

COMPILATION OF WRITTEN RECOMMENDATIONS (Covering Working Sessions 1 - 4)

This compilation contains recommendations submitted to the HDIM Documentation Centre in accordance with the established procedure. The compilation is organized by Working Sessions and by what was submitted by Delegations / International Organizations / NGOs to participating States and, separately, to OSCE Institutions / Field Missions or other International Organizations. Recommendations are compiled in original language. This compilation contains recommendations from all documents received at the HDIM Documentation Centre by the end of Working Session 4; documents received after this time will be included later in the Consolidated Summary.

Monday, 21 September 2015

Opening Plenary Session

[Recommendations to participating States](#)

Luxembourg / European Union

- We call on **Russia** to cease the illegal annexation of Crimea and Sevastopol and to use its influence over the separatists to meet their Minsk commitments in full.
- the abduction of Estonian police officer E. Kohver by the **Russian** Security Services on Estonian territory, his subsequent illegal detention and conviction constitute a clear violation of international law. The EU calls for his immediate release
- We call on **Russia** to respect its international commitments and release without further delay all illegally detained Ukrainian citizens
- The EU calls upon the government of **Belarus** to take the next steps and carry out a comprehensive review of relevant legislation, policies and practices to ensure its full compliance with international human rights obligations, responsibilities and commitments.
- We also call on **Azerbaijan** to abide by its international obligations to respect human rights and fundamental freedoms and implement reforms to guarantee the rule of law, an independent judiciary and access to fair trials for all
- We call on **Azerbaijan** to engage in discussions with ODIHR on how ODIHR can provide assistance to Azerbaijan in the implementation of its election-related and other OSCE commitments

[Recommendations to the OSCE](#)

Russian Federation

- Защита христиан должна стать важным направлением деятельности ОБСЕ, наряду с предотвращением антисемитизма и нетерпимости в отношении мусульман.

Monday, 21 September 2015

WORKING SESSION 1: Fundamental freedoms I

Recommendations to participating States

Canada

- to fully respect their OSCE commitments and international obligations with regards to the rights to freedoms of association, peaceful assembly and expression, both online and offline.
- to ensure that limits to freedom of expression are prescribed by law, transparent and demonstrably justifiable as reasonable limits in a free and democratic society.

France

- It is the primary responsibility of governments to protect journalists and allow them to go about their work independently, without obstacle. That involves combating impunity for the perpetrators of violence. Governments need to systematically investigate, apprehend and prosecute those responsible.
- It is our common responsibility to update our commitments to protect the freedom of expression that was hard-won and was proclaimed by our predecessors at the outset of our Organization. The OSCE Belgrade Conference on the Safety of Journalists this June was a first step which we need to build upon.

Luxembourg / European Union

- Take urgent steps, including reviewing and revising existing legislation and practices, to improve the implementation of the commitments made on freedom of expression
- Recognize that freedom of expression is a key component of the concept of comprehensive security by putting it at the forefront of OSCE discussions, including in Ministerial Council preparations
- Draw on the expertise of the Representative on Freedom of the Media and engaging constructively on issues of concern while respecting her mandate

United Kingdom

- There is no logical or principled reason why participating States should be unable to agree language on this [freedom of expression and free media] important issue at the OSCE when they already done so at the United Nations. We therefore **call on** participating States to reflect seriously and to come to the Belgrade Ministerial Council ready to show resolve and adopt a Ministerial decision that brings OSCE commitments in line with those already agreed in other international fora.

Association of Internet Service Providers of Tajikistan

The Government of the Republic of **Tajikistan**

- will take all necessary measures to cease, with immediate effect, the indiscriminate and illegal blocking of access to Internet websites within its jurisdiction;
- will instruct the working group under the National Centre for Legislation under the President of Tajikistan to resume its work on the regulation of illegal content in the Internet with a view to create within a given deadline a legal basis which allows, in line with national and international legislation and best practice, to prevent access to illegal content in the Internet;
- will establish two multi-stakeholders working groups tasked to review the existing legal and regulatory frameworks for broadcasting and telecommunication services with the objective to draw up proposals for the speedy creation of two separate and truly independent regulatory authorities by taking into account best international standards for independent telecommunication and broadcasting regulatory authorities.

Freedom House

- Reject draconian restrictions on individuals and outlets, except those absolutely necessary to address imminent threats of violence and war;
- Support programs to make citizens more informed media consumers, enabling them to identify and scrutinize propagandistic messages on their own;
- Support the training of independent and citizen journalists in investigative journalism and reporting, including through exchanges of experience and knowledge;
- Increase support for existing and new international public service news and information services, including those supported by government and non-government sources, that focus on transparent and objective reporting of current events;
- Support the development of independent media, especially local and community-driven media, to ensure that local-, regional-, national-, and international-level issues are covered consistently, transparently, and from diverse angles;
- Support and enable initiatives that seek to dispel myths and rumours as well as debunk propaganda, especially those led by civil society groups, such as the pioneering Stopfake.org in Ukraine;
- Support new initiatives to bolster demand among Russian speakers for impartial, accurate news, including exposés and investigations of corruption and abuses of power; and creative and educational entertainment, including satire.

Radio Free Europe / Radio Liberty

To Azerbaijan

- On behalf of RFE/RL, I want to reiterate that the charges against her [Khadija Ismayilova] have no basis in law: they are punishment for her reporting and we call for her immediate release

To Turkmenistan

- On behalf of RFE/RL, I call for Mr. Nepeskuliev's immediate release, and condemn Turkmenistan's attempts to silence RFE/RL, in violation of its OSCE commitments.

Western Thrace Minority University Graduates Association

Calls upon the Greek State:

- To respect the right to freedom of expression and free media to protect pluralism in the society and enrich the diversity of opinion in the media, especially for the disadvantaged groups and minorities.

- To reconsider and revise the related legislation and ensure the equality principle for the every segments of the society, including the Turkish Minority of Western Thrace.
- To eliminate disparities between minority media and mainstream media in the application of legislation and in judicial process.

[Recommendations to the OSCE / RFoM](#)

Canada

- to continue her efforts to provoke reflection and actions of participating States on how freedom of expression and media freedom can be advanced through the internet.
- to continue to bring implementation issues to the attention of participating States, with a focus on egregious and violations of freedom of expression, freedom of the media and the safety of journalists.

Tuesday, 22 September 2015

WORKING SESSION 2: Challenges to the enjoyment of fundamental freedoms and human rights in the age of new information and communication technologies, including the respect for privacy

[Recommendations to participating States](#)

Canada

- to fully respect their OSCE commitments and international obligations with regards to the rights of freedoms of association, peaceful assembly and expression, both online and offline;
- to repeal laws that seek to restrict media and stifle opposition voices online;
- to cease backing online propaganda operations aimed at fomenting hate against other States or particular groups or individuals.

Luxembourg / European Union

- Ensure that all human rights that are to be safeguarded offline are effectively protected online, in particular, but not limited to, the right to freedom of opinion and expression and the right to privacy.
- Ensure that the legislation and procedures of pS regarding lawful surveillance of communications and data retention respect international human rights standards, more specific the principles of the rule of law, legitimate purpose, non-arbitrariness, effective oversight, and transparency.
- Ensure unhindered, uncensored and non-discriminatory access and preserve openness to ICTs and online services for all, in accordance with international human rights standards.
- Ensure the participation of civil society and continue working towards maintaining and strengthening multi-stakeholder participation in Internet governance.

European Foundation for Democracy

- establish effective mechanisms and closer cooperation to tackle online radicalisation;

- ensure that social media companies respect national laws against incitement to religious hatred and violence;
- cooperate with social media companies to prevent their platforms from being used to disseminate propaganda, hatred and violent content;
- ensure that the laws which underpin our civil society are upheld online too in order to deter extremists and thereby send out a clear message about safeguarding European values;
- establish closer dialogue with different communities, NGOs and experts working on the ground with the aim of creating consistent and coherent counter narrative messages;
- avoid cooperating with NGOs and groups and organisations representing extremist and religious ideologies and identify new partners within different communities;
- cooperate with social media companies to develop and communicate effective and comprehensive counter narrative messaging against terrorist and extremist groups.

[Recommendations to OSCE Institutions](#)

Canada

- to fully integrate and reflect an online perspective in their work for the protection and promotion of OSCE Human Dimension commitments.

Tuesday, 22 September 2015

WORKING SESSION 3: Challenges to the enjoyment of fundamental freedoms and human rights in the age of new information and communication technologies, including the respect for privacy (continued)

[Recommendations to participating States](#)

Set My People Free

- Do not forget Charlie Hebdo.
- Do not forget the price they paid.
- Do not forget the agony their friends and families went through.
- Do not forget it was an attack on our basic right for freedom.
- Do not forget it was against the foundation of democracy, freedom of speech.
- Do Stand for freedom of speech.
- Do not forget Without freedom of speech there is no freedom.

Wednesday, 23 September 2015

WORKING SESSION 4: Fundamental freedoms I (continued)

[Recommendations to participating States](#)

Luxembourg / European Union

- Avoid the excessive use of force in the policing of demonstrations and assemblies.
- Adopt laws and policies that clearly establish a presumption in favour of holding assemblies

- In accordance with OSCE commitments, permit organisations and individuals associated with them to seek, receive, manage and administer financial support from domestic, foreign and international entities without undue restrictions.
- Allow organisations the freedom to maintain contacts and co-operate with members of organisations within and outside the countries where they are based, as well as with foreign governments and international organisations.
- Encourage regular dialogue with civil society both at a national level and at the OSCE.
- Take advantage of tools such as the ODIHR/Venice Commission guidelines on Freedom of Peaceful Assembly and Freedom of Association.
- Extend invitations to ODIHR as part of their cycle of assembly monitoring in selected participating States

Council of Europe

OSCE participating States are encouraged

- to sign and ratify the Additional Protocol to the Council of Europe's Convention on Cybercrime, on the criminalisation of acts of a racist and xenophobic nature committed through computer systems.
- to allocate sufficient resources to national independent bodies entrusted with the fight against racism and intolerance.

Member States of the Council of Europe are once more encouraged

- to sign and ratify Protocol No. 12 to the European Convention on Human Rights, which provides for the general prohibition of discrimination.
- to enact legislation against racism and racial discrimination, if such legislation does not already exist or is incomplete; they are also encouraged to ensure that such legislation reflects the key elements in ECRI's General Policy Recommendation No. 7, including the setting up of an independent body specialised in the fight against racism and racial discrimination; moreover, they are encouraged to ensure that this legislation is applied effectively.

European Confederation of Police

calls upon the **EU and its Member States**

- to respect and enforce the values and rights encompassed by the Charter of Fundamental Rights and the Social Charter and help build knowledge and understanding of their tenets amongst police forces across Europe

European Organisation of Military Association (EUROMIL)

- to allow members of the armed forces to join a professional association or a trade union representing their interests;
- to consult military associations or unions on issues concerning the conditions of service of members of the armed forces and engage with them in a regulated social dialogue;
- to lift any restriction on freedom of association that is not prescribed by law, necessary, proportionate and non-discriminatory;
- to forbid disciplinary actions against members of the armed forces in connection with their participation in activities of lawfully established military associations.

Freedom House

urges the **Belarusian** government, as a participating State to the Helsinki Accords, to demonstrate that it is acting in good faith and implementing a comprehensive reform to support and advance the fundamental freedoms of association, assembly, and expression, by taking, among others, such concrete and immediate steps:

- expunge the criminal record of all former political prisoners;
- remove the detrimental Article 193.1 of the Criminal Code and allow civic activists to defend and advocate for fundamental rights and freedoms without fear of reprisal, notwithstanding organization's registration status;
- simplify registration and reporting procedures for nongovernmental organizations;
- repeal statutory limitations on the ability of nongovernmental organizations, registered or not, to receive funding from abroad;
- cease persecution of freelancing journalists, especially those covering socio-political issues, by frivolously applying Article 22.9 of the Law on Mass Media and other laws;
- repeal the administratively punishable statutory requirement of state accreditation for journalists of foreign media outlets, following the 2008 recommendations of the Office of the OSCE Representative on Freedom of the Media.

International Federation for Human Rights (FIDH), France

In view of the situation of human rights defenders in the OSCE area, the Observatory for the Protection of Human Rights Defenders urges OSCE Participating States to:

- Guarantee in all circumstances the physical and psychological integrity of human rights defenders in the OSCE Participating States;
- Put an end to the continuous repression and harassment of human rights defenders and their organisations;
- Release immediately and unconditionally all human rights defenders since their detention is arbitrary and only aims at sanctioning their human rights activities;
- Carry out immediate, thorough, impartial and transparent investigations into the threats, attacks and acts of intimidation mentioned above, in order to identify all those responsible and sanction them according to the law;
- Fully recognise the vital role of defenders in the promotion and consolidation of democracy and the rule of law;
- Review their national legislation to conform with international and regional human rights instruments, in particular regarding freedoms of association and assembly;
- Comply with the provisions of the OSCE/ODIHR Guidelines on Human Rights Defenders, the joint OSCE/ODIHR and Venice Commission Guidelines on Freedom of Association and of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly;

With respect to the implementation of the OSCE/ODIHR Guidelines on Human Rights Defenders, the Observatory also calls upon OSCE Participating States

- to develop protection mechanisms both nationally and in third-countries, through their diplomatic representations, in coordination, where required, with mechanisms that already exist on the basis of the EU, Swiss and Norwegian Guidelines
- to make public pledges on their commitment to implement the OSCE/ODIHR Guidelines
- to systematically raise cases of violations of the Guidelines within the framework of the OSCE weekly Permanent Council in Vienna, and ensure regular follow-up.

International Partnership for Human Rights (IPHR)

The authorities of **Kazakhstan** should:

- Take concrete and effective measures to implement the recommendations made by the UN Special Rapporteur on freedom of peaceful assembly and of association in the outcome report on his mission to Kazakhstan in January 2015.
- Bring existing legislation and practice on freedom of association and assembly into line with Kazakhstan's international human rights obligations; ensure that any new legislation that is adopted fully complies with these requirements; and consult and cooperate closely with civil society on reforming and improving relevant law and practice.
- Ensure that no one is arrested, charged or convicted for exercising their rights to freedom of expression, association and assembly; and immediately and unconditionally release all those who are held on such grounds. As long as Vladimir Kozlov, Aron Atabek and Vadim Kurasmhin remain in prison, protect their safety and well-being and ensure that they are not penalized for alleged violations of prison rules as a form of retaliation.
- Safeguard the right to freedom of association of trade unions and political parties and ensure that such organizations are not denied registration or closed down in violation of international human rights standards.

The authorities of **Kyrgyzstan** should:

- Reject the draft law on "foreign agents" due to its inconsistency with Kyrgyzstan's national and international human rights obligations.
- Refrain from using rhetoric that stigmatizes and discredits NGOs and their representatives; acknowledge the importance of their work; and ensure that they can carry out their work without hindrance and fear, irrespective of their sources of funding or the issues they address.
- Uphold the right of lawyers to integrity and confidentiality of their work and ensure that all court decisions relating to the March 2015 searches of the office of Bir Duino and the homes of its lawyers are effectively implemented.
- Carry out a new, full, independent and impartial investigation into the case of human rights defender Azimjan Askarov, including his allegations of torture and other human rights violations, and release him pending such an investigation due to the failure to protect his rights and grant him a fair trial upon his arrest in 2010.

The authorities of **Tajikistan** should:

- Ensure that the new legislation on NGO funding is not implemented so as to impede the access to funding of NGOs; and revise this legislation in accordance with the recommendations of civil society and international human rights experts to ensure that it safeguards the right to freedom of association.
- Refrain from undue interference into the work of NGOs and ensure that NGOs can operate freely and are not sanctioned or closed down on arbitrary grounds, in violation of Tajikistan's obligations under international human rights law.
- Bring the provisions of the Law on Assemblies into compliance with international human rights standards and promote an enabling environment in practice for the exercise of the right to freedom of assembly.
- Revise the Law on the Bar and the Practice of Law in accordance with the recommendations of national and international experts and refrain from adopting any further provisions undermining the independence of the legal profession. Ensure that no lawyer is arrested, charged or imprisoned in retaliation for his or her work.
- Ensure that political opposition parties can carry out their activities without hindrance.

The authorities of **Turkmenistan** should:

- Request international experts to review the Law on Public Associations and the Law on Assemblies in the light of Turkmenistan’s international human rights obligations and amend these laws in full accordance with the recommendations received.
- Ensure that NGOs and political parties that are independent from state structures may obtain legal status in a fair and transparent process and carry out their activities without undue interference.
- Allow peaceful, spontaneous protests to take place without repercussions for the organizers and participants.
- Put an end to intimidation and harassment of independent journalists, civil society activists and others who dare to criticize government policies.
- Immediately release all individuals who have been detained on politically motivated grounds; and disclose the fate of those who have disappeared in prison.

The authorities of **Uzbekistan** should:

- Take concrete and effective measures to implement the recommendations made by the UN Human Rights Committee with respect to safeguarding freedom of expression, association and assembly.
- Enable independent human rights NGOs to obtain legal status and carry out their work without hindrance; allow peaceful assemblies to take place without undue interference; and stop intimidating and harassing human rights defenders, journalists and dissidents.
- Release all those who have been imprisoned in retaliation for their peaceful exercise of freedom of expression, association and assembly; and put an end to the practice of arbitrarily prolonging the expiring sentences of “inconvenient” individuals because of alleged violations of prison rules.
- Ensure the safety and well-being of those in prison and thoroughly and impartially investigate all allegations of torture and ill-treatment of prisoners and bring those responsible to justice.

Western Thrace Minority University Graduates Association

calls upon the **Greek State**,

- To respect and implement the provisions of the international human rights instruments in which the freedom of assembly and association is safeguarded.
- To ensure that the right to freedom of peaceful assembly and association is enjoyed by the whole society, either individually or as a group, without discrimination and restriction on the basis of ethnic or social origin,
- To repeal any restrictions on the right to freedom of association discriminating against Turkish minority of Western Thrace,
- To recognize and take positive measures to implement the decisions of the European Court of Human Rights,
- To respect the Turkish Minority’s self-identification and repeal its decisions regarding the banning of Turkish associations,
- To facilitate dialogue with the Turkish Minority’s decision making bodies on the related issues to build trust towards the authorities.

[Recommendations to the OSCE Chairmanship](#)

International Federation for Human Rights (FIDH), France

- With respect to the implementation of the OSCE/ODIHR Guidelines on Human Rights Defenders, the Observatory also calls upon the OSCE Chairmanship to nominate an OSCE

Personal Representative on the situation of human rights defenders, who could be in charge of:

- monitoring the implementation of the Guidelines;
- raise individual cases of violations with national governments
- undertake country visits
- publish periodic reports

Recommendations to the OSCE institutions

Council of Europe

- OSCE institutions are encouraged to continue their co-operation in the fight against racism, racial discrimination, xenophobia, antisemitism and intolerance with the Council of Europe, and in particular ECRI, by further strengthening mechanisms enabling the exchange of information and data to support common action.