



## **United States Mission to the OSCE**

### **Closing Plenary: Any Other Business**

As prepared for delivery by Ambassador David Johnson  
OSCE Human Dimension Implementation Meeting  
Warsaw, October 7, 2011

Mr./Madam Moderator,

The United States for several years has used this agenda item to follow up on the recommendations made by the fact-finding mission resulting from the invocation of the Moscow Mechanism. In April, the Moscow Mechanism was invoked concerning Belarus. Fourteen participating States took this unusual step due to the crackdown by the Lukashenka government following the election in Belarus on December 19, 2010.

We regret the Belarusian authorities' refusal to comply with that country's commitments by placing obstacles to implementation of the Moscow Mechanism. Notwithstanding this unwillingness to cooperate, sole rapporteur Professor Decaux, who ultimately constituted the OSCE's fact-finding mission, was able to meet formally and informally with OSCE institutions and numerous diplomats and members of civil society, including representatives of NGOs from Belarus. His comprehensive report illustrates the seriousness, duration and scale of gross and systematic human rights violations that have taken place since December 19, 2010.

In particular, the report documents the non-compliance of the Lukashenka government—from the December 19 elections until early May—with Belarus's OSCE commitments in the following areas: the conduct of the December 19<sup>th</sup> elections; harassment of candidates and their relatives since the election; restrictions on freedom of association, including registration requirements for political parties, NGOs and trade unions; restrictions on freedom of expression and media, including arrests and detentions of those exercising their right to freedom of opinion as well as harassment, arrests and detention of journalists as well as searches of their homes and offices; restrictions on the freedom of movement, right to peaceful assembly, and freedom from arbitrary arrest or detention, including torture and ill treatment, and the right to a fair trial and the independence of lawyers. The government of Belarus must address the serious concerns raised in Professor Decaux's report, and we urge the authorities to implement the recommendations.

We continue to be concerned about the situation in Turkmenistan. It has shown little progress since the Moscow Mechanism was invoked in 2003. Basic human rights and fundamental freedoms remain severely restricted. Turkmenistan remains the only OSCE participating State that officially has a one-party political system. There is virtually no space for civil society to operate. All media is tightly controlled by the government, and the Internet is censored and monitored. According to Reporters without Borders, journalists

often were “summoned for questioning, threatened with prosecution, and fired from their jobs, while relatives are also exposed to the possibility of reprisals.”

We have commended Turkmenistan’s registration of the Catholic Church in 2010. However, there continue to be significant restrictions on freedom of religion. Several religious groups remain unable to register, and the government has placed restrictions on registered groups’ ability to own property and print or import religious materials. Current law prohibits foreign missionary activity and foreign religious organizations, and the private publication of religious literature. Freedom of movement also continues to be restricted.

We remain concerned about the lack of access to persons in prison, including political prisoners. Last fall, the United Nations Working Group on Arbitrary Detention publicly released its opinion that the arrest and continued detention of journalists Annakurban Amanklichev and Sapardurdy Hajiyev violates international law, and that they should be released immediately. We have received no information about former civil activist Gulgeldy Annaniyazov, who was arrested in June 2008 after returning to the country from Norway, where he had received asylum. One very concrete step Turkmenistan could take that would be a clear signal of the government’s intention to move forward with reform would be to allow the International Committee of the Red Cross/Red Crescent and other independent observers’ access to prisons. Finally, as we have for the past seven years, we again request information about, and access to our former OSCE colleague, Batyr Berdiev. I last saw him in Vienna when the Austrian Foreign Minister honored him before his return to Ashgabat to take up his post as Foreign Minister in Turkmenistan. Many of us who have sat at this table have called him a friend. This organization bears a special burden to press for information about him, and access to him, since not so long ago, he was one of us.

The invocation of the Moscow mechanism remains an extraordinary measure, the use of which demonstrates extraordinary concern by a group of participating States for the situation in one of our countries. Belarus and Turkmenistan should follow-up on the recommendations made through this mechanism, and demonstrate their respect for their OSCE commitments, and, indeed, the OSCE process.

Thank you, Mr./Madam Moderator.