OSCE HUMAN DIMENSION IMPLEMENTATION MEETING 2007

EU Statement for the Working Session 17:
Fundamental freedoms II

4th October, Warsaw

The rights to freedom of assembly and association are cornerstones of pluralistic democracy.

The EU welcomed the extensive discussion on these issues at the Supplementary Human Dimension Meeting in March and would like to underline two of its closely held principles:

- that demonstrations may be subject to notification to the authorities, not dependant on permission; and,
- that registration with the authorities should not be a requirement of the right to association.

The EU was glad that the former point was included in ODIHR's excellent Guidelines on Freedom of Peaceful Assembly. These Guidelines are a helpful tool for participating States when drafting and applying legislation.

The EU believes that the Human Dimension Seminar held earlier this year reinforced the message that human rights are best respected in democratic societies where decisions are taken with maximum transparency and broad participation, underpinned by unimpeded rights of association.

Whether individually or in association, citizens should have the right to advocate for the promotion and protection of human rights. They should be able to question or criticise policy without fear of reprisal. To safeguard this democratic principle, the State has a duty

to promote respect for human rights and provide for effective remedy of human rights violations.

Independent national human rights institutions play a crucial role in this respect.

Such institutions are the natural partner of human rights defenders and civil society advocacy groups. The EU emphasises the importance of fostering links between National Human Rights Institutions and non-Governmental organisations (NGOs).

The EU valued the exchange of views at the Supplementary Human Dimension Meeting in July 2007.

We repeat our support for the ODHIR Human Rights Department Focal Point in promoting the crucial work of Human Rights Defenders and National Human Rights Institutions and in seeking to build partnerships between the two.

The EU calls upon Belarus to cease immediately its campaign of harassment against an independent civil society, and to allow independent media and political activism. We urge Belarus to take concrete measures to respect trade union rights.

We call on all countries in Central Asia to ensure that lawsuits, particularly libel or defamation, against human rights defenders are not used to silence them or otherwise intimidate them from doing their work.

The checks and balances provided by a strong civil society and political opposition are a key feature of a functioning democracy. Civil society and political parties can only be effective where they have freedom of assembly and association. In Russia over the last twelve months, political parties, minority rights activists and NGOs have had their ability to scrutinise the Government undermined by the erosion of these rights.

The EU welcomes the recent amnesty granted to political prisoners in Turkmenistan and would like to encourage the authorities there to release all political prisoners and human rights defenders in line with its international obligations.

The European Union is seriously concerned about the human rights situation in Uzbekistan. We urge the Government to stop harassing human rights defenders and NGOs and to allow civil society to operate freely. The EU reiterates its serious concern about the welfare of detained human rights activists Saidjahon Zainabiddinov and Mutabar Tajibaeva.

The Candidate Countries Turkey, Croatia and the former Yugoslav Republic of Macedonia[*], the Countries of the Stabilisation and Association Process Albania, Bosnia and Herzegovina and Montenegro, EFTA country Norway, member of the European Economic Area, as well as Ukraine and the Republic of Moldova align themselves with this statement.

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[*] Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.