



United States Mission to the OSCE

Session 15

Fundamental freedoms II, including: Freedom of movement; Human rights education

As prepared for delivery U.S. Head of Delegation J. Brian Atwood
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Moderator, twenty-five years ago, the participating States witnessed something remarkable and previously unthinkable. In the summer of 1989, **Hungary** dismantled the Iron Curtain along its border with **Austria**, eventually enabling tens of thousands of East Germans to reach the West. Hungary's actions helped propel an extraordinary transition to democracy.

The right to leave and return to one's country is enshrined in the Universal Declaration of Human Rights. Unfortunately, some participating States still do not comply with their OSCE commitments in this area and inhibit both external and internal movement.

Uzbekistan continues to require its citizens and stateless persons to obtain exit visas to leave the country. In addition, though it does not require exit visas for foreign citizens residing in Uzbekistan, in some cases it unilaterally blocks their departure from the country citing legal reasons. Denial of exit visas has been used to prevent activists and human rights defenders from traveling outside the country.

Tajikistan has banned students from traveling abroad to attend religious school and requires students who wish to study at religious institutions abroad to first obtain state permission. The United States welcomed the news on September 10 that Tajikistani academic Alexander Sodiqov, a PhD student at the University of Toronto, who was arrested in Tajikistan while researching conflict prevention, was finally permitted to return to Canada.

While we welcome **Turkmenistan's** decision last year to issue its new biometric passports to dual citizens, we are concerned that the issuance of these passports was suspended in April without explanation. The government denies that it maintains a list of persons not permitted to leave the country, but on April 10, 2014, Turkmenistan border police told Ruslan Tukhbatullin, the brother of human rights activist Farid Tukhbatullin, that he was not allowed to leave the country because he and his nine-year-old son are on a list of people banned from foreign travel. In addition, Turkmenistan also restricts travel by students wishing to study in certain countries.

In recent days, five NGO representatives from **Russia and Russia-occupied Crimea** were prevented from travelling to participate in the World Conference on Indigenous Peoples, which is part of the UN General Assembly. One of the representatives, Nadir Bekr, the director of a Crimean Tatar NGO, was dragged from his car by a masked assailant who took his passport. In some cases targeting "troublesome" travelers, border guards have damaged passports to obstruct travel, and assailants have glued doors shut or slashed tires to obstruct

departure for the airport. We condemn these thuggish, systematic efforts to restrict freedom of expression, association, peaceful assembly, and movement.

Azerbaijan continues to prevent some civil society activists from traveling outside the country. Since our last HDIM, authorities prohibited prominent human rights activists Anar Mammadli, Leyla Yunus, and Arif Yunus from attending international conferences. Since 2006 the government has prevented the foreign travel of Popular Front Party chairman Ali Kerimli by refusing to renew his passport.

In June, the Constitutional Court of **Macedonia** declared some sections of the controversial Law on Travel Documents to be unconstitutional. The court held that articles of the law that permitted certain restrictions on the ability of Macedonian citizens to leave their country were incompatible with the constitutional right to freedom of movement. We welcome the Macedonian Constitutional Court's ruling on freedom of movement. We note with concern, however, that NGOs continue to document cases where the Ministry of the Interior issued decisions to confiscate passports, in apparent violation of the Court's ruling. We call on the Macedonian government to fully and transparently implement the ruling to guarantee Macedonian citizens' right to freedom of movement.

We also call on all participating States to fully uphold their OSCE human dimension commitments and neither interfere with nor harass civil society participants who have participated in and/or attended HDIM or similar events.