



United States Mission to the OSCE

Session 6 Freedom of Movement

As prepared for delivery by Kathleen Newland
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Mr./Madam Moderator,

Under the Helsinki Final Act and the 1990 Copenhagen Document participating States commit “to fully respect the right of everyone to freedom of movement and residence within the borders of each State, and to leave any country, including his [or her] own, and to return to his [or her] own.” Unfortunately, some participating States still require their citizens to obtain permission from the authorities, as we have heard—usually in the form of exit visas—in order to travel abroad. It is striking that those countries with the poorest record of implementing OSCE human dimension commitments appear to be the same ones that still place such restrictions on freedom of movement.

Freedom of movement does not mean states cannot determine whether citizens of other countries require entry visas. The operative principle is that states cannot bar their own citizens from traveling, if they so wish. There is no commitment by participating States to admit citizens of other countries.

The Government of Turkmenistan denies it maintains a list of persons not permitted to leave the country, however it has barred certain citizens from departing. Amnesty International reports that a decree explicitly bars thousands of individuals from leaving the country and forbids entry to representatives of international human rights organizations. Turkmenistan law also continues to require internal passports and residency permits. A border permit requirement remains in effect for all foreigners. Turkmen citizens who also have citizenship in another country have reportedly been pressured to give up the latter before they are permitted to leave the country or faced obstacles in obtaining passports. The education law allows the government to impose limitations on citizens who wish to obtain education in specific professions and specialties, and the law has been applied to prevent students from travelling abroad to study.

All citizens of Uzbekistan must have an exit permit to leave the country. These restrictions also apply to foreign citizens residing permanently in Uzbekistan for business. As part of the exit visa process, and ostensibly in an effort to combat trafficking-in-persons, Uzbekistan introduced regulations that require women aged 18-35 or their male relatives to submit a statement pledging that the women would not engage in illegal behavior, including prostitution, while abroad, as we have heard. In addition, Uzbekistan passed legislation last year hampering Uzbeki national

doctors' travel abroad, including by reportedly requiring these doctors to submit presentations and speeches abroad for government approval beforehand.

We are pleased to learn that Tajikistan now permits students to travel abroad to attend religious schools and look forward to learning about how that policy is being implemented.

Since 2006, the Azerbaijan government has prevented the foreign travel of Popular Front Party chairman Ali Kerimli by refusing to renew his passport, citing an outstanding civil complaint against him from 1994. The government had renewed Kerimli's passport on several occasions in the intervening years without objection.

Freedom of movement has been an issue for discussion between Belgrade and Pristina in their Dialogue under EU auspices. The United States strongly supports this effort to tackle practical but important issues of documentation, vehicle registration, and insurance that make it possible for people to move freely between Kosovo and Serbia. I would like to use today's session to call on all parties, whether represented here or not, to implement agreed procedures in the most positive spirit, which will give people greater confidence to take advantage of the opportunities being offered.