

Open Dialog Foundation – Statement of Activities, 2012

Legal basis:

- The Law on Foundations of April 6, 1984 (Journal of Laws [Dz. U.], 1991, Number 46, item 203, as amended)
- Regulation of the Minister of Justice of May 6, 2001 on the framework scope of foundation statement of (Journal of Laws [Dz. U.], Number 50, item 529)

1. Identifying data:

- a) **Name: FUNDACJA OTWARTY DIALOG / OPEN DIALOG FOUNDATION (ODF)**
- b) **Registered seat, address: 20-078 LUBLIN, UL. 3 MAJA 18/4**
- c) Date registered in the Commercial Register (KRS): **12.04.2010.**
- d) **KRS number: 0000353754, REGON: 060615226**
- e) Members of the board, as per the current record in the Commercial Register (KRS):

Name:

1) Lyudmyla Kozlovska – President of the Board

f) Statutory goals of the Foundation:

- Supporting activities aimed at fostering civil society in Poland as well as other developing democracies;
 - Scientific and research projects, education, training and cultural initiatives in relation to social and economic movements promoting the advancement of civil society;
 - Supporting the development of culture and education;
 - Conducting international election observation missions at various levels of government;
 - Promotion and application of proven strategies and methods of fostering development, both on a domestic and international level;
 - Furthering partnerships between Poland and other countries;
 - Promotion and support of activities aimed at supporting integration between developing democracies and other entities of international law;
 - Initiating, promoting and supporting activities that foster the process of civilisational and cultural change in order to create equal opportunities in intellectual, professional, social and cultural development.
 - Promoting and supporting developmental initiatives of students' unions in Poland and abroad.
- Principles, forms and scope of ODF's statutory activities and the realisation of its statutory goals:

2.1 Scope of activities:

1. Promoting and popularising the notions of democracy and civil society.
2. Empirical studies and statistical data analyses.
3. Organisation and use of mass media.
4. Organisation and delivery of training sessions and workshops for businesses, institutions, local government agencies, social movements and other NGOs.
5. Delivery of consultancy and coaching services for members of companies, institutions, local government agencies, social movements and other NGOs.
6. Organisation of events, conferences, seminars, exhibitions, advertising campaigns and concerts.
7. Publishing.

2.2 Realisation of goals in 2012:

In 2012 ODF predominantly focused its activities on developments in Kazakhstan due to the significant deterioration of circumstances of independent media, opposition parties and NGOs in the country.

Additionally, the Foundation maintained its involvement in projects for Russia and Belarus. Another important aspect of our activity was initiating and developing cooperation between broadly defined civil societies of CIS countries and European and international political institutions.

ODF organised the following observation missions:

1) Mission 'Observation Mission for Human Rights in the Republic of Kazakhstan in Connection with the Events of the 16th of December, 2011 in the City of Zhanaozen and their Consequences' aimed at the observation of trials of the striking oil workers of Zhanaozen organised with the cooperation and participation of The Centre for Civil Liberties (Ukraine) (April 2012)

2) Observation mission of the appeal procedure related with the events in Zhanaozen (cases of V. Kozlov, S. Sapargali, A. Aminov) organised with the cooperation and participation of MEP Piotr Borys, the President of Pirate Parties International, Gregory Engels and the New Eastern Europe quarterly (September 2012 r.)

3) Observation mission of the appeal procedure related with the events in Zhanaozen (cases of V. Kozlov, S. Sapargali, A. Aminov) organised with the cooperation and participation of Polish MP Marcin Świącicki (September 2012)

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4) Observation mission for monitoring the situation in the city of Zhanaozen, village of Shetpe and the Mangistau region after the events of December 2011 and freedom of the press – the functioning of independent media – organised in cooperation with independent Finnish (Kukka Ranta, Oxana Chelysheva) and Latvian (Maris Morkans) journalists (October 2012 r.)

5) Observation mission for the Vladimir Kozlov trial with the participation of representatives of the Open Dialog's Kiev branch (Katerina Kudriavtseva, Igor Savchenko) (October 2012)

6) Observation mission for monitoring the situation in the city of Zhanaozen and the Mangistau region after the events of December 2011 and the circumstances of political prisoners and repressed groups in Kazakhstan – organised with the cooperation and participation of Marco Perduca, Senator of Italy and Antonio Stango, member of Nonviolent Radical Party, Transnational and Transparty (November 2012)

7) Observation mission for court proceedings on the delegalisation of independent media and the opposition party Alga! In Kazakhstan – organised with the cooperation and participation of experts from the Belarussian Helsinki Committee, The Centre for Civil Liberties (Ukraine), Ukrainian party UDAR, Belsat TV, Radio Ratsiya journalists (Belarus) and independent lawyers (November/December 2012)

8) Observation mission for court proceedings on delegalisation of independent media and the opposition party Alga! In Kazakhstan with the participation of representatives of the Open Dialog's Kiev branch (Katerina Kudriavtseva, Igor Savchenko) (December 2012)

9) Observation mission on circumstances of independent media in Kazakhstan organised with the cooperation and participation of Oleksandr Doniy, member of the Supreme Council of Ukraine (December 2012)

ODF monitored the following elections:

- 1) Pre-term parliamentary election in Kazakhstan in 2012. The monitoring was initiated in November 2011 and lasted until the election day of January 1, 2012. It focused on the activities of the Central Election Commission in relation to allowing different political parties access to the election and campaigns conducted by all the parties in Kazakhstan, particularly in the cities of Almaty, Astana and Zhanaozen (Mangistau Province), where a state of emergency was declared following the events of December 2011. These activities were conducted in cooperation with Kazakh NGOs: Fundacja Aktywności Obywatelskiej Foundation and Aman-Saulyk Foundation with the use of information provided by state and independent media ('Respublika' and 'Vzglyad' newspapers). The Foundation, thanks to support received from the School for Leaders, managed to recruit 23 observers, whose mission to observe elections in Kazakhstan was scheduled for the 12th of January 2013. The mission was cancelled due to entry visas and accreditations being denied by the Kazakh authorities.
- 2) Parliamentary elections in Ukraine in 2012. The monitoring activities were conducted by the Kiev branch of the Foundation including the electoral campaign from the 1st of April 2012, until the election day (October 28, 2012), during this period the observers recorded and reported the course of the campaign on a regular basis, with special emphasis on the changes in the electoral law, trials of opposition activists, infringements and irregularities exposed by the Ukrainian media and NGOs.

The Open Dialog Foundation actively participated in public hearings and official meetings in a number of parliaments across Europe as well as the European Parliament:

- 1) Public hearing with the European Parliament Central Asia Delegation (DCAS) in Brussels on the circumstances of political prisoners in Kazakhstan, especially Vladimir Kozlov (February/March 2012)
- 2) Public hearing with the European Parliament Human Rights Committee in Brussels: "Exchange of Views on the Follow-up to the Resolution on Kazakhstan" (April 2012)
- 3) Public hearing in the Senate of the Republic of Italy in Rome: "Situation of Human Rights in Kazakhstan" organised in cooperation with Special Commission for Human Rights of the Senate of the Republic of Italy (July 2012)
- 4) Public hearing with the European Parliament Foreign Affairs Committee (AFET): 'The Challenges of the EU-Kazakhstan Partnership' (September 2012)
- 5) Public hearing with the Foreign Affairs Committee (AFET) and Central Asia Delegation (DCAS), (October 2012)
- 6) Public hearing with the Human Rights Sub-Committee within the Foreign Affairs Committee of the Parliament of the Republic of Italy in Rome (October 2012)
- 7) Public hearing with the European Parliament Central Asia Delegation (DCAS) in Brussels (November 2012)

ODF organised the following events:

- 1) Press conference in Warsaw on the pre-election situation in Kazakhstan and the authorities refusal to grant Polish observers entry visas and accreditation to observe the parliamentary elections (January 2012)
- 2) Conference in the European Parliament in Brussels: "What Kind of Future Awaits Kazakhstan after the Election?" organised in cooperation with MEPs Nicole Kill-Nielsen and Piotr Borys (January 2012)
- 3) Online conference with participation of a Russian journalist Yelena Kostyuchenko on the events in

Zhanaozen and repressions aimed at independent communities (January 2012)

- 4) Conference in Warsaw ‘Mass Repressions in Kazakhstan. How Can We Help?’ organised in cooperation with the Association for Free Speech and the Polish Journalists Association (February 2012)
- 5) Protest in Berlin for the politically repressed in Kazakhstan during the visit of the Kazakh president to Germany, organised in cooperation with Campaign Kazakhstan and a member of Bundestag Andrey Hunko (February 2012)
- 6) Seminar in the European Parliament in Strasbourg with participation of Garri Kasparov on the “Chess in Schools” program and political circumstances in Russia organised jointly with the Kasparov Chess Foundation Europe in cooperation with MEPs Jerzy Buzek, Piotr Borys, Paweł Kowal and EPP, ALDE, S&D (February 2012)
- 7) Conference in the European Parliament, Brussels: “Kazakhstan: Zhanaozen Trials and its Meaning for the Regime’s Credibility) organised in cooperation with MEPs Joanna Senyszyn and Piotr Borys (June 2012)
- 8) Conference in UN in Geneva: “Human Rights in Kazakhstan: Zhanaozen Process and Signing of the New Partnership and Cooperation Agreement between the EU and Kazakhstan” organised in cooperation with Non-Violent Radical Party, Transnational and Transparty (June 2012)
- 9) Scheduled to take place in Warsaw on President Nazarbayev’s birthday: ‘Naked King’, organised in cooperation with students from Lublin (July 2012)
- 10) Side event during the OSCE Human Dimension Implementation Meeting 2012 in Warsaw: ‘The Zhanaozen Strike: One Year Later. How Did it Change Kazakhstan?’ organised jointly with Front Line Defenders (October 2012)
- 11) Press briefing at the EP and EC Representation in Warsaw on the coverage of V. Kozlov, A. Aminov and S. Sapargali trials with participation of the observers: MEP Piotr Borys and Jędrzej Czerep (September 2012)
- 12) Conference at the Press Club Brussels Europe in Brussels “Muammar Gaddafi vs. Nursultan Nazarbayev. What assets will the President of Kazakhstan leave behind?” organised with the cooperation and participation of ‘Respublika’ and ‘Vzglyad’ newspapers (September 2012)
- 13) Press briefing at the EP and EC Representation in Warsaw on the sentencing of V. Kozlov and EU reactions to the political trials in Kazakhstan, with participation of Polish MP Marcin Świąćicki (October 2012)

Analytical and information activities

ODF representatives created publications, reports and press releases concerning the social and political developments in post-Soviet countries (with a focus on Kazakhstan and, to a lesser degree, Russia and Ukraine). Analytical activities of the ODF concerning Kazakhstan consisted of ongoing monitoring of commitment to democratic values, rule of law and human rights, as well as social, political and economic developments (publishing of “The Kazakhstan Insider” newsletter). Reports and news distributed by the Foundation were the source, based on which many articles both in the Polish and foreign media were written and statements were released by ODF representatives.

Support for persons seeking political refugee status in Poland and the EU

ODF monitored (and in certain individual cases provided support) the cases of political refugees from Kazakhstan residing in Poland and other EU member states. An important aspect of our activities in this regard was to maintain individual relations with MPs and cooperate with them to create interpellations, statements and official communication with government and judicial institutions in Kazakhstan as well as international

institutions for monitoring and defending human rights (OSCE, Council of Europe, UN, European External Action Service). The above-mentioned activities and individual meetings with MPs, media and NGOs were held in the following EU member states:

Poland, Belgium, France, Germany, Switzerland, Italy, Finland, Latvia and also in Ukraine, Russia and Kazakhstan.

The main results of ODF activities in the reported period include EP Resolutions on Kazakhstan of March 15, 2012 and November 22, 2012 concerning the release of political prisoners, improvement in the area of human rights, the need for reforms in order to hold pluralistic elections, freedom of independent media and NGOs, supporting dialogue between EU and Kazakhstan on adherence to democratic values and human rights, and including recommendations for a new Partnership and Cooperation Agreement between EU and Kazakhstan. An immediate result of the March 15, 2012 resolution was the release of Igor Vinyavsky – editor in chief of ‘Vzglyad’. The resolution also led to the freeing of two Kazakh civil society activists: Bolat Atabayev and Zhanbolat Mamay, and the revision of sentences for some of the oil workers in the so called Zhanaozen trials. It is the opinion of the Board and Management of ODF that numerous denials of entry by the Republic of Kazakhstan were a significant hindrance to the Foundation’s efficient functioning. These refusals to grant entry into Kazakhstan concerned both ODF representatives and persons and organisations maintaining contact with ODF who planned observation, coverage and participation in human rights meetings and events in Kazakhstan in 2012.

Cultural activities

Independently from its main area of activity – support for democratisation, human rights and the rule of law – ODF organised the 3rd International Theatre Festival ‘The Mould from Their Eyes’ which took place between the 9th and 13th of October, 2012 in Lublin. The festival was organised under the auspices of the City of Lublin and John Paul II Catholic University of Lublin. Its partners comprised student and cultural organisations from Poland, Czech Republic, Slovakia and Hungary. The Festival featured 3 professional performances, 3 amateur performances by workshop participants, 5 concerts, 4 discussion panels, 4 movie viewings and 3 theatre workshops. The performances gathered an audience of more than 1000 people, the concerts were attended by about 360 people and there were 57 workshop participants. Side events were visited by over 450 people.

ODF published regular and detailed descriptions of its events on its website: www.odffoundation.eu

2.3 Legal events ensuing financial consequences – none.

Information concerning business activities as per Commercial Register (KRS) records:

In the reporting period, the Foundation conducted only activities as dictated by its statute and it did not perform any business activities.

3. Resolutions of the Board – in 2012 the Board adopted 7 resolutions.

4. Revenue:

Total revenue – 607, 243.39 PLN.

5. Costs:

Total costs – 592, 447.14 PLN.

6. Other information on ODF activities:

a) Employees – in the reported period the Foundation employed 3 people,

b) total wages and salaries paid – 37.255,86 PLN

c) total annual remuneration to the Board and other entities within the Foundation – 0,00 PLN

d) costs of contracted activities – 9.026,12 PLN

e) loans granted by ODF – none

Financial assets deposited in bank accounts – the Foundation has no financial resources deposited in bank accounts.

g) value of purchased bonds and number of shares or stocks – the Foundation did not purchase any bonds; it holds no shares or stocks in commercial companies,


h) real estate purchased – the Foundation did not purchase any real estate,
other fixed assets acquired – the Foundation did not purchase any fixed assets,

j) tax liabilities covered – all the Foundation's tax liabilities are settled.

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7. In the reporting period one audit was performed of ODF (by 1st Tax Office in Lublin).

Signed by Board Members:

1. 

Warsaw, April 18, 2013