



United States Mission to the OSCE

OSCE Human Dimension Implementation Meeting

Working Session 10:

Fundamental freedoms I (continued),

Including freedom of expression, freedom of peaceful assembly and association, national human rights institutions and the role of civil society in the protection of human rights, and freedom of movement

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States have the obligation to respect an individual's exercise of human rights and fundamental freedoms as set forth in international law. In practice, the rights of expression and movement are closely interrelated. States that unduly restrict one tend to unduly limit the other, often denying freedom of movement in reprisal for peaceful dissent. OSCE states committed themselves in the Vienna Concluding Document to: "respectfully the right of everyone to freedom of movement and residence within the borders of each State, and to leave any country, including his own, and return to his country." Some OSCE states restrict both internal and external travel for human rights advocates, independent journalists, and members of the political opposition. Some governments have denied civil society activists the right to leave their own countries specifically to prevent them from participating in international fora like this Human Dimension Implementation Meeting in Warsaw.

Azerbaijan has imposed travel bans and other restrictions on independent journalists, such as Khadija Ismayilova and Aytan Farhadova; opposition leaders, such as Popular Front Party chairman Ali Kerimli (banned from travelling abroad since 2006) and Republican Alternative Party chairman co-founder Ilgar Mammadov; and human rights lawyers, such as Intigam Aliyev and Asabali Mustafayev. Some of those now banned from travel had been previously imprisoned for exercising freedom of expression.

In some countries, relatives of imprisoned or exiled critics of the government discover at the airport that they cannot leave their own country. The mother, brother, and ten-year-old daughter of **Tajik** activist Shabnam Khudoydodova were pulled off the plane when they attempted to travel abroad to see her in exile. After several days of international and domestic expressions of concern, including an online petition that garnered some 140,000 signatures, the family members were allowed to leave. Tajik authorities also initially prevented the four-year-old grandson of exiled political opposition leader Muhiddin Kabiri from leaving the country for emergency cancer treatment. **Turkmenistan** appears to maintain a "black list" of individuals not allowed to leave the country. Movement for residents inside Turkmenistan continues to be restricted by use of a "propiska" or pass system requiring government permission to establish a new residency. We welcome **Uzbekistan's** recent abolition of such a system.

The United States fully supports the unity and territorial integrity of **Ukraine and Georgia**. It is the **Russian Federation**, not the government of Ukraine or Georgia, that denies Ukrainian and Georgian citizens the right to move freely within the internationally recognized borders of their own states. In the Russian-occupied Georgian regions of Abkhazia and South Ossetia, the United States remains deeply concerned about actions that restrict civilians' freedom of movement and damage the livelihoods of local residents, including through the closure of crossing points and the placement of physical barriers and demarcation signs along the Administrative Boundary Lines, in violation of Russia's obligations and in contraventions of its commitments.

In parts of Ukraine under the control of Russia-led forces, civilians seeking to gain access to government-controlled territory must cross the line of contact, which is only allowed at certain checkpoints and often includes long, dangerous delays. As we noted last year, many crossing points have been closed, further preventing residents from moving freely for work, education, commerce, to visit relatives, or obtain critical medical and government services. Russian occupation authorities in Crimea continue to prohibit Crimean Tatar leaders like Mustafa Jemilev and Refat Chubarov from visiting the peninsula, thus denying them their right as Ukrainian citizens to move freely within their own country. Since 2014, Russia has required all residents of Crimea to be Russian citizens. Those who refuse could be subjected to arbitrary expulsion. Russian occupation authorities have deported multiple Ukrainian citizens for violating Russian immigration rules, including for not possessing a Russian passport. Those without Russian citizenship are treated as foreigners and are subjected to discrimination in health care, employment, education, and access to other services. Those who express opposition to the occupation are subjected to raids, baseless prosecution, and other forms of harassment and violence.

Finally, some participating States seek to silence human rights activists and critics of the government through laws supposedly aimed at protecting the countries' international reputations or punishing the "spread of false information." In **Turkey**, for example, hundreds of individuals, including journalists, civil society activists, and students were indicted in 2017 for insulting the president, prime minister, or state institutions. In **Kazakhstan**, human rights activist Yelena Semyonova came under investigation after she testified before the European Parliament in July about conditions in Kazakhstan's prison system. Separately, journalists from independent news websites Ratel.kz and Forbes.kz face criminal libel charges in Almaty for reporting on the business dealings of a former minister. Due to this case, Ratel.kz remains banned from publishing online.

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