



H.E. Miguel Angel Moratinos
Minister of Foreign Affairs and Cooperation
Chairman in Office,
Organization for Security and Cooperation in Europe
Ministry of Foreign Affairs and Cooperation
Serrano Galvache 26
Madrid
28071
Spain

Headquarters
333 Seventh Avenue
13th Floor
New York, NY 10001
Tel: 212.845.5200
Fax: 212.845.5299

Washington D.C. Office
100 Maryland Avenue, N.E.
Suite 500
Washington, DC 20002
Tel: 202.547.5692
Fax: 202.543.5999

www.humanrightsfirst.org

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Your Excellency,

I am writing to protest the decision of the Spanish chairmanship of the Organization for Security and Cooperation in Europe (OSCE) to exclude the Russian Chechen Friendship Society from the high-level OSCE meeting on supporting victims of terrorism held in Vienna, September 13 - 14, 2007. The decision to exclude this widely known, independent non-violent human rights organization from this meeting was apparently based on an objection raised by the delegation of the Russian Federation present at the meeting.

Human Rights First is deeply concerned that Spain, as the current OSCE Chair in Office, should have been so easily deceived by the Russian authorities' long-running campaign of harassment and defamation directed against the Russian Chechen Friendship Society and its successor organization, the Nizhny Novgorod Foundation to Support Tolerance.¹

The repeated attacks against this human rights organization have been documented by leading international human rights organizations, including Human Rights First.² By appearing to give credence to the Russian authorities' unfounded accusations against this organization, the Spanish chairmanship has abetted the Russian government in its transparent strategy to: first brand the organization's leader, Stanislav Dmitrievsky as an extremist through a politically motivated, selective prosecution under the law to counter extremism;³

¹ Following the closure of the RCFS, the organization was obliged to reconstitute itself as three new legal entities, two registered in Russia and one in Finland.

² Human Rights First, *Russia's Human Rights Defenders in Danger. The Example of the Russian Chechen Friendship Society*, New York, Feb. 16, 2006. <http://www.humanrightsfirst.info/pdf/06208-hrd-rcfs-white-paper.pdf>

³ On February 3, 2006, Dmitrievsky was convicted of violating Article 282 (2b) of the Russian Penal Code, "inciting hatred or enmity on the basis of ethnicity or religion."

then to use that conviction as the basis for an order to close the RCFS for failure to comply with the widely criticized, restrictive 2006 law governing the functioning of NGOs;⁴ and now to use these flimsy judgments to interfere with the right of RCFS representatives to participate in international meetings, such as those convened under the auspices of the OSCE.

It is hard to understand how the decision of the Spanish chairmanship comports with repeated OSCE commitments emphasizing the importance of strengthening and supporting the work of independent human rights organizations in OSCE member states.⁵ The decision also seems contrary to a stated priority of the Spanish OSCE chairmanship: “In the human dimension, emphasizing the plural nature of our society, from a standpoint of respect for diversity and the encouragement of participation.”

The Russian authorities are using the law against extremism as a way to stifle open debate and pluralism in Russia, threatening non-violent government critics with prosecution under the terms of this law, even as real violent extremists continue to incite racial and ethnic hatred and perpetrate attacks religious and ethnic minorities in Russia.

As has been widely reported, the articles, published in the newspaper *Pravozaschita*, (Human Rights Defense) which formed the basis of the prosecution of Stanislav Dmitrievsky did not advocate violence. They have been published and quoted from elsewhere in Russia and their dissemination has not resulted in prosecution in other cases, showing the selective nature of this prosecution. They are also freely available in other OSCE member states. It is entirely legitimate for a human rights organization concerned with human rights violations that occur in the context of the conflict in Chechnya and the North Caucasus to publish non-violent opinions relating to the conflict as part of its mission to inform its audience about the context in which violations continue to take place.

Dmitrievsky has lodged a complaint with the European Court of Human Rights that his right to freedom of expression, upheld under Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, has been violated by his criminal prosecution for publishing these inoffensive articles.

It is our hope and expectation that the judgment of the court in this matter will put an end to all attempts to discredit the work of Dmitrievsky and his colleagues in the RCFS. It is, however, profoundly disappointing that the Chairman in Office of the OSCE should so readily have acceded to the efforts of an OSCE member state to exclude a legitimate NGO from participation in an open meeting. You will be aware that this decision runs counter to the OSCE commitment to “promote contacts and exchanges of views between NGOs and relevant

⁴ The Federal Supreme Court of Russia upheld an order to close the Russian Chechen Friendship Society on January 23, 2007.

⁵ See, for example, paragraphs 13.5, 13.6 and 21 of the 1989 Vienna Conference; paragraphs 10, 10.1 to 10.4 and 11.2 of the 1990 Copenhagen Conference; and Chapter VII, para. 18 of the 1994 Budapest Conference. See also, the recommendations of the March 30 – 31, 2006 Supplementary Human Dimension Meeting, “Human Rights Defenders and National Human Rights Institutions: Legislative, State and Non-State Aspects.”

national authorities,” provided for in 1992 Helsinki document. The only exception to this commitment, as set forth in Chapter IV, Paragraph 16 of the Helsinki document is in the case that an NGO or its representatives have resorted to the use of violence or have publicly condoned terrorism. The RCFS is a completely non-violent organization that has consistently spoken out against violations of human rights on all sides of the Chechen conflict, including condemnation of acts of terrorism perpetrated by Chechen separatists. In 2004, the work of the RCFS was recognized by the International Helsinki Federation, which stated: “Your work on behalf of victims and to promote tolerance and peace reflects the transcendent values of our civilization. It evokes feelings of solidarity and sympathy more powerful than hatred, fear and revenge.”⁶

We urge you to take the opportunity of the Human Dimension Meeting to be held in Warsaw from September 24 – October 5 to reaffirm that representatives of the Russian Chechen Friendship Society are a welcome part of the NGO community that participates in OSCE meetings, as fully legitimate, non-violent human rights defenders. Should any member state seek to obstruct their participation, we urge you to use the powers of the Chair to support the right of non-violent human rights defenders to present their views at OSCE meetings.

Sincerely,



Neil Hicks
Director,
Human Rights Defenders Program

cc.

Heads of Missions to the OSCE
Secretary General of the OSCE
Director of the Office for Democratic Institutions and Human Rights, OSCE.

⁶ International Helsinki Federation, “2004 Recognition Award presented to the Society of Russian-Chechen Friendship,” November 15, 2005, available at http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=3983.