



Central Asia Regional Roundtable Freedom of Association in Central Asia

21-22 October 2009

Venue: Bishkek/Kyrgyzstan
Hotel Hyatt

Background:

Freedom of association is recognized in OSCE human dimension commitments as well as all major international human rights instruments. On the basis of the commitments, the OSCE and its 56 participating States have undertaken to promote conditions conducive to the full enjoyment of human rights and fundamental freedoms. Freedom of association is intrinsic to the exercise by citizens of their right to express their opinions and to raise publicly issues of concern as well as their ability to contribute to their resolution. As such, this freedom forms a vital part of the OSCE's comprehensive concept of security.

During the Special Day on Freedom of Assembly and Association at the 2004 Human Dimension Implementation Meeting, participants noted with concern "a lack of progress and indeed a setback in recent years" with respect to the implementation of these rights. In its 2006 *Common Responsibility report*, the OSCE/ODIHR noted that freedom of association is the subject of increasingly stringent regulation in many States. NGOs seeking to exercise their right to freedom of association are faced with laws requiring them to comply with burdensome registration requirements, cumbersome reporting obligations, complex bureaucratic procedures, and the abuse of fiscal, economic, health-protection, and other ostensibly neutral legal regulations. This has contributed to a process that has widened the gap between civil society and the governments of some OSCE States

At the 2006 Supplementary Human Dimension Meeting (SHDM) on 'Human Rights Defenders and National Human Rights Institutions, Legislative, State and Non-State Aspects', participants identified a number of new laws – specifically on "anti-extremism" and anti-terrorism - that restrict freedom of peaceful assembly, association and expression.

In response to recommendations made at the 2006 SHDM on "Human Rights Defenders and National Human Rights Institutions", the OSCE/ODIHR established a Focal Point on Human Rights Defenders and National Human Rights Institutions, which among other issues, addresses freedom of peaceful assembly and association of human rights defenders. The OSCE/ODIHR has also responded to recommendations made at these meetings by providing legislative support to

participating States to assist them in ensuring that legislation on freedom of association complies with OSCE commitments and international standards

In March 2007, the SHDM on “Freedom of Association, Assembly and Expression: Fostering Full and Equal Participation in Pluralist Societies” explored how the full implementation of the rights to freedom of association, peaceful assembly and expression can be advanced and secured in order to promote the development of an inclusive and diverse society as well as long-term security. In the recommendations to the OSCE, its institutions and field operations, participants recommended the OSCE to organize and support regional events on freedom of association in order to facilitate the dialogue between governments and civil society on this issue.

Objective of the roundtable

Overarching objective: as a follow-up to a recommendation formulated at the 2007 SHDM on “Freedom of Assembly, Association and Expression”, the roundtable aims to gather experts, NGOs/International NGOs (INGOs), International Organizations (IOs), National Human Rights Institutions and relevant authorities from participating States in Central Asia to:

- Review the legal framework for NGOs in the five Central Asian countries in line with international standards related to freedom of association, focusing on developments that have occurred since the last OSCE/ODIHR Regional Conference in 2005 which addressed this issue;
- Share international good practices relating to guaranteeing the right to freedom of association;
- Foster a consultative law-making process between States and civil society organizations;
- Explore the role of OSCE/ODIHR and international organizations in assisting States in bringing their legislation in compliance with international standards;
- Identify next steps to strengthen and further improve freedom of association in Central Asia.

Themes to be addressed throughout the roundtable:

1. General introduction on the context in which NGOs operate in Central Asia
2. Evolution of the legal context in Central Asia, specifically legislation impacting on freedom of association/NGOs;
3. Practices (administrative) impacting on NGOs
4. Legislation related to freedom of association, including tax law, anti-terrorism legislation, NGO legislation
5. The role of National Human Rights Institutions in supporting freedom of association
6. The role of the judiciary, parliaments and executive authorities in ensuring that the right to associate is safeguarded
7. The role of international organizations (UN/OSCE) in upholding freedom of association
8. The role of INGOs in addressing challenges faced by NGOs

Dates and venue:

21-22 October, Hotel Hyatt in Bishkek.

Participants:

1. Officials from Central Asia participating States:
 - Judges,
 - Civil servants in charge of the registration process (Ministry of Justice)
 - Legislators
 - Prosecutors
2. NGOs from Central Asia
3. Representatives of the Central Asia National Human Rights Institutions
4. INGOs:
 - International Centre for Non-Profit Law
5. OSCE Central Asia field presences

Experts:

1. ODIHR
2. UN
3. ICNL
4. Others