

**Report by Crude Accountability and
Ecoforum of NGOs of Kazakhstan on
harassment of environmental defenders
in the former Soviet Union and the USA**

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COMMON TREND AND THREATS OF HARASSMENT OF ENVIRONMENTAL DEFENDERS

Environmental protection has become a dangerous profession worldwide

Reported by Special Rapporteur Michel Forst, Global Witness, Frontline Defenders, Article 19

Increasing pressure on environmental defenders in the EECCA region and the USA

Deterring of environmental NGOs and citizens from genuine environmental activism

Alleged threats associated with environmental activism and limited foreign funding of NGOs are so exaggerated that we can call it the modern “witch hunt”

Serious threats for the implementation of the Aarhus Convention, principle 10 of the Rio declaration and even for possibilities to achieve sustainable development



Radiohead, Burn the Witch

TURKMENISTAN: FORCED LIQUIDATION OF ALL INDEPENDENT ENVIRONMENTAL NGOs AND CRIMINAL PERSECUTION OF ENVIRONMENTAL ACTIVISTS

Turkmenistan was the first EECCA country when we observed the increased pressure on environmental defenders

2002 – Farid Tukhbatullin (Dashoguz Ecoclub) was detained for participation in the conference in Moscow with the presence of the Turkmen opposition in exile

2003 – Farid Tukhbatullin was sentenced to 3 years in jail for alleged non-disclosure information on a severe crime and illegal crossing the border. He was released after protests by international community

2003 - Adoption of the new NGO law that lead to forced liquidation of all independent environmental NGOs and set the ban for non-registered citizens' associations

2005 – Decision by the AC Compliance Committee that the NGO law was in non-compliance with article 3, paras 4 and 9, of the Aarhus Convention

2006 – Andrey Zatoka (former leader of Dashoguz Ecoclub) was imposed to suspended jail sentence for 4 years for alleged storage of poisonous substance

2009 – Andrey Zatoka was sentenced to 5 years in jail for alleged severe personal injury case. The penalty was changed for a fine after protests by international community but had to leave the country in 24 hours

2010 – threats to the live of Tukhbatullin

2010 – restriction of freedom of movement for the Myatievs (former activists of Dashoguz Ecoclub)



*Farid Tukhabatullin, Andrey Zatoka
Photo from SEU, www.seu.ru*

Increasing and widespreading pressure on independent NGOs in the former Soviet Union

- In many countries of the former Soviet Union governments are attempting to disrepute and restrict activities of independent environmental NGOs as “foreign agents”, e.g. in Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Russia, Turkmenistan
- Regular blaming by high level officials and attempts to disrepute Green Alternative and other independent NGOs in Georgia for raising environmental concerns on laws and large infrastructure projects from 2012
- Harassment of the EITI country office in Azerbaijan (searches by police officers, fine in the amount of 118000 EUR for alleged underpayment of taxes, criminal persecution of the staff and members) from 2014



Khudoni project, photo from Green Alternative/ www.grealt.org

RESTRICTIVE REGIMES OF REGULATION OF NGOs AND RISKS FOR NON-INSTITUTIONALIZED ENVIRONMENTAL ACTIVISM

- Laws on “foreign agents” and making huge disincentives for registration and operation as NGOs in Russian, Kazakhstan, other countries, Kyrgyzstan?
- Making administrative barriers for NGOs, e.g. application of triple reporting regime for NGOs in Kazakhstan from 2016
- Environmental activist groups and “localization” of environmental protection
- Street protests and flash mobs
- High risks of very harsh treatment of detainees, administrative penalties and criminal persecution of street protesters
- Protests against cutting trees in Bishkek (Kyrgyzstan), harsh detention and penalization of street protesters in 2017
- Threatening community leaders for opposing the Kaghtsrashen Irrigation Project in Armenia in 2016



After cutting trees in Bishkek, photo - Danil Usmanov/Kloop.kg

CRIMINAL PERSECUTION FOR PEACEFUL PROTESTS AND FREEDOM OF SPEECH IN SOCIAL NETWORKS

- Case on citizens protests against amendments to the land legislation and renting agricultural lands to foreigners in Kazakhstan, 2016
- Freedom of peaceful assembly is declared by the Constitution an Environmental Code
- Applications for peaceful assemblies are not welcomed and blamed, participation in unauthorized peaceful assemblies was persecuted
- Two activists, Max Bokaev and Talgat Ayanov, in Western Kazakhstan were sentenced to 5 years in jail
- Publishing a petition on Facebook on environmental risks of the decision and meetings with activists from other cities w qualified as their additional crimes (inciting social and national hatred, distribution of false information)
- Harsh and unlawful execution of criminal penalty with the execution far away from the place of residence



Max Bokaev, photo from the Akzhaiyk newspaper

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