



## Statement by Human Rights First

### Working Session 3: Freedom of assembly and association

September 29, 2009

Guaranteeing the right to freedom of assembly and association must be a priority for all participating States of the OSCE. However, many States have failed to fully ensure these fundamental freedoms, and a number of governments actively suppress them.

Human rights defenders in many OSCE states are subject to violence, malicious prosecution, and other official efforts to silence them, effectively denying them many of their rights, including the right to assembly and association.

Organizations and individual advocates representing the lesbian, gay, bisexual and transgender (LGBT) communities continue the uphill struggle for the right to freedom of assembly and association, which is denied or restricted by state authorities in a range of OSCE states. Gay pride parades offer an opportunity for many LGBT individuals to exercise the right to freedom of expression.

Historically, gay pride parades have come to symbolize the resistance to intolerance and bigotry that surround LGBT people in their daily lives.

Restricting these peaceful demonstrations is particularly damaging and unacceptable.

Gay pride parades offer the greatest public visibility for LGBT persons, although that visibility has continued to trigger violence and other manifestations of intolerance in several countries. Gay pride parades and events, particularly in Eastern and Southeastern Europe and in Russia have resulted in political diatribes attacking people of minority sexual orientations from political and other leaders, inadequate police protection, and acts of harassment and violence against the participants. The perpetrators of such violence are rarely held accountable.

- Just recently, on September 9, 2009, in Bosnia and Herzegovina, the first gay pride festival, *Queer Sarajevo*, was forced underground after at least 10 people were injured by protestors. Protestors chanted "Kill the gays!" as they hurled stones, kicked, and punched people leaving the event. The organizers claimed that municipal authorities

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and police had promised to shield the participants from violence, but in the end were unable to secure the gay community's right to freedom of assembly.

- On August 21, 2009, in Estonia, 20 attackers injured 12 people marching in Tallinn's third annual *Equality Parade*. The perpetrators threw sticks, stones, and eggs at participants and physically attacked some of them. Police detained six people for violating public order. However, the police presence was deemed insufficient, affecting their ability to handle the violent attacks.
- In Hungary, due to the violent attacks that took place in 2007 and 2008, the 2009 Budapest Pride March was under increased police protection. Police had to intervene to ensure security of the marchers, resulting in scuffles between the law enforcers and counterdemonstrators, some 40 of which were detained.
- In Moldova, the Chisinau city hall banned gay pride demonstrations in 2005, 2006, and 2007. On May 11, 2008, *GenderDoc-M* attempted to organize a gay pride parade in the capital once again. However, the bus which carried approximately 60 pride participants was met with opposition from extremist neo-fascist and other groups. The overwhelmed and outnumbered LGBT advocates called off the march. Moldovan police was reportedly present at the event; however they stood passively about one hundred meters away and made no attempt to help the trapped participants.
- In the Russian Federation, efforts to organize a gay pride parade in Moscow have been marred since 2006 by hostility from the city authorities, denunciations by community leaders, violent protests, and poor police protection. In 2009 Moscow authorities banned the march once again, citing negative attitudes of the general public and possibility of a violent reaction from the society. Notably, Moscow authorities regularly agree to similar parade requests submitted by aggressive and violent ultranationalist groups. Despite being denied official permission to march, a small group of Russian and international gay rights activists and supporters made an attempt to convene a demonstration on May 16, 2009. Riot police broke up several demonstrations, detaining as many as 40 participants.
- In Serbia, on September 19, 2009, Serbian authorities cancelled the Belgrade Pride Parade, scheduled for September 20, because they could not guarantee participants' safety. The decision was based on violent threats by antigay ultranationalist groups.

Such acts of aggression and threats of violence—compounded by an ineffective state response—have a deeply negative effect on communities and hinder individuals from exercising a range of civil and political rights, including the right to freedom of movement.

Members of communities who fear violence cannot move freely in towns and cities, much less participate fully in the larger society. Marginalized and excluded, people threatened by hate violence are in effect barred from the exercise of rights taken for granted by others. The right to live where and how one pleases, to participate fully in political life and to enjoy economic, social, and cultural rights, including equality in employment, education and access to social services are all affected.

Human Rights First calls on governments to abide by commitments to respect the fundamental freedoms of assembly and association and to take adequate measures to ensure security and protection for all.