

HDIM OSCE 2018

The international association of independent democrats against authoritarian regimes.

WORKING SESSION 11 **Fundamental freedoms**

There are dictatorship states: AZERBAIJAN, BELARUS, TURKMENISTAN, TAJIKISTAN, KAZAKHSTAN and aggressive RUSSIA ; UZBEKISTAN, but with our moratoria of the hard criticism at this year,

States with the dictatorship have not any Fundamental freedoms, there is the imitation only and the big propaganda.

For example: Turkmenistan has not even one NGO . All 3 (three) parties are the decoration of the dictatorship of Berdymukhamedov. It is the North Korea in the Central Asia.

Yes. NGOs in Kazakhstan have the relative freedom.

Belarus, the dictator Lukashenko started the repression for the independent TRADE UNION (REP*** - see below) , for leaders, **Henadz Fiadynich** and **Ihar Komlik**. The judgement of Lukashenko court : restrictions of the movement and living. Belarus has the crime article for the persecution unregistered NGOs at this time and the planning proposition: new persecutions with a new “method”.

And we see the permanent repressions for freedom of expressions and freedom of peaceful assembly. This situation is in Tajikistan.

States with the dictatorship (Belarus, there is non HRI) have national human rights institutions with different forms but is the typical butterfly, the circus. The activity of HRI is the imitation of the protection of Human Rights.

We see the example: statements of the director of the same Institute of Azerbaijan – its have the totally lie. There are not the sense to give analogical examples for other states. The dictatorship has not the changing to the Democracy. (exception Uzbekistan) , but the democratic West forgets the democratic values and has more and more contacts with dictatorships, for money of West business only.

Our Association unites NGOs from the dictatorship states has been founded at 2002 year by NGOs from dictatorship states. We have our statements for every Meeting of OSCE with very concrete facts and recommendations.

And What ? Nothing ! And more, we see the power of Tajikistan converts to the dictatorship. May be (I hope) democrats of Kyrgyzstan (only) had the good support by democratic West, USA , first of all and Kyrgyzstan has the democratic institutions.

Today democratic people of the dictatorship states have not support by West and more, democratic states forget the democratic values and Human Rights (only money) and have problems “with Democracy” in their states.

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And part II for **freedom of expression to ODIHR, OSCE:**

Moderators of ODIHR don't stopped attacks by the dictator Aliev delegation to democratic peoples.... (but there is the special document of OSCE)

But more- HDIM 2018 has been started with the very bad method , the very complicated registration system.

If , with old system, we had the registration for 2 seconds with the cod (or 10 minutes for new NGO) today we need 2 hours for the registration.

The instruction of ODIHR is not the help.

And more , EU and Poland, ODIR is in Poland, has new REGULATION (G D P R**-26.04.2016) by EU.**

And there are questions to ODIHR-OSCE:

Why there is only English for the registration?

Why ODIHR demand to give the resource of the financial support of NGO?

Why ODIHR demand to give “CV” of the participant ?

ODIHR, OSCE will propose the job for participants in structures of OSCE?

What is the opportunity of the participant of HDIM for the control (checking) using personal dates by ODIHR ?

Why we have not the participation List of HDIM after “automatic system registration” ?

**We are the participant for 16 years at the Meeting (HDIM). –
good steps by ODIHR since 2016 year....**

We see not

The conclusion:

The HDIM 2018 has not good organisation since the step of the new registration system .

Recommendations

- 1) OSCE, ODIHR has the obligations to respect NGOS and OSCE, ODIHR must explicate the new activity, first of , the reason for news method holding of HDIM.**
- 2) OSCE, ODIHR must stop all case aggressions of the state delegation to NGOs.**
- 3) OSCE, ODIHR don't forget about Human Rights Education and support have it for states-members.**
- 4) OSCE, ODIHR must see the problem the chauvinism in states-members, in states of EU, first of all.**
- 5) To give answers for our questions.**

Belarus: Condemnation of leaders of an independent trade union: another blow to freedom of association

Case Belarus v. Henadz Fiadynich and Ihar Komlik



Introduction

Starting on July 30, 2018, up until August 17, 2018, the trial of two leaders of the Belarusian Independent Trade Union of Radio and Electronic Industry Workers (REP) took place in the Saviecki District Court of Minsk, Belarus. The two independent trade union leaders, Messieurs **Henadz Fiadynich** and **Ihar Komlik**, respectively Chairman and Chief Accountant of REP, were charged with tax evasion for having, in 2011-2012, received up to 140,000 EUR into a foreign bank account in neighboring Lithuania, withdrawn the funds and transported the cash back to Belarus, with the help of colleagues, and for having failed to declare the receipt of such funds as income resulting in the failure to pay around 22,867 thousand Belarus rubles (approximately 9,790 EUR). The judgment was delivered on August 24, 2018. Defendants were found guilty of all charges, sentenced to four years of restriction of liberty without imprisonment, five years of restriction on holding a senior management position, and a fine of 47,560 Belarusian Rubles (approximately 19,950 EUR).

Lawyer Ilya Nuzov, Head of the Eastern Europe-Central Asia Desk at FIDH, was mandated by the Observatory for the Protection of Human Rights Defenders to conduct a trial observation mission in the Saviecki District Court. The task of the trial observer was to assess the fairness of the trial, in light of international law standards, such as those embodied in Article 14 (fair trial standards) and Article 22 (freedom of association) of the International Covenant for Civil and Political Rights (ICCPR), to which Belarus is a party, but also to meet with the defendants, defense lawyers, international trade union representatives,