



EUROPEAN UNION

**OSCE Human Dimension Implementation Meeting 2013
Warsaw, 27 September 2013**

EU statement – Working Session 9 FREEDOM OF ASSEMBLY AND ASSOCIATION (CONTINUED)

The European Union attaches great importance to the freedoms of assembly and association. Both rights are clearly enshrined in many international and regional human rights instruments including OSCE commitments. They are intrinsic to any democratic society and facilitate the fulfilment of many other rights including the freedom of expression.

However, the enjoyment of both of these freedoms is increasingly being limited and restricted in some OSCE participating States. This is leading to serious consequences for the functioning of independent civil society.

In relation to the Freedom of Association a number of concerning challenges have been highlighted at OSCE meetings including at the recent SHDM on The Rule of Law in the Protection and Promotion of Human Rights. Some of the more prominent of these concerns include:

- Regulation of public associations and NGOs too often has the effect of impeding their peaceful operation rather than protecting and facilitating the freedom of association.
- The enactment of laws that restrict access to foreign funding for NGOs is having the effect of controlling, limiting and weakening civil society in some OSCE countries.
- The introduction of bureaucratic registration requirements for NGOs is impeding their ability to function. This often includes the requirement to produce excessive lists of documents, lengthy and costly registration procedures and unclear procedural requirements.
- Discriminatory legislation against LGBTI organisations is preventing them from exercising their right to freedom of association. This list is by no means exhaustive but demonstrates a worrying trend that in some countries threatens the very existence of genuinely independent civil society. In order to address these obstacles and challenges, the European Union submits the following recommendations to participating States:
 - In accordance with the 1990 Copenhagen Document permit organisations and individuals associated with them to seek, receive, manage and administer financial support from domestic, foreign and international entities without undue restrictions.
 - Allow organisations the freedom to maintain contacts and co-operate with members of organisations within and outside the countries where they are based, as well as with foreign governments and international organisations.

- Ensure that any laws or administrative measures regulating associations should protect and facilitate, not impede the peaceful operation of associations. Any registration requirements should be simple, fair, prompt, inexpensive, and transparent and enforced consistently.
- Respect every individual's right to the freedom of association without discrimination of any form.

The Candidate Countries the former Yugoslav Republic of Macedonia*, Montenegro*, Iceland+ and Serbia*, the Countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, and the EFTA countries Liechtenstein and Norway, members of the European Economic Area, as well as the Republic of Moldova and San Marino, align themselves with this statement.

** the former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process.*

+ Iceland continues to be a member of the EFTA and of the European Economic Area.