sign of discrimination. Complaints about the oppression of the Church of Scientology in Russia because of extremist literature have been heard periodically at OSCE events. However, when it concerns restricting or banning the activities of the Church of Scientology in France, Greece and Germany, these inveterate critics demonstrate staggering short-sightedness and silence.

Nor is there any getting away from double standards. For example, the United States of America and the European Union are constantly calling for freedom of peaceful assembly and association to become absolute priorities. And when this concerns marches by Waffen SS veterans, torchlit processions by neo-Nazis and radical organizations preaching misanthropic ideas prohibited by the Nuremberg Tribunal, they justify them with reference to freedom of peaceful assembly (although in neighbouring Ukraine events cannot be called peaceful). If, on the other hand, national minority, anti-fascist or Jewish organizations try to hold a conference, round table or rally, there are massive problems. Specifically, the international human rights movement World without Nazism encountered unprecedented resistance last year in a number of European Union Member States, including the Baltics, when it tried to present its *White Book of Nazism*. By a strange coincidence, once the application had been made, all the agreements on conference halls were suddenly broken, the remaining venues were said to be booked, electricity was switched off in hotels, and engineering work had to be carried out unexpectedly. What is this if not a discriminatory approach by the authorities to ensuring the right to freedom of assembly?

However, our Western partners try to see discrimination only where it is convenient, clear and close at hand. Only yesterday, the Permanent Representative of the United States of America once again raised concerns about supposedly discriminatory laws in a number of countries with respect to sexual minorities, which limit their freedom of peaceful assembly. He said the fact that sexual minorities will not be able to hold rallies and parades next door to schools and kindergartens is serious discrimination. Perhaps there are such priorities in the United States – this is up to your citizens. However, for other societies protecting children against the influence and propaganda of such a way of life is the priority. Therefore foisting such approaches on others under the pretext of discrimination that is not even supported by any OSCE commitments is unacceptable.

We also encounter so-called geographical discrimination within the OSCE. The same countries are penalized. And this is not because their human rights situation is worse than others. It is simply not acceptable to mention some for reasons of European solidarity and others in view of their pro-American position, even if there are flagrant violations of freedom of assembly and association there. However, they criticize Russia, including Crimea, without even taking the trouble to verify the facts. A number of Russian religious organizations will hold a parallel event immediately after the session in the Ratsaal, where people from Crimea will also be present. This is an excellent opportunity for colleagues to discuss some interesting issues and receive information first-hand.

One last point. Unfortunately, we are increasingly encountering permissive interpretation of OSCE commitments and attempts to provide individual groups with special rights and to forget other important questions, for example the role of trade unions in defending economic and social rights and combating wage discrimination, and the role of peaceful assembly in protecting the rights of national minorities, senior citizens, disabled persons and children.

This also applies to the work of the Office for Democratic Institutions and Human Rights (ODIHR), which has included questions that do not have consensus in the annotated agenda of the Supplementary Meeting. This is inadmissible. Unfortunately, double standards and politicization are also evident in the registration of Crimean NGOs. The arbitrary change by the ODIHR of their country of origin to Ukraine, contrary to the international legal situation and the information provided in the participation forms, is unacceptable and will not be conducive to constructive co-operation with the ODIHR.

We urge the Chairmanship to pay attention to these problems and to the need to resolve them.

Thank you for your attention.