



Roundtable transcript

Roundtable: "The right for peaceful assemblies: new initiatives and their consequences"

On May 8, 2008, the Bishkek Press Club hosted a roundtable on "The right for peaceful assemblies: new initiatives and their consequences." Representatives of ministries, the Jogorku Kenesh, and human rights organizations participated.

Moderator: Gulnura Toralieva

Roundtable participants: *Marat Kaiypov, Minister of Justice of the Kyrgyz Republic; Iskhak Masaliev, Jogorku Kenesh deputy; Alisher Mamasaliev, Jogorku Kenesh deputy; Tursunbek Akun, Ombudsman of the Kyrgyz Republic; Aziza Abdurasulova, chairman of the Kilim Shami association; Erin Epstein, NDI civic programs director; Temir Sariev, ex-deputy, member of the public Parliament; Dinara Oshurahunova, a leader of the Coalition for Democracy and Civil Society; Ilim Karypbekov, director of the Media Commissioner Institute; Lubov Ivanova, human rights activist, lawyer, and expert; Ainura Usupbekova, executive director of the Taza Shaylo association; Nurbek Toktakunov, attorney; Sardar Bagishbekov, head of the Voice of Freedom foundation; Almaz Esengeldiev, senior program advisor for Freedom House; Abdykerim Ashimov, legal expert on peaceful meetings for the Citizens Against Corruption human rights center; Aida Kurbanova, program manager of the Association of Civil Society Support Centers; Yanna Thay, senior program assistant of the political department of the OSCE Center in Bishkek.*

Gulnura Toralieva introduced the guests, announced the topic of the roundtable, and gave the floor to Marat Kaiypov, the Minister of Justice of the Kyrgyz Republic.

Marat Kaiypov: Regarding demonstrations and protests, they are one of our citizens' fundamental rights. The authority can include restrictive measures in the law. But it affects the fundamental rights of the people. We are talking about freedom of expression during meetings, protests, and demonstrations. People want to show their discontent with one or another issue by walking nearby the Parliament or another government building. These rights were given by God. Since the beginning of time, citizens expressed their discontent in this manner. It is impossible to set limits when people are fed up. Our history has recently demonstrated that – on March 24, 2005. Tension had been growing year after year. People were displeased with the existing regime. This discontent became apparent after Parliamentary elections during which people wanted to elect one leader, but the authorities imposed their own leader. Vote buying took place openly. People sold their votes, but felt disaffected anyway.

Article 25 of the Kyrgyz Republic's Constitution established that citizens have the right to organize political meetings, to attend meetings/pickets/demonstrations after giving prior notice to national or local governments. The procedures for organizing meetings were to be determined by the law. Until now, there was no such law. I believe that while drafting the law, the term "prior notice" should be carefully defined and explained. What should the

authorities do if two political forces decided to organize demonstrations at the same place? Should they allow both parties to demonstrate? That is why prior notice is needed for and that is how it should be defined. In my opinion, that should be the meaning [of the term].

The authorities must be neutral. Those in power must be tolerant of displeased protesters demanding their rights. They must also give equal treatment to anti-protesters supported by governmental bodies, as well as other citizens who are indifferent to meetings, protests, and political campaigns. Most citizens are politically inactive and officials should ensure their peace and free movement.

Iskhak Masaliev: Dear roundtable participants, I would like to remind you that a law "About citizens' rights to meet peacefully and unarmed and the freedom to organize meetings and demonstrations" is currently in effect. In 2004, the Constitutional Court found that some articles of this law contradicted the Constitution. In particular, the permission was recognized as unconstitutional. Today the situation is as follows: I have introduced a bill in Parliament. It went through the committee discussion stage, during which it was changed. Restrictive norms in this piece of legislation propose the following: the Constitutional Court has prohibited a permit system; therefore we would like to give the right to the local state administration to appeal to the court with a proposal to refuse a permit. Roughly speaking, through the court, a local administration may prohibit organization of a certain event that a group or a political organization has planned. In other words, we think that the court is high authority enough because it resolves issues about custodial placements of citizens. This solution does not contradict constitutional law, since the Constitution guarantees certain rights, while the law prescribes how these rights should be practiced. It is not possible to live in the society, be free from it, and not follow publicly accepted rules.

Besides, there are locations with special security regimes. These include: the Jogorku Kenesh, the presidential residence, the House of Government, educational institutions, and military installations. Public activities can be conducted no closer than 30-50 meters from such entities (there was a suggestion to make this figure no closer than 50 meters). Citizens still have the right to demonstrate on private property. There are certain restrictions regarding location. We still think organizing public campaigns involving large numbers of people on highways and near railways is fairly dangerous. Although we call the March events a revolution, nevertheless, the methods used significantly harmed the general public. Blocking large highways, for example, affects the interests of the people who are driving there and it has little impact on the authorities. Organization of meetings on central squares is common but there should be some requirements ensuring order. Marat Tashtanovich said that citizens should not exercise their rights at the expense of the others. If 1 million residents live in Bishkek, only 1 to 1,000 of them might participate in demonstrations, while the rest might remain passive observers living their own lives. We should remember that, although there are no restrictions in the draft legislation in this regard.

All these restrictive norms were introduced in the draft bill to bring order to everything. Now the situation is that if anyone loses a court case, he starts organizing protests in front of the Jogorku Kenesh, even though the resolution of many issues is not in its purview. Therefore, I think that this law does not contradict the Constitution in any way, even though it includes certain restrictions. Prior to its adoption by the Jogorku Kenesh it will go through numerous discussions and might undergo some changes. It passed through a committee already and there was a suggestion to remove it on the first reading. As an author of the draft bill, I am ready to listen to comments. The issue is very sensitive, but it needs a solution. There should not be an absolute right. Many countries are considered to be democratic but the police in Tibet "held such a soft discussion" with protestors that it did not leave me any doubt that they should not be the ones to teach us how to live according to democratic principles. Everyone has his or her own way. If we want to retain our statehood, we should

take a step towards some restrictions. I think it is better to think about how to stop price raise and put an end to electric power cuts.

Alisher Mamasaliev: I will be brief. The purpose of my visit today is to listen to the arguments of both parties. I have not come to a conclusion yet. Today, after hearing the speeches by Iskhak Absamatovich, representatives of non-governmental organizations, and opposition representatives, I will form an opinion. As a citizen, of course, I would support the case of the non-governmental sector. But as a representative of the legislative branch I would support Iskhak Masaliev. I hope that today I will hear various points of view. I think that we will reach a common denominator [come to a consensus]. I would like to thank the organizers for today's event.

Temir Sariev: It was very interesting to listen to Iskhak Absamatovich and Marat Tashtanovich. Today I will express a different position. When Marat Tashtanovich says that the public will was being expressed on March 24, 2005, when people came to Bishkek to destroy, steal, and loot – this is slyness. We know that people were transported here. On the evening of March 24, Usen Sydykov, Kurmanbek Bakiev, Roza Otunbaeva, and Japarov were collecting money to bring people here from Tash-Kumyr and Karakol. They paid money. These measures did not bring honor to them. We have a principle that we should live by the law and respect the law. When it is in the interest of the civil servant, he says one thing; otherwise, he talks differently. That should not be.

Regarding the law, in 2004 there was a decision by the Constitutional Court to reject the permissive nature of the law. That decision was final and is not a subject to appeal. If we follow democratic principles, then we should begin from this decision. Attempts to change the law would contradict the decision of the Constitutional Court and the Constitution. I know that a syndrome of today's regime is that if 20 people gather together then officials think that these people want the resignation of either the government or Bakiev. This syndrome is left over from 2005. Today's government came to power by illegal means and is afraid of demonstrations. But there are many other issues that people want to gather for. A meeting or protest is a forum for the expression of claims by people who want to be heard and want to draw attention to their issues. This is the last resort for citizens and political parties to express a protest against a certain decision or to draw officials' attention to a certain issue. When will we gain a comprehensive understanding of these issues? When will we understand that this is a citizen's right? If he does not get an answer, he has an opportunity to gather people and to exercise his Constitutional right through a protest or a meeting. This is practiced all over the world. But I recall that many of those now sitting in Parliament or in the government in spoke about this issue differently in 2003-2004. And that demonstrates a lack of adherence to their principles.

Unfortunately, today, hiding behind some alleged "arguments," we are starting to forbid not only meeting but also speaking. If this trend continues then soon officials might want any citizen who wants to speak or to criticize to ask for permission from the Ministry of Justice and the oblast governments. Sometimes it surprises me: the Constitutional Court decides that there shall not be a prohibitive system and the City Kenesh [Council] passes a regulation that violates this decision. And the same happens in other regions. For example, similar attempts were made in Jalalabat and Karakol. One violation and the absence of a reaction by the government bodies to the decision of the local keneshes and it may lead to lawlessness, since every civil servant and every akim [head of regional administration] wants to satisfy higher authorities by showing that he has also passed the same decision. The regime should protect itself, but there are official ways of doing it. Citizens' rights and freedoms may not be restricted.

In conclusion, I would like to state that the regime is weak today. If it were strong, it would not have taken these steps. Those in power recognize their weakness and want to protect their power with punitive measures. But they turn this desire into law and laws should be

observed. If tomorrow the people who are now in power move into opposition, they will start saying the opposite from what they are saying now. For three years, the trends have been leading toward the establishment of an authoritarian regime. The last law prohibited the closure of highways and roads and the takeover of administrative buildings. Violations are subject to penalties. But to write about 50 meters – is that from the building, the foundation, or the fence? Why should one write such things? Let's write that it is illegal to conduct meetings on Alatau Square and the squares of the administrative centers. Let's clearly define where it is allowed and where it is not.

But, please, understand that a meeting is conducted to draw the attention of officials and the public. And we are creating nonsense. I have recently heard an official from a mayor's office say that it is possible to allow demonstrations only in Karagachyovaya Grove. Then why don't we write that meetings can only be organized in Alai Valley? The economy of the Alay region will develop at the expense of the demonstrators. By taking such a selective approach to the application of the law, we are ourselves helping to establish an authoritarian regime. Look, a year ago people could freely speak; now we have started whispering. Officials have stopped speaking about anything at all. That is where we are going, and that is all due to the lack of regime opponents in Parliament. I think that the Communist Party has its own opinion but supports the position of the Ak Jol faction on many issues.

Aziza Abdirasulova: Having listened to the opinions of representatives of the government and of representatives of the opposition, I have come to the conclusion that the government is good and the opposition is good. Temir Sariev talked about the development of the March 2005 events, but he did not tell everything. Our organization has been constantly monitoring peaceful demonstrations, protests, and campaigns. We have been to Batken, Kyzylkiya, Talas, Jalalabat, and Aksy, and we know how state administrations were taken over in Jalalabat and Osh; I was there when the buildings were conquered. I saw how well the process was organized. Why lie and pretend that we do not know about this? We know about the roles of Bakiev, Sydykov, Erkinbaev, Otunbaeva, Japarov, and many others. We swallowed that. And civil society was the first to give a hand to the government because we want the government to develop and human rights to be practiced. We took a step towards this regime. And what have we gotten three years later?

I do not want to offend the opposition but we have been watching day and night – my staff has been monitoring, they were at the square analyzing the November and April demonstrations. We recorded how much money was distributed and where people were brought from. That was also an organized process. We, civil society, can assert that our politicians violated the human right to peacefully gather. That has been done by politicians and has been done for power. Some want to seize this power; others want to retain it. Therefore they come up with various types of laws.

Temir Sariev is right: today the government is making restrictions, but what will happen tomorrow? Regimes change. Marat Kaiypov was right that there was fraud and vote buying in 2005 and, therefore, people started demonstrating. Was the situation different in 2007? How were the Parliamentary elections conducted and can we talk about it today? The Central Election Committee has not even published election results officially. And there are young people and human rights activists who dare to demand: publish the election results; we want to know the results in each precinct. Instead, the speaker says that the Central Election Committee is independent and does not have to report. But that is surely indicated in the Code [law]! Young people came out and they were detained and put in prison for 5-7 days. And they have been imprisoned numerous times but they still demand the same: publish the election results. And that is only one example.

What happened in 2005 and what do we have today? I would like to talk about people I have protected. In 2000 I protected Daniyar Usenov and today he is mayor. In 2005, I was

in court protecting Boldjurova and today she is a minister; I protected Bakiev and he is a President; I protected Alisher Mamasaliev and he is a deputy; I also protected Tursunbek Akun and he is Ombudsman. None of them has paid me. I have protected their rights to peacefully gather. I consider myself an expert in this sphere. Our organization has monitored peaceful gatherings since 2003. Tolekan Ismailova, Tursunbek Akun, and I are members of the OSCE working group on drafting legislation about peaceful gatherings. We have travelled to Warsaw, Vienna, and Almaty, and we have conducted so many meetings. There is no need to reinvent the wheel. We have completed guiding documents that should become the basis for developing this draft bill. Iskhak Masaliev knows that very well. In the last Parliament, when he led a Constitutional Structure Committee that also included Marat Djuraev, Sayanova, and Jyldyz Kamchibekova, we worked very well. Alisher Mamasaliev went to Kashka-Suu with us. We discussed this bill for three days there. That was a draft bill developed by deputies. The staff of the Ministry of Interior also cooperated with us. Today we are giving this draft to the Ministry of Justice. Iskhak Absamatovich received it a long time ago and the credit for this draft is mainly his. But today, for some reason, he is standing up with an idea of introducing changes and amendments. We know this law by heart. There are only two articles that are observed in it. The third article says: "citizens have a right to organize peaceful gatherings without permission and without notice in public places." That also contradicts the Constitution. There should be notice. Further, there are the cancelled articles: the eighth article says that staff members of law enforcement agencies have the right to apply physical force. Can that be a law? One article permits, while another one allows using physical force. This is now law.

We have discussed this issue many times. The introduced changes will lead to many questions and create problems. Today Iskhak Masaliev has enough courage and Alisher Mamasaliev has enough courage to prepare a new draft bill and to work it out. We will invite experts from outside. We will send this draft abroad to receive unbiased input. And only then can we frankly say that we have not just made up the law but that the public and international experts participated in this process.

Iskhak Absamatovich, you have an opportunity to prepare a new draft of the law. We are ready to work with you in financial and in mental terms. Let's take one long-term step. All these seven guiding principles should be reflected in the draft bill. These principles are absent in the existing law and in this draft bill. The first one is the principle of lawfulness. Lawfulness is interpreted as absence of violence on behalf of participants. The second is the presumption in favor of organizing a gathering. It is not right to authorize local akims to prohibit the organization of campaigns through the courts. This decision should be in favor of organizing an event while there is no violence. The third one is lack of discrimination. For example, the youth branch of Ak Jol party may walk around the city, while participants of the "I do not believe..." campaign must be detained – or national or regional discrimination. The fourth principle is transparency in the decision-making process. For example, when local akims and courts make a decision, it should be done in an open and comprehensible manner. The fifth is proportionality. That is due to the presence of campaign participants and counter-demonstrators. The sixth one is voluntary participation in demonstrations. We have spoiled our citizens with honoraria, especially women. Now the face of a Kyrgyz woman is shown all over the world, associated with shouting. And the last principle is a right to a counter-demonstration.

If this draft bill is based on these seven principles, everything will be okay. We have other laws: the Administrative Code, according to which one may be put in custody for up to thirty days for violating the meeting and protest procedure; the Criminal Code allows a punishments for hooliganism and mass disorders; it also holds officials responsible in cases of bans or restrictions. Our legislation is good. We should just start bringing order to it. I understand Iskhak Absamatovich; he is taking on a big responsibility and all the stones are thrown at him because this is a painful issue. I understand him, but I call on him to prepare

a draft bill that corresponds with international standards. And we are ready to work with you. I think that would be the only proper solution to this situation.

Tursunbek Akun: Dear roundtable participants, I am disappointed with the draft bill introduced by Deputy Iskhak Masaliev. This is a rollback of democracy. I would also like Iskhak Absamatovich, who has extensive Parliamentary experience, to consider the opinions of the public, human rights activists, and the Ombudsman. We have been fighting, struggling for 19 years; we were arrested and reproached. We reached the point of Kyrgyzstan having peaceful gatherings and meetings. Out of all post-Soviet countries only Kyrgyzstan and Ukraine have achieved this large victory. And now we want to introduce a notice order. Why does the international community respect Kyrgyzstan? Kyrgyzstan allows meetings, pickets, and marches. This is a normal process and we fought for it. And now all the accomplishments that we have achieved are in jeopardy, under threat of destruction.

The former draft bill is a normal bill, except for articles five and six, which are not clear. But that could be improved. The rest does not have problems, especially because the decision of the Constitutional Court is final and cannot be appealed. I came from Cholponata only yesterday. There, the local heads of the regional interior departments told me that protests and meetings should be organized in a specially designated area because of a regulation from the Cholponata's mayor's office. That is already a start. If we do not obey the Constitution then what is the court's decision for? Therefore, Iskhak Absamatovich, you as an experienced member of the Parliament, please, draw conclusions. Everyone's opinion should be considered.

I have a remark for the opposition representative, Temir Sariev. Certainly, you are a politician of a high rank. I think it is a pity that the Ata Meken party did not get seats in the Parliament, and that it was a big mistake on the part of the government. You say that there was no revolution but we should be frank and admit that a revolution took place. Akaev was working illegally and people turned against him. We overcame such challenges! We walked from Tash-Kumyr to Jalalabat and then to Osh. Who paid us for that? I do not know. Bakiev? Beknazarov? Back then Beknazarov did not have even a penny. I was travelling myself. Yes, people were transported – there was some help. But anyway, the authorities ran away themselves. That demonstrates that the regime was rotten long ago. As to the November meetings, it is worth recognizing that on July 10, 87% of votes were cast for the President. You are fighting the power and that makes our lives – human rights activists, ombudsmen, Ministers, and deputies – hard. Let's not create more harm than good for representatives of the government and opposition.

Marat Kaiypov: I can officially state that people were transported on March 24, 2005. But the difference between that and the demonstrators of 2006-2007 is huge. In 2005 people wanted to change the government because they were fed up. In 2006 and 2007, people were shouting for money. There were even different rates. People would just come and just say: this many som for shouting "Bakiev, ketsin" [Bakiev, go away] and if you enter the White House, then good job. In other words, these people did not have an ideology. In 2005, there was massive discontent with government. In 2007, the regime had just changed and people did not have a reason not to trust it.

Here it was said that the regime is weak and is afraid that it came to power illegally. Let's be honest. Who went to Moscow to legitimize this power? Who took a written statement from him? Omurbek Tekebaev and Temir Sariev did. You have legalized this government. If Bakiev came on March 24, 2005, and sat in the President's Cabinet and said, "I am President," I would agree that the regime is illegal. But that did not happen. The Parliament elected Bakiev and he became Prime Minister, whereupon Akaev's statement was brought in...

Regarding a right to hold demonstrations: it seems to me that we, as a young state, are a ground for experiments today. We do not know a lot of things. There should be a single principle for the opposition and the government. It should also remain true for those who come later. In such countries as the USA and Japan, where these principles worked, does the opposition there bring out people and shake the state structure? It seems to me that there should be a strict principle for the opposition and the government when it comes to state security, territorial integrity, national unity, and investment attractiveness. These things should be sacred. You may go out and protest but do not encroach on national unity.

Gulnura Toralieva: I would like to make several remarks. The topic of discussion should not come down to the qualitative composition of demonstrators in various years. Nor should it descend to personalities. Keep in mind purpose of our roundtable. It is important to listen to alternative opinions and conclusions of lawyers for our lawyers to take a more constructive course.

Iskhak Masaliev: If there are questions to me as an author of the draft bill, I am ready to listen to them. Some are probably not even familiar with the draft bill, but have already started criticizing it. Is it better to read it first?

Dinara Oshurahunova: I agree that it is not worth reinventing a wheel. We should first think through a draft bill that would consider all these principles because all of them have been developed and discussed. Many countries have gone through the challenges that our country is experiencing now. In our case, attempts by the government to restrict the freedom of expression as a means of supporting political and economic stability are becoming traditional. However, international experts and monitoring organizations say that such a state reaction is excessive. Any restrictions should be based upon the regulations of the main law. And I would like to say that any suspicions and concerns about mass public disorders cannot justify the restriction of peaceful gatherings.

Marat Tashtanovich gave an example of two parties requesting meetings on Alatoo Square at the same time. In this case, state bodies should provide equal opportunities to both parties. In other words, we should not create nonexistent problems. They do not exist yet. Concerns and suspicions must be justified. And most importantly, here we should talk about discussion of the law "About media." Our freedom of speech is in jeopardy. Now there is only one form of direct democracy: expression of opinions through the organization of public gatherings. That contributes to the development of a dialogue among the government, civil society, and political leaders. And in our country, where the activity of the media is strictly regulated, peaceful demonstrations are vital, since they give us opportunities to express our discontent and to express our opinions. And all this time we speak about peaceful demonstrations as opposition demonstrations. Why don't we talk about memorial campaigns, parades, and wedding marches? They are also gatherings. If we say that public gatherings may lead to public disorder, then demonstrations and parades on Alatoo Square should be prohibited completely.

There is a recent trend of making the public territories of government bodies exclusive. In other words, government bodies may conduct public activities on the central square, for example, for handing over Chinese tractors. But why don't we allow other citizens to conducting public gatherings on this square? It is important to uphold the equity of all citizens. We should consider that financial expenses related to the protection of gatherings are much lower than bringing order after public unrest caused by such repressions as a ban on peaceful gatherings. Therefore, I would like to say that the main principles developed and exercised in other countries must be included in our draft bills. I support Aziza Abdirasulova and appeal to Iskhak Masaliev to consider this principle. We must write a law not for the current situation, but for all citizens and for after the regime changes, too.

Lubov Ivanova: I have a question to the author of the draft bill discussed today. Have you considered the international norms ratified by our state without any disclaimers while introducing changes to the old law? In particular, I mean the International Treaty on Civil and Political Rights and its Optional Protocol, which we ratified in 1994-1995. These international norms have no provisions about places, times, or sizes of meetings, let alone distances or other restrictive measures included in your legislation. Have you discussed these issues? Aren't you, as a legislator, afraid that we won't look good on the global stage when a gust of complaints starts flowing about these restrictive measures?

Iskhak Masaliev: In a direct sense, I have not conducted an analysis of the compliance of this bill with international agreements. International agreements cannot mention bans, kilometers, etc. That is the business of each state. The right to organize gatherings and peaceful marches remains. There are just some specific restrictive norms. I do not see any tragedy in this. I do not think that I will turn red in front of OSCE and international organizations because of this. If they do not understand then that is their issue.

Almaz Esengeldiev: I would like to appeal to Iskhak Absamatovich and Marat Tashtanovich. You know that Kyrgyzstan is a member of Venice Commission. And now we are arguing whether a draft bill and regulation of the City Kenesh corresponds to international norms. Maybe it is necessary to appeal to the Venice Commission with this draft bill and ask for their conclusion. We have been members of this organization since 2004 and we have a government regulation about the priority of paying the membership fee. We have appealed to them for analysis of the Constitution and can appeal in the same manner to get conclusion on this draft bill. If there is an opportunity, maybe the Jogorku Kenesh can draft a regulation with a recommendation to the Government to appeal to Venice Commission for advice on the draft bill you are suggesting. And if that regulation is submitted to you, Marat Tashtanovich, you could also recommend on behalf of the Government to appeal to the Venice Commission for expert advice.

Iskhak Masaliev: We will suggest this to heads of committees. Literally today I have received a letter from the head of the OSCE Center in Bishkek with a proposal to send this draft bill to them for expert advice. I will report to the chair of the committee, Zainidin Kurmanov, speaker Adahan Madumarov, and possibly, we will send it out for expert advice.

Aziza Abdirasulova: Dear participants, I would like to return to the guiding principles of the OSCE, which strictly indicate the place of the organization. And time, procedures for submitting notices and orders of cooperation may be developed based on those principles. The bill that you, Iskhak Absamatovich, are suggesting lacks an order of cooperation. And that is important – an order of cooperation of three parties: law-enforcement agencies, participants, and a local administration. This is a challenge. People do nothing for no reason, they have specific issues. Notice is only given so local authorities can regulate and prepare. All these aspects are described in the guiding principles. Therefore, our organization is ready to take on the financial burden and run Parliamentary hearings. We are ready to cooperate. But this document should be acceptable.

Marat Kayipov: Regarding the Venice Commission, we are not part of it yet. The documents have been sent to the Parliament. If they are ratified, we will become a full member of the Venice Commission. Regarding submission of draft bills to it – then according to the charter of Venice Commission, they are submitted on behalf of the government. In this case, it may either be the President or the Parliament. If we do send it, then we will receive a conclusion written by people like you. These are experts just as we are. The Venice Commission has given its conclusions on drafts of our Constitution. I have thoroughly studied them and talked to the people who prepared them. In most cases, members of Venice Commission are parliamentary republics. Therefore, in their conclusions they imposed their standards on us. But we pass bills for our citizens. Therefore it is better to draft it and discuss it ourselves and to find a happy medium.

Ilim Karypbekov: Most of the time designed for discussion of the right for peaceful gatherings and this draft bill was spent on ultimatums and accusations. And that has been taking place for a long time. But I think that now it is time and we should try to persuade the regime. It is very good that they are trying to articulate some legislative norms and their arguments. But as far as I know, Iskhak Absamatovich is open to new projects. We should just present these new drafts and try to be persuasive. Regarding a ban on meetings, international norms and the Treaty on Civil and Political Rights say that resolution of any dispute requires utilization of internal mechanisms. Currently, there is a court trial taking place. I would suggest directing all forces toward winning this court case and exhausting this internal resource. I am sure that these bans do not correspond to either the Kyrgyz Republic's Constitution or international norms. But we should take a shot at them and, together with international organizations, influence on it.

Yanna Thay: First of all, I would like to express my gratitude to organizers of the roundtable. Maybe this discussion has not strictly followed the format, but that proves the importance of this issue and it is better to discuss an issue and to resolve it then to resolve it without discussion. And therefore this is not the first, and I hope not the last, discussion of the issue of the right to gather peacefully. I am very pleased that human rights activists and representatives of the executive and legislative branches of power are aware that Kyrgyzstan has various responsibilities, including those within the OSCE framework. Aziza Papanovna listed the guiding principles of the OSCE on the freedom to gather peacefully. Since Kyrgyzstan is a participant of the OSCE, the guiding principles developed by the OSCE are compulsory. They are fairly large. They cover a wide circle of issues. They provide alternatives for various types of governments on making decisions regarding one or another specific aspect. I am glad that Iskhak Absamatovich has already received the letter that we sent to the Jogorku Kenesh, which talked about the OSCE Center in Bishkek offering him support through the Bureau on Democratic Institutions in the form of expertise that will not only touch upon international responsibilities in general but Kyrgyzstan's responsibilities within the OSCE on these issues. There, it will be possible to receive recommendations on a practical solution. But in any case, once again, my gratitude to the organizers and participants and let the discussion continue until we have developed a common constructive position.

Gulnura Toralieva concluded the roundtable and thanked the participants.