



United States Mission to the OSCE

Statement on Government of Uzbekistan's Actions Against NGOs

As delivered by Deputy Representative Kyle Scott
to the Permanent Council, Vienna
February 2, 2006

Thank you, Mr. Chairman.

The United States is very disturbed by the increasing repression of civil society in Uzbekistan. In December, President Karimov signed new legislation designed to restrict the activities of non-governmental organizations (NGOs). During the past year, the Government of Uzbekistan suspended the activities of numerous non-governmental organizations, including in the past two months Freedom House and the International Research and Exchanges Board, known as IREX.

As an OSCE participating State, Uzbekistan has committed to uphold the principles of freedom of association and the functioning of non-governmental organizations. The Copenhagen and Moscow Documents commit participating States to ensure the right to form, join, and participate in non-governmental organizations. Paragraph 43 of the 1991 Moscow Document states that participating States will facilitate the ability of NGOs "to conduct their national activities freely on their territories." In addition, in paragraph 10.4 of the Copenhagen Document it is specifically stated that NGOs have the rights to unhindered access to and communication with similar bodies outside their countries. This includes the right to solicit and receive voluntary financial contributions from international sources for the purpose of promoting and protecting human rights. Uzbekistan's recent legislation and actions against NGOs are unmistakably in opposition to these OSCE commitments.

The new legislation increases the penalties on international NGOs for participating in "political activities" that authorities might deem to go beyond the mission of the organization. The legislation also increases penalties if NGOs fail to obtain prior government approval before conducting "events," or fail to provide "required information" about their activities. Although this legislation may appear benign, the vague definitions of "political activity," of "events," and "required information" can be easily interpreted as widely as possible, and changed at will to suit the Government of Uzbekistan. These regulations only increase the possibility for arbitrary implementation and hinder the vital work of non-governmental organizations. This legislation will undoubtedly further restrict NGOs working in Uzbekistan as well as endanger those working to promote civil society.

NGOs should be transparent in their finances and operations. But NGOs should decide what their "mission" is or should be, not governmental regulators. Citizens, through participation in civil society, play a vital role in ensuring that governments are accountable to them, and citizens are an important part of the necessary system of checks and balances on a government's power.

Mr. Chairman, as we said in our response to ODIHR Director Strohal last week, we have seen too many cases recently in which States have held up "rule of law" as a justification for passing and enforcing laws that are neither transparent, nor in accordance with OSCE commitments on human rights. Uzbekistan is a case in point. When participating States have questioned Uzbekistan's faithfulness in upholding OSCE commitments in the past, Uzbekistan has often defended its actions as being in accordance with its established law. However, simply citing enacted laws as a justification for their actions (especially in the case of laws that have not been formulated and adopted as the result of an open process reflecting the will of the people) is not sufficient to meet OSCE obligations.

Democracies cannot flourish without the ongoing and active participation of civil society. As a result, the United States values the work of NGOs in the United States and abroad as a vital part of civil society and we believe strongly that they play an essential role in a democracy. We proudly support many NGOs around the world and will continue to do so in our commitment to helping the development of civil society.

The United States calls upon the Government of Uzbekistan to comply with its OSCE commitments by enacting legislation that facilitates, rather than hinders, the vital work of non-governmental organizations. We urge Uzbek authorities to stop their crackdown on their country's civil society and, in particular, authorize Freedom House and IREX to continue carrying out their activities.

Thank you, Mr. Chairman.