

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



**THE 31ST 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 second year of his mandate.

- During the reporting period, the Special Representative engaged in close to fifty 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. The combined number of cases the Special Representative has engaged in within the first two years of his mandate was slightly over 140.
- 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.
- In at least three cases, the Special Representative's engagement contributed to either the release of a political prisoner, reduction in the penalty a political prisoner was facing or easing of their detention conditions.
- The spouse of a political prisoner in Russia stated that the Special Representative's engagement helped improve the conditions of the prisoner's confinement. While these improvements were temporary in nature, it was an important indication of the critical nature of public acknowledgement and discussion of political persecution cases.

- In October of 2023, the Special Representative initiated a hearing in the United States Congress highlighting the case of the Russian political prisoner Vladimir Kara-Murza. It featured the spouse of Mr. Kara-Murza and Mrs. Meghan McCain, a friend of the family. The hearing explored the ways the United States government can facilitate the release of Mr. Kara-Murza from a Russian prison where he is being held on false charges. The Special Representative also engaged in multiple official communications urging the United States Department of State to designate Mr. Kara-Murza a wrongfully detained individual.
- In June of 2024, the Special Representative presided over a hearing the United States Congress that discussed the plight of political prisoners in the OSCE region and beyond, and ways to keep perpetrators of political persecution accountable. The hearing features witness testimonies by Hon. Sviatlana Tsikhanouskaya, leader of democratic Belarus, Ms. Þórhildur Sunna Ævarsdóttir, General Rapporteur for Political Prisoners of the Council of Europe, and Ms. Annie Wilcox Boyajian, Vice President of Policy and Advocacy at Freedom House.
- The hearing explored the root causes of political imprisonment, examined specific cases of concern, and identified strategies for promoting accountability. By highlighting these injustices, the hearing aimed to galvanize domestic and international attention and action to address this pressing issue. It also looked at global strategies to reaffirm the collective resolve to safeguard the rights and dignity of all individuals, regardless of their political beliefs, civic activism, or other affiliations. The hearing fostered a deeper understanding of the challenges faced by political prisoners and their families, and the broader implications for democracy, human rights, regional stability, and global security.
- The Special Representative continued to highlight cases of political prisoners through social media.

- The Special Representative re-introduced a resolution in the US Congress recognizing October 30 as the Day of Political Prisoners.
- The Special Representative addressed a joint Radio Freedom/Radio Free Europe and Freedom House event on the cases of political prisoners in Belarus, specifically the cases where Belarusian political prisoners are held incommunicado without access to their families or lawyers for months or years.
- 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 and his staff engaged with the family members of the three Ukrainian OSCE staff members illegally detained and convicted in the Russia-occupied part of Ukraine. He consequently issued a statement calling for their release and urging coordination among all international actors to secure their release. For the full text of the statement, please see Attachment 1.
- The Special Representative offered his expertise in numerous public and closed-door 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 second year of his mandate.

Recommendations

As noted in last year's report, the world is living through the biggest geopolitical calamity Europe 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-region parliaments should consider adopting legislation that imposes sanctions on individuals implicated in the cases of persecution on political grounds.
- OSCE-region parliaments should consider setting up a fund that allows to rapidly deploy financial resources to support legal costs political prisoners may incur in their effort to defend themselves. Some of the funding could be used toward paying medical costs or travel costs of family members of political prisoners.

- OSCE-region parliaments should consider fast-tracking visa processing or establish special visa categories for civic activists, human rights defenders and others who may be at risk of being targeted for their activism and work.
- 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 deepen coordination with the UN Rapporteur on Political Prisoners as well as the 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.

ATTACHMENT 1

April 23, 2024

Press Release

Detention is “in complete contravention of international norms”

WASHINGTON -- On the two-year anniversary of the unjust detention of three Organization for Security and Cooperation in Europe (OSCE) officials in the Russia-occupied region of Ukraine, the Organization for Security and Cooperation in Europe Parliamentary Assembly’s Special Representative for Political Prisoners, Congressman Steve Cohen, issued the following statement:

“Two years ago, Russian proxies in the occupied regions of Ukraine arrested three Ukrainian OSCE staff members. Mr. Maksym Petrov and Mr. Dmytro Shabanov have already been ‘sentenced’ to 13 years in prison, while the so-called ‘legal proceedings’ concerning Mr. Vadym Golda are ongoing. Their detention and sentencing was done in complete contravention of international norms. The three OSCE officials were detained while carrying out their official duties as mandated by 57 OSCE participating States, including Russia, and despite many protests by OSCE and others.

“The government of the Russian Federation and its proxies in the occupied regions of Ukraine must immediately release all three OSCE officials. Putin has made it clear he will not abide by international rules and norms, but Russia is a voluntary party to OSCE and must ensure all OSCE officials are fully protected.

“Therefore, in strong support of **the recent statement** issued by the OSCE Secretary General and the Chair-in-Office, I also take this opportunity to call upon all parliamentarians of the OSCE region to use their voices to raise this urgent matter with their Russian counterparts. This case must be resolved as soon as possible, with the three OSCE officials released and reunited with their families.”

Background:

The OSCE Special Monitoring Mission was an unarmed, civilian mission, operating on the ground in Ukraine. The SMM started its activities in March 2014, following a request to the OSCE by Ukraine’s Government and a consensus decision by all 57 OSCE participating States. Its main tasks were to observe and report in an impartial and objective manner on the security

situation in Ukraine, and to facilitate dialogue among all parties to the conflict. The SMM discontinued its operations on March 31, 2022.

On September 19, 2022, Russian-backed proxy authorities in eastern Ukraine sentenced two former OSCE staff members to 13 years in prison on charges of high treason, whereas the so-called “legal proceedings” for another staff member are ongoing. The convictions came after the OSCE invoked the Moscow Mechanism, condemning Russia's human rights violations.

OSCE demanded an immediate release of the staff, reiterating they remain OSCE officials and had been performing official duties as mandated by all participating States.

The staff remain imprisoned in facilities in Luhansk, eastern Ukraine.