

## Report on the activities of the Open Dialog Foundation in 2013

### 1. Foundation's data:

- a) Name: FUNDACJA OTWARTY DIALOG (OPEN DIALOG FOUNDATION)
- b) Registered office, address: 00-580 WARSZAWA, AL. SZUCHA 11A/21
- c) Date of entry in the National Court Register (KRS): 12.04.2010
- d) KRS: 0000353754, REGON (stat. ID): 060615226
- e) Particulars of the Members of the Foundation Board as currently entered in the court register:  
Name and surname:  
1) Lyudmyla Kozlovska – President
- f) Foundation's statutory aims:
  - Supporting activities for the development of civil society in Poland and other states which develop democracy;
  - Scientific and research projects, education and training and cultural activities relating to social and economic movements which encourage the development of civil society;
  - Supporting the development of education and culture;
  - Conducting international observation missions during elections at various state levels;
  - Promoting and application of proven strategies and methods in support of development at both local and international levels;
  - Actions aimed at building partnership between Poland and other countries;
  - Promoting and supporting activities for the integration of states which develop democracy alongside other international law bodies;
  - Initiating, promoting and supporting activities for the process of civilisational and cultural changes creating equal opportunities for persons in terms their intellectual, occupational, social and cultural development;
  - Promoting and supporting initiatives for the development of students' self-government in Poland and abroad.

### 2. Rules, forms and scope of statutory activities with identification of statutory aims:

#### 2.1 Scope of activities:

1. Promotion and popularisation of democratic ideas and civil society.
2. Empirical studies and statistical data analyses.
3. Organisation and use of mass media.
4. Organisation and conduct of training sessions and workshops for businesses, institutions, local government organisations, social movements and other non-governmental organisations.
5. Organisation and conduct of consultations and coaching sessions for people representing businesses, institutions, local government organisations, social movements and other non-governmental organisations.
6. Organisation of events, conferences, seminars, exhibitions, advertising campaigns and concerts.
7. Publishing activities.

#### 2.2 Pursuance of the aims in 2013:

In the first half of the reporting year, the Foundation focused primarily on the situation in Kazakhstan relating to the considerable worsening of the situation in terms of respect for fundamental civil rights and freedoms by state authorities. The Foundation also addressed the theme of cooperation between democratic states, in particular EU Member States with authoritarian regimes which violate human rights. The subject of the Foundation's interest continued to be the instrumental, politically driven use of Interpol mechanism and the phenomenon of collaboration between former prominent European politicians acting as paid advisers to governments of non-democratic states.

In the second half of the year, in relation to the observed campaign of persecution of political opponents (providing significant support to civil society in their home country which was striving to survive) on the territory of the EU by Kazakhstan's government alongside the governments of Russia and Ukraine, the Foundation became actively engaged in defending opponents by seeking to prevent politically motivated extraditions of oppositionists, independent journalists and civil activists.

From November 2013, the Foundation monitored the situation intensively and subsequently became actively involved in providing help to Ukrainian civil society in connection with the mass-scale social protests against the rule of President Yanukovich which were prompted by his refusal to sign the Association Agreement between Ukraine and the EU.

Presented below, in chronological order, is a list of the Foundation's most significant public activities undertaken during the reporting period. It does not include individual meetings or passive participation of the Foundation's representatives in events relating to its statutory activities and projects or the outcomes of its analytical activities.

**The Foundation organised the following observation missions:**

- 1) Observation mission to the cassation trial of the opposition leader from Kazakhstan Vladimir Kozlov with the participation of the deputy to the Polish Sejm Tadeusz Woźniak (March 2013)
- 2) Observation mission for the observation of human rights and the situation of the bar in Kazakhstan of the Polish Bar Council organised upon the initiative of and in cooperation with the Open Dialog Foundation (April 2013)
- 3) Observation mission of the Open Dialog Foundation to the Kazakh Supreme Court session concerning the developments in Zhanaozen (rights of the striking oil workers) (May 2013)
- 4) Observation mission to the trial of Kozlov in the Supreme Court in Kazakhstan with the participation of deputies of the Polish Sejm: Marcin Świącicki, Adam Rybakowicz, Tomasz Makowski, Piotr Cieśliński (July 2013)
- 5) Observation mission in Madrid, Spain, to the extradition trial of Alexandr Pavlov, the former head of the security for Kazakh businessman and dissident Mukhtar Ablyazov (July 2013)
- 6) Observation Mission for Human Rights in the Republic of Kazakhstan in Connection with the Illegal Expulsion of Alma Shalabayeva from Italy organised in cooperation with and with the participation of Italian parliamentarians from the Movimento 5 Stelle party (August 2013)
- 7) Observation mission in Budapest, Hungary, to the extradition trial of Zaur Akpenbetova, former employee of BTA Bank prosecuted by Kazakhstan due to her cooperation with M. Ablyazov (August 2013)
- 8) Observation mission concerning violations of human rights as well as the social and political situation during the mass-scale social protests in Kiev in connection with Ukrainian president Yanukovich's refusal to sign the Association Agreement with the EU by – so-called EuroMaidan – with the participation of deputies of the Polish Sejm M. Świącicki and M. Szczerba (November 2013)
- 9) Observation mission in Sofia, Bulgaria, concerning the extradition of the former employee of Rosbank Viacheslav Breusov persecuted for his refusal to participate in corrupt practices (November 2013)
- 10) Observation mission concerning violations of human rights and the social and political situation during the mass-scale social protests in Kiev in connection with the brutal attempts to pacify the EuroMaidan movement, with the participation of the deputies of the Polish Sejm M. Świącicki, M. Jaros and T. Makowski (November/December 2013)
- 11) Observation mission to the extradition trial of Mukhtar Abkyazov in Aix-en-Provence, France, organised in cooperation with non-governmental organisations from Ukraine: the Ukrainian Helsinki Committee, Postup Human Rights Centre and the Dija Crimean Centre for Human Rights (December 2013)
- 12) Observation mission concerning violations of human rights and observation of the social and political situation during the mass-scale social protests in Kiev during the first street riots on Bankova Street and Institucka Street, with the participation of the deputies to the Polish Sejm M. Szczerba and T. Makowski (December 2013)

**The Foundation monitored the following elections:**

In the reporting year, the Foundation did not monitor elections.

**The Foundation was actively involved in public hearings and official meetings in parliaments of European countries and in the European Parliament:**

- 1) Debate at the European Parliament's Subcommittee on Human Rights (DROI) concerning the human rights situation in Kazakhstan in Brussels (January 2013)
- 2) Report of the European Parliament Central Asia Delegation (DCAS) on the Delegation's visit to Kazakhstan in Brussels (January 2013)
- 3) Meeting with the President of the Federal Republic of Germany and ambassadors accredited at the UN in Geneva with the participation of the Kazakh defender of human rights Y. Zhovtis and Alia Turusbekova, the wife of the imprisoned opposition leader from Kazakhstan V. Kozlov (February 2013)
- 4) Debate in the European Parliament (EP) on a resolution concerning the human rights situation in Kazakhstan in Strasbourg (April 2013)
- 5) Meeting in the bilateral Polish-Kazakh Parliamentary Group in the Polish Sejm on the activities of the Foundation and the human rights situation in Kazakhstan with the participation of the Group's Chair, Deputy Speaker of the Polish Sejm Jerzy Wenderlich and deputies of the Polish Sejm (April 2013)
- 6) Annual Session of the OSCE Plenary Assembly in Istanbul in connection with the draft resolution, prepared in cooperation with Viola von Cramon, German deputy to the Bundestag, on the situation in Kazakhstan and the use of Interpol to prosecute political opponents by authoritarian states (June/July 2013)
- 7) Public hearing in the Special Committee for Human Rights of the Senate of the Republic of Italy on the illegal deportation of Alma Shalabayeva to Kazakhstan in Rome (July 2013)
- 8) Conference in the Polish Senate on "Human Rights in Central and Eastern Europe and Central Asia against the background of International Standards" in cooperation with the Legislative Committee and the Human Rights, Rule of Law and Petition Committee of the Polish Senate with the participation of deputies to the Polish Sejm and senators and independent journalists, oppositionists and human rights defenders from Kazakhstan (December 2013)

**The Foundation organised the following events:**

- 1) Press conference on the anniversary of the imprisonment of the opposition leader from Kazakhstan, Vladimir Kozlov in the European Parliament's Information Office in Warsaw on the launch of the website [www.vladimirkozlov.org](http://www.vladimirkozlov.org) with the participation of the deputy to the Polish Sejm M. Świącicki and the MEP P. Borys (January 2013)
- 2) Press conference "Kazakhstan silences critical media" organised in cooperation with the German branch of Reporters Without Borders with the participation of representatives of independent media from Kazakhstan: I. Vinyavsky ("Vzglyad" paper) and I. Petrushova ("Respublika") (April)
- 3) Press conference summarising and presenting the report on the observation mission of the Polish Bar Council in Kazakhstan (May 2013)
- 4) Debate on "The Artist in the Face of an Authoritarian System. What Can Europe Do for Kazakhstan?" with the participation of the Kazakh theatre director and dissident B. Aabayev and the editor-in-chief of Gazeta Wyborcza A. Michnik at the Theatre Institute, organised in cooperation with the Goethe Institut and Gazeta Wyborcza (May 2013)
- 5) Conference entitled "Can Europe Make Nazarbayev a Democrat?" in Warsaw organised in cooperation with Collegium Civitas and the Students' Group for International Relations at Collegium Civitas (May 2013)
- 6) Exhibition entitled "Silenced Voices" at the Finnish Fiskars Centre for Art and Design, Finland, authored by the journalist and photographer Kukki Ranty on the problems of social exclusion in Kazakhstan and the oil workers' strike in Zhanaozen in 2011 (May 2013)
- 7) Happening organised to draw attention to political persecution in Kazakhstan organised in Warsaw on the occasion of the birthday of Kazakhstan's president Nursultan Nazarbayev

- entitled “Dictators’ Holiday” (July 2014)
- 8) Conference on “Human Rights in Kazakhstan and the Pursuit of Political Opponents in Exile” in Geneva, organised in cooperation with the Nonviolent Radical Party, the Transnational and the Transparty as a side event at the United Nations Human Rights Council (September 2013)
  - 9) Exhibition entitled “The Hutsuls. In the Shadow of the Carpathians” at the St. Vladimir Institute, Ukrainian Museum of Canada, Toronto, Canada, on the folk culture of the Huculs, organised in cooperation with the Ukrainian Federation of Canada, the Ukrainian Credit Union and the Toronto Ukrainian Festival (September 2013)
  - 10) Side event at the Human Dimension Implementation Meeting 2013 OSCE in Warsaw entitled “Political Persecution of Independent Groups in Kazakhstan 2012-2013” (October 2013)
  - 11) Conference on “The System of 'Red Notices' of Interpol and its Misuse for Political Purposes” in Rome under the auspices of the Italian parliamentarian Lii Quartapelle, with the participation of representatives of international non-government organisations, including Amnesty International, the Helsinki Committee for Human Rights and Fair Trials International (December 2013)
  - 12) Conference entitled “Interpol and International Justice: Are Authoritarian States Using the System to Silence Dissent?” at the Parliament of the United Kingdom of Great Britain and Northern Ireland in London, in cooperation with The Foreign Policy Centre with the participation of Fair Trial International and Hermitage Capital Management (December 2013)
  - 13) Conference “Two Years After the Zhanaozen Killings. What Now for Human and Workers’ Rights in Kazakhstan?” in Brussels, organised under the auspices of the MEP Paul Murphy with the participation of MEPs, EEAS representatives, victims of the tragedy – striking oil workers and political refugees from Kazakhstan (December 2013)
  - 14) Exhibition “Zhanaozen 2011 – The Truth about Rights and Freedoms“, opening of the exhibition with the participation of the Kazakh dissident and theatre director B. Atabayev and the editor-in-chief of Gazeta Wyborcza A. Michnik (December 2013)

Material aspects of the Foundation’s ongoing activities were individual relations and cooperation with parliamentary deputies to develop interpellations, inquiries and statements as well as the exchange of official communications with government structures and judicial institutions in Kazakhstan and international institutions established to monitor and defend human rights (OSCE, Council of Europe, UN, European External Action Service).

The Foundation’s representatives held regular meetings with MEPs, in particular members of the Foreign Affairs Committee, the Subcommittee on Human Rights, the Committee on International Trade and the Central Asia Delegation as well as representatives of the European External Action Service (EEAS) dealing with human rights and responsible for regional cooperation with Kazakhstan, the Special Representative of the EU for Central Asia Patricia Flor and the office of the EU Special Representative for Human Rights Stavros Lambrinidis.

The above-mentioned forms of activity and individual meetings with MPs, media and non-governmental organisations took place in the following EU Member States: Poland, Belgium, France, Germany, Switzerland, Italy, Finland, Latvia and also in Turkey, Ukraine, Russia and Kazakhstan.

#### **Analytical and information activities**

The Foundations’ representatives prepared publications, studies and press releases concerning the social and political situation in post-Soviet countries (focusing on Kazakhstan and, to a lesser extent, Russia and Ukraine). The Foundation’s analytical activities concerning Kazakhstan also comprised the ongoing monitoring of the observance of widely-understood democratic values, the rule of law and human rights, as well as social, political and economic issues (publishing, inter alia, *The Kazakhstan Insider* newsletter). The studies and up-to-date information disseminated by the Foundation served as the basis for numerous news articles in Polish and foreign media and direct commentaries which the Foundations’ representatives communicated to the media.

## **Support for efforts aimed at securing official refugee status for political refugees on the territory of the Republic of Poland and in the EU**

The Foundation also monitored (providing legal support in individual cases) the situations of political refugees from Kazakhstan residing within the territory of the Republic of Poland and other EU Member States, in particular persons threatened by politically motivated extraditions to Kazakhstan and the states it collaborates with.

The Foundation includes amongst the principal results of its activities in the reporting period the blocking of attempted extraditions of political refugees from Russia and Kazakhstan, including successful attempts to gain refugee status in EU Member States based on the political nature of persecutions in cases primarily monitored by the Foundation, including the cassation of the illegal deportation from Italy and the prevention of Alma Shalabayeva and Alua Ablazoveya, Mukhtar Ablyazov's immediate family members, refoulements to Kazakhstan.

The scale and scope of the activities extended considerably. The Foundation has successively continued its activities initiated in previous years whilst intensifying them significantly. At the same time, in the last months of the reporting period, the Foundation's significant resources were allocated to provide wide support for Ukrainian civil society organising itself around so-called EuroMaidan. Hence, humanitarian aid to Ukraine, widely understood, became a new area of activity. The number of projects carried out increased, lobbying activities were conducted internationally and the Foundation's number of staff and institutional partners also increased.

### **Cultural activities unrelated to the Foundation's core activities**

In 2013, the Foundation was the editor of the Z/N Magazyn Kulturalny bimonthly presenting current phenomena of contemporary culture in the area of visual arts and new media. Five issues of the magazine were released electronically at [www.zin.art.pl](http://www.zin.art.pl) and one issue in hardcopy. The hardcopy version of the magazine was distributed at the most important galleries and museums of contemporary art in Poland. The publication was made possible thanks to a subsidy from the Ministry of Culture and National Heritage and Lublin City Hall.

In cooperation with the local authorities (Starostwo Powiatowe) in Kraśnik, the Foundation released the book "Utracony świat Hani Pomeranc" (The lost world of Hania Pomeranc). The publication was developed thanks to support from the International School for Holocaust Studies, Yad Vashem Institute in Jerusalem, Kraśnik City Hall and Lex bookshop. "The lost world..." is an analysis of the diary of a Jewess Hania Pomeranc who, in a dramatic way, describes her experience of the Holocaust during her time in death camps of, inter alia, Budzyń, Majdanek and Auschwitz. The book also features articles on the history of the Jewish community in Kraśnik, a literary analysis of the diary and methodological materials on multi-culturalism and the teaching about the Holocaust.

The Foundation published detailed information about its activities on the website: [www.odffoundation.eu](http://www.odffoundation.eu) and on its official Facebook profile at: <http://www.facebook.com/OpenDialogFoundation>.

2.3 Legal issues having financial consequences – none.

3. Information on business operations in accordance with the entry in the register of businesses (KRS):

In the reporting period, the Foundation engaged in its statutory activities only and it didn't engage in any business operations.

4. Resolutions of the Foundation's Management Board – in 2013 the Board passed 1 resolution – Annex No. 1.

5. Information on the revenue generated:

Total revenue – PLN 1 791 542.43 of which:

- a) Funds under
  - subsidies: PLN 32 000
  - donations: PLN 1 692 434.62
- b) Statutory activities – other contributions (refund of the costs incurred for third parties and institutions): PLN 16 761.96
- c) Financial revenue: PLN 43 922.62
- d) Other revenue (including non-financial donations): PLN 2.19
- e) Other revenue (increase in revenue by the 2011 result): PLN 5 921.04
- f) Paid statutory activities: PLN 500.00

6. Information on the costs:

Total costs – PLN 1 501 278.35 of which:

- a) Costs of statutory activities (pecuniary performances): PLN 1 184 864.99
- b) Administrative expenses PLN 169 235.61
  - Consumption of materials and energy: PLN 1 617.59
  - Third-party services: PLN 48 902.37
  - Taxes and charges: PLN 28 592.80
  - Salaries and social security: PLN 90 122.85
  - Other: PLN 31 197.90
- c) Other costs (increase in costs by last year's profit/loss): PLN 129 865.42
- d) Financial costs: PLN 14 761.42
- e) Other costs: PLN 2 550.91

7. Data on the Foundation's activities concerning:

- a) Number of employees – in the reporting period the Foundation employed 3 persons:
  - Lyudmyla Kozlovska – Eastern Project Coordinator
  - Paweł Swiderski – Office
  - Laniya Vinyavskaya – Eastern Communications Specialist / journalist
- b) Total basic salaries paid by the Foundation – PLN 54 770.84
- c) Amount of annual salaries paid to the Board members and other bodies of the Foundation – 29 412.33
- d) Pay under civil-law contracts – PLN 31 653.48
- e) Pecuniary loans given by the Foundation – none
- f) Amounts in bank accounts – the Foundation did not have bank deposits, current account balance at Alior Bank as of the last day of the year was PLN 45 663.28; USD 48 443.37 and EUR 37 169.77
- f) amount of bonds and stock and shares purchased – the Foundation did not purchase bonds, does not hold stocks or shares in commercial companies,
- h) real estate purchased – the Foundation did not purchase any real estate,
- i) other fixed assets purchased – the Foundation did not purchase any fixed assets,
- j) total assets as of the year's end equalled the Foundation's total liabilities and was: PLN 410 768.37
- k) information about the Foundation's tax liabilities – as of year's end, the Foundation had outstanding tax liabilities. As of year's end, the Foundation was liable to pay the tax office the amount relating to personal income tax (PIT-4) of PLN 2 615.00 the amount relating to corporate income tax (CIT-8) of PLN 1 862.00, tax on goods and services (VAT-9M) of PLN 22 939.73 and social security contributions in the amount of 3 943.27.
- l) The Foundation submitted the following tax return forms: CIT-8, VAT-9M, IFT-2R, PIT-4R, PIT-11

8. In the reporting period, the Foundation did not perform assignments for state or local government bodies.

9. In the reporting period, no fiscal inspections were performed at the Foundation's headquarters.

Signature of the President of the Board:  
/signed/ Lyudmyla Kozlovska

Warsaw 30.06.2014