



## **United States Mission to the OSCE**

### **Opening Statement OSCE Supplemental Human Dimension Meeting on Freedom of Assembly and Association**

As delivered by Ambassador Daniel B. Baer  
Vienna, April 16, 2015

We applaud the Chairmanship for selecting the important and timely topic of Freedom of Assembly and Association for a Supplemental Human Dimension Meeting. The foundation of a democratic state is respect for the rule of law and human rights and fundamental freedoms, including the freedoms of association and peaceful assembly, whether they are exercised on line or off. Participating States that seek to limit their citizens' freedoms to associate and to assemble peacefully do so at their own peril and their actions undermine comprehensive security for all participating States. These freedoms allow individuals to join together to demonstrate support for ideas, advocate for their interests, present alternatives, or call for peaceful change, as they have done in the United States on countless occasions.

We in the United States know well that in our own nation there is still work to be done to promote and protect the freedoms of peaceful assembly and association. We also know that it is because of the courage and commitment of citizens in each generation that the United States has come closer to its founding ideals. Our journey has not been without difficulty or, at times, contradiction. But we can fairly say that we have dared to discuss these challenges openly and hold ourselves accountable, including through our free press and unyielding commitment to freedom of expression.

We also know that democracy's best resource to protect fundamental freedoms – including the freedoms of peaceful assembly and association – is civil society. Here, too, we speak from experience. Civil society in the United States has helped to advance, and continues to hold governments accountable for ensuring, human rights for African-Americans, women, Latinos, persons with disabilities, immigrants, and LGBT persons. Every country could benefit from such active, outspoken, engaged civil society.

Yet, today, across the OSCE region, we are witnessing crackdowns on members of civil society. In some cases, dissent is vilified as subversive. Endless regulations and overt intimidation target members of civil society. Civil society members and organizations - especially those offering dissenting views - face significant challenges in many participating States. In Russia, for example, 54 NGOs have been labeled as "foreign agents" by the government since June 2014. Russia has also implemented severe restrictions on protests to justify raids on and prosecutions of the Crimean Tatar community, as well as to force the closure of the Tatar Mejlis, the Tatars' official representative body.

In Azerbaijan, although the government resurrected a working group on human rights last October to conduct a dialogue with selected activists, a number of domestic and international NGOs reported a crackdown unprecedented for the country, including restrictive legislative amendments, and /or frozen bank accounts, intimidation, arrest, and conviction of staff on charges widely considered politically motivated. Just today a court in Azerbaijan sentenced human rights defender Rasul Jafarov to six and a half years on questionable charges. The United States invited Rasul to speak on Assembly and Association concerns in Azerbaijan at HDIM in 2013. His sentence today says a lot on how Azerbaijan is doing to uphold its Assembly and Association commitments.

I offer a practical recommendation: all participating States should make use of ODIHR's experts to review national legislation and invite ODIHR to observe peaceful assemblies.

In Kyrgyzstan, Parliament is considering a so-called "homosexual propaganda" law and a draft "foreign agents" law, modelled on similar restrictive laws enacted in Russia.

In Turkey, the recently passed internal security legislation has several problematic implications for the exercise of freedoms of peaceful assembly and association.

In Turkmenistan, citizens' rights to assemble continue to be severely restricted, impeding not only civil society activity but also overall social gathering. The government does not grant required permits for public meetings and demonstrations, and authorities have entered private homes without judicial authorization during social and religious gatherings.

But there has also been progress in the OSCE region. In particular, we commend Serbia for safeguarding freedom of peaceful assembly for its LGBT citizens during the September 2014 LGBT Pride March in Belgrade, which took place for the first time since 2010.

For our part, in advancement of his global Stand with Civil Society Initiative, President Obama has directed the U.S. government to partner with and protect civil society groups around the world. Under a Presidential Memorandum issued last September, the President has charged federal departments and agencies to consult and work more regularly with a broad range of civil society groups. He has also instructed federal departments and agencies to oppose, through appropriate means, attempts by foreign governments to dictate the nature of our assistance to civil society organizations and to oppose, through appropriate means, efforts by foreign governments to restrict the freedoms of peaceful assembly, association, and expression. During the SHDM sessions, we look forward to sharing experiences with other participating States on how government authorities can cooperate with members of civil society to support the full exercise by individuals of the fundamental freedoms of expression, association, and peaceful assembly, particularly in challenging circumstances.

Thank you.