



OSCE Human Dimension Implementation Meeting 2014

**Warsaw, Poland
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Working Session 3 Statement on the Deteriorating State of Freedoms of Association and Assembly in Eurasia and Central Europe

Freedom House recognizes the tremendous value of the OSCE Human Dimension Implementation Meeting as an open avenue where civil society can convene and speak unobstructed. This opportunity is especially critical as the events of 2013 and 2014 represent a worrisome, yet an undeniable, multi-year trend to dismantle civil society in many countries of Eurasia. The findings of Freedom House's *Nations in Transit* report show that democracy in Eurasia has been in steep decline for over a decade, leaving 78 percent of its population living under consolidated authoritarian regimes. For the first time since the fall of the Soviet Union, the level of anti-civic activism sentiment, fueled by government propaganda portraying human rights defenders and nongovernmental organizations as agents of foreign influence, has reached unparalleled proportions.

The blatant crackdown on civil society in Russia reinforced a worrisome pattern for the surrounding region, where country after country took up antidemocratic innovations emboldened by Russia's impunity. The new rigid legal framework governing the work of Russian NGOs, primarily those focused on human rights, has led to a further contraction of civil society space and curtailed access to information. Repressive legislation is limiting CSOs' ability to receive foreign funding. Independent media outlets that conduct critical reporting face routine persecution. Overall, 270 NGOs in 57 regions of Russia were subjected to prosecutorial inspections and harassment under the new laws enacted in 2013. This comprehensive legislative and judicial assault on Russian pro-democracy actors has been intensified by effective and sustained government propaganda that saturates the country's state-run media outlets and denounces pro-democracy actors as agents of foreign governments. CSOs and independent media are exhausted and embattled, suffocating under legal and regulatory challenges that could lead to their eventual closing.

In Azerbaijan, the government persecution of human rights defenders, civic and political activists, and independent journalists has intensified in the recent months. Trumped-up charges against prominent civil society figures range from hooliganism to espionage for Armenian intelligence, travel bans, physical attacks and smear campaigns create a hostile and risky environment for Azerbaijani civil society to operate and survive. Prominent human rights activists, who have steadfastly called international attention to human rights violations in

Azerbaijan, have been placed under pre-trial detentions or imprisoned for up to five years on falsified charges, including, most recently, Rasul Jafarov, Leyla Yunus, Anar Mamedli, Bashir Suleymanly and Intigam Aliyev. Dozens of NGOs and their activists face similar risks as the government of Azerbaijan continues to impose debilitating restrictions on civil society organizations.

In Belarus, the government has not taken any steps to alleviate the extremely restrictive environment; civil society organizations are still forced underground. The complicated and selectively applied registration requirements are supplemented by the risk of criminal liability for activists working on behalf of unregistered organizations. Opportunities to receive foreign funding by registered nongovernmental organizations are severely limited, and the lucky few are heavily taxed. Civil society exists in shadows, in a vicious circle of repressive measures that can and have been arbitrarily used against the most active human rights defenders.

The government of Kazakhstan continues to relentlessly curb freedom of association by further amending legislation to redefine public associations and limit the scope of their activities. In the past year, the Criminal Code of Kazakhstan has been overhauled and now prescribes, among other repressive measures, immense financial penalties and multi-year criminal punishment for establishing religious and political organizations that the government may find detrimental to “health” and safety of others, or public associations that could be accused of “calling to overthrow the constitutional order.” Just like in Russia, Kazakhstan recently passed laws that now require protest organizers to have advance approval for any public assembly.

Despite several years of support for freedom of association, Kyrgyzstan has decisively tried to follow Russia’s steps, including the introduction of a virtual replica of Russia’s “foreign agent” law for consideration by the parliament. NGOs have reported increased unscheduled inspection by state tax and security services. Religious organizations continue facing tight control through burdensome registration requirements and procedures. Freedom of assembly is on decline as well as the government has been breaking up protests that go directly against government policy stance. Most recently, several anti-Customs Union rallies were brutally dispersed by the police, with participants and organizers detained on specious legal grounds.

As Moscow continues to inspire its former Soviet ideological allies, Hungary remains poised to mirror some of the recent undemocratic measures implemented by Russia to exercise a tight-fist control of the civil society. The new Hungarian parliamentary committee has been tasked with monitoring activities of foreign organizations and Hungarian NGOs that receive funding from abroad, as well as conducting anti-NGO smear campaigns in the pro-government media and politically motivated inspections. These very specific steps seek to marginalize independent nongovernmental organizations and portray them as paid agents of foreign political interests.

Considering the gravity of the situation and the multi-year decline of freedoms of association and assembly, Freedom House strongly encourages the OSCE to establish the mandate of a Representative on Freedoms of Association and Assembly to provide oversight in accord with the Helsinki principles and flag violations of these fundamental freedoms in the participating States.

We also urge the aforementioned participating States to simplify registration and reporting procedures for nongovernmental organizations; repeal statutory limitations on the ability of nongovernmental organizations, registered or not, to receive funding from abroad; abandon the disgracing practice of using smear campaigns in the media against human rights defenders and other civil society activists and organizations.