

# amnesty international

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## **Statement to the Supplementary Human Dimension Meeting on Protection and Promotion of Human Rights: Responsibilities and Effective Remedies**

### **Session II: The role of civil society in addressing human rights violations**

In many areas across the OSCE region, the space for independent voices and civil society has been shrinking as freedom of expression and association remained under attack. Many governments regard human rights defenders as a threat to their rule or even as traitors and have subjected them to human rights abuses to prevent them from monitoring and reporting about the human rights situation in their country.

Many of those who act to promote or protect human rights have been harassed, arbitrarily detained, tortured or ill-treated, and some have even been killed, to punish them for their human rights activities.

Human rights groups in **Turkey** have reported deterioration in the situation for human rights defenders during 2007. They have been subjected to judicial and administrative harassment by local and national authorities and activists have been made the targets of violent threats and attacks. On 19 January 2007 Armenian-Turkish journalist and human rights defender, Hrant Dink, was assassinated. Amnesty International believes that he was targeted due to his work as a journalist who championed freedom of expression. Hrant Dink had previously been prosecuted three times on charges of "denigrating Turkishness" under Article 301 of the Turkish Penal Code. Article 301 has frequently been used to prosecute statements made by human rights defenders.

The "colour" revolutions in Georgia, Kyrgyzstan and Ukraine have had a significant impact on the attitude of governments in the former Soviet space towards human rights defenders and other independent civil society activists. Many governments have increasingly clamped down on dissent, civil society and the media in order to prevent any public uprisings that could threaten them. Accusations that the "colour" revolutions were funded from abroad have been used to undermine the credibility of foreign-funded organizations including human rights groups. In some countries governments have increasingly accused human rights groups of being politicized, thereby undermining the credibility of independent groups.

In the **Russian Federation**, over the last years, not least since the introduction of a new law on non-governmental organizations (NGOs), human rights defenders and human rights organizations have faced increasing difficulties. Under the new law, especially smaller organizations are faced with an excessive administrative burden, which takes away valuable time they would otherwise dedicate to the protection of human rights. The law allows for unprecedented power of scrutiny of actions and funding of NGOs and its partly vague wording allows for arbitrariness in its implementation. Other laws and regulations, such as the law on extremism, have been used to hamper and stifle the work of human rights defenders. State-controlled media has on several occasions portrayed human rights organizations as being linked to spies or in general as "working for the interest of the West", not in the interest of Russia and Russian citizens.

Human rights organizations, lawyers and activists face judicial or administrative harassment. In January this year, the Supreme Court upheld the decision to close down the NGO, the Russian-Chechen Friendship Society.

In **Belarus**, Amnesty International has observed an increasing number of convictions of civil society activists under legislative changes which were introduced at the end of 2005, just ahead of the March 2006 presidential elections, designed to further restrict people from exercising their rights to freedom of expression, assembly and association. Of particular concern to AI is Article 193.1 of the Criminal Code, "organizing and running an unregistered organization that infringes the rights of citizens", under which increasing numbers of civil society activists, including human rights defenders, are being detained, charged and sentenced. Furthermore, those NGOs which are registered continue to face stringent controls and checks on their activities and those that try to register are often refused, making them increasingly susceptible to further harassment by the authorities. These rights violations continue to be condemned by the international community, including the OSCE and the EU. In May, the EU called on the Belarusian authorities to release AI prisoner of conscience, Zmitser Dashkevich (charged under the above-mentioned Article 193.1) and other political prisoners and to stop the repression of youth activists. As yet, Amnesty International sees no sign of the authorities doing so.

Harassment of human rights defenders and measures to limit freedom of expression continue to be reported throughout **Central Asia**. Repressive actions to silence human rights defenders and journalists have been particularly harsh in **Turkmenistan** and **Uzbekistan** and show no sign of abating.

In **Turkmenistan** the authorities have made it impossible for independent civil society activists to operate openly and several key activists have been forced into exile. Those activists that remain in the country risk severe repercussions for any continued human rights monitoring. Civil society activists have been frequent targets of interrogation and harassment by the authorities, and have in some cases been arbitrarily detained or imprisoned. In 2006 Amnesty International adopted the human rights activists Annakurban Amanklychev and Sapardurdy Khadzhiyev as prisoners of conscience. In June 2006 the Minister of National Security of Turkmenistan had publicly stated that Annakurban Amanklychev had been engaged in "subversive activities" and planned a revolution in Turkmenistan. The accusations mainly related to attendance of human rights courses in Poland and Ukraine; and the gathering and passing on of human rights-related information to the director of the Turkmenistan Helsinki Foundation in Bulgaria; and cooperation with foreign journalists. The two men and their co-defendant Ogulsapar Muradova, a human rights defender and journalist, were sentenced to long terms of imprisonment in an unfair trial. Ogulsapar Muradova died in custody in disputed circumstances in September 2006. There were allegations that she had been subjected to torture or ill-treatment in detention. No impartial and investigation has been carried out into her death.

In **Uzbekistan** the imprisonment, ill-treatment and harassment of individual human rights defenders have accelerated as a consequence of protests over the killings of hundreds of unarmed men, women and children in Andizhan on 13 May 2005. Some human rights defenders, such as Saidzhakhon Zainabitdinov for example, have been prosecuted on charges that were reportedly fabricated, and sentenced to long prison terms after grossly unfair trials that denied basic rights of defense and failed to meet international legal standards. Despite the release of two human rights defenders, Umida Niazova and Gulbakhor Turaeva, in May and June 2007, Amnesty International remains concerned that they were forced to plead guilty on appeal and to denounce other human rights defenders and human rights organizations in order to secure their freedom. Nor was their release unconditional - both women received suspended sentences and are unable to move freely or to leave Uzbekistan. Other human rights defenders have been confined in psychiatric hospitals as a form of detention and punishment, or physically assaulted, detained or otherwise harassed and threatened.

In **Kazakhstan, Kyrgyzstan, Tajikistan** and **Uzbekistan** government officials, national and local, have used criminal libel suits in order to restrict criticism, limit freedom of expression and hamper the work of human rights defenders. Human rights NGOs in **Kyrgyzstan** have been

taken to court by law enforcement officers for having published allegations of abuse and torture or other ill-treatment of detainees or suspects, particularly female victims.

In **Azerbaijan** representatives of civil society continue to face consistent harassment, intimidation and imprisonment as a result of their professional activities. Of particular concern is the ongoing crackdown on freedom of expression and the multiple sanctions deployed against independent and opposition journalists, including harassment and imprisonment under Azerbaijan's libel and insult laws. As of June 2007 there were seven journalists in prison in Azerbaijan on libel or questionable drugs-related charges, a number of physical attacks by unknown assailants and the murder of outspoken opposition editor Elmar Huseynov remained unsolved. In addition, the most popular independent newspapers in the country, *Realny Azerbaydzhan* and *Gundelik Azerbaijan*, had been closed after a persistent campaign against them and their chief editor Eynulla Fatullayev, currently serving a two-and-a-half years' prison sentence for libel and facing new charges of incitement to terrorism.

Amnesty International is calling on all participating states of the OSCE to secure compliance with existing OSCE commitments with regard to human rights defenders. OSCE participating states should call for a stop to the persecution of human rights defenders, and should take effective action in support of those who courageously stand up for human rights.

Thank you for your attention.