

**ANNUAL REPORT OF THE OSCE PA
SPECIAL REPRESENTATIVE ON POLITICAL PRISONERS
CONGRESSMAN STEVE COHEN (USA)**



**THE 30TH ANNUAL SESSION OF THE OSCE PA
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Overview

In July of 2022, U.S. Congressman Steve Cohen was appointed OSCE Parliamentary Assembly's first Special Representative on Political Prisoners. The role was necessitated by the continued increase in the frequency and scope of politically motivated prosecution in the OSCE region.

These include cases of activists and dissidents being detained, arrested, convicted, and otherwise punished for political motives without connection to any offence. The mandate is modelled after OSCE's offices of the Special Representatives on Human Trafficking, Gender, Youth and Security, and others.

The mission statement for the Special Representative is to "Identify, Verify, Track and Advocate for the Release of Political Prisoners in all fifty-seven Participating States of OSCE."

For the purposes of the Special Representative, "political prisoner" was defined based on the declaration of the Council of Europe's Parliamentary Assembly adopted on October 3, 2012:

- if the deprivation of liberty has been imposed in violation of one of the fundamental guarantees regarding freedom of thought, conscience and religion, freedom of expression and information, freedom of assembly and association.
- if the detention has been imposed for political motives without connection to any offence. This includes detention imposed solely for activities aimed at defending human rights and fundamental freedoms.
- if, for political motives, the length of the detention or its conditions are out of proportion to the offence the person has been found guilty of or is suspected of.
- if, for political motives, a person is detained in a discriminatory manner as compared to other persons; or,

- if the detention is the result of proceedings which were unfair, and this is connected with political motives of the authorities.

The Special Representative made a specific note that a person does not have to be convicted and may be in pre-trial or other government-mandated detention to qualify as a political prisoner. At the same time, a person will not be considered a political prisoner if the person has committed a violent offence against persons, except in cases of self-defense or necessity; or if the person committed a hate crime; or the person has called for violent action on national, ethnic, racial, religious, or other grounds.

The mandate of the Special Representative includes the following:

- Report on the political imprisonment of individuals and their eventual release.
- Develop policy recommendations aimed at enhancing effective political freedom throughout the OSCE region.
- Coordinate closely with other relevant Special Representatives and with officers of the Third Committee.
- Promote inter-parliamentary dialogue as a means to advocate the release of political prisoners and to prevent additional politically motivated imprisonments.
- Work closely with OSCE executive structures and with relevant external partners on issues related to political prisoners to improve the visibility and impact of OSCE action in this field, in line with the OSCE's conflict prevention mandate.

Activities

This report details the activities the Special Representative for Political Prisoners has undertaken within the first year of his mandate.

- The Special Representative engaged in close to ninety individual cases in OSCE-region countries as well as OSCE's Mediterranean Partner states. Most of these cases concerned political prisoners in Russia and Belarus.
- These engagements included public statements in support of political prisoners, private communication to OSCE-region governments on behalf of political prisoners, including the U.S. Department of State and other executive agencies.
- The statements were released through the Congressman's personal office as well as the U.S. Commission on Security and Cooperation in Europe where the Congressman is a Ranking Member.
- The Special Representative hosted an event in Warsaw, Poland to discuss the plight of political prisoners in Russia and Belarus, as well as Ukrainians living in the temporarily occupied territories of Ukraine being prosecuted by the occupation authorities for political motives.
- The Special Representative instituted a weekly social media highlight of individual political prisoners.
- The Special Representative introduced a resolution in the US Congress recognizing October 30 as the Day of Political Prisoners.
- The Special Representative and his staff regularly met with families of recognized political prisoners to demonstrate solidarity and discuss ways the Special Representative can be helpful in their cases.

- The Special Representative offered his expertise in numerous public events on political prisoners that sought to increase coordination between government and non-government actors working on cases concerning political prisoners.
- The Special Representative and his staff have built a rapid communication network with intergovernmental parliamentary rapporteurs and nongovernmental organizations that work on issues relating to political prisoners.

These are some of the illustrative activities the Special Representative on Political Prisoners engaged in during the first year of his mandate.

Recommendations

As we have gathered amidst some of the biggest geopolitical calamity the world has faced in decades, it is important to note that the plight of political prisoners is an issue that underpins this atrocity. The war in Ukraine in many ways has come about because Russia's Putin is an unchallenged tyrant. He is unchallenged because he has imprisoned, exiled, or killed all his critics and opponents. In Russia and Belarus, civic activists, political oppositionists, journalists, and anyone who dares say anything truthful about the regime faces detention and imprisonment, which makes them political prisoners. This pattern repeats itself across many countries and continents. It is for this reason that we should address the issue of political prisoners both as an atrocity against an individual but also a systemic challenge to our common security.

It is in this spirit that I propose the following recommendations:

- OSCE-region parliaments should consider adopting resolutions against or otherwise unequivocally condemn the practice of imprisonment for political motives at home and abroad.

- OSCE-region parliaments should consider adopting national resolutions designating October 30 as the Day of Political Prisoners.
- OSCE PA as an institution should develop a framework for monitoring cases of and visiting incarcerated political prisoners in places of their detention to ensure their physical well-being.
- OSCE PA Special Representative on Political Prisoners should establish closer coordination with the newly appointed UN Rapporteur on Political Prisoners as well as the anticipated Special Rapporteur for Political Prisoners of the Council of Europe to support individual cases of political prisoners more effectively.
- OSCE PA should systematically –via social media and otherwise – highlight cases of political prisoners as a reminder their cases are not forgotten, and that justice must prevail.

Overall, the plight of political prisoners should be given more attention and focus by national governments both as part of systematic human rights abuse and, as noted above, a threat to security.