

COMPILATION OF WRITTEN RECOMMENDATIONS

(Covering Working Sessions 12-15)

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 15; documents received after this time will be included later in the Consolidated Summary.

Tuesday, 30 September 2014

WORKING SESSION 12: Tolerance and non-discrimination II

Recommendations to participating States

Muslim Problems Research Center

- Based on the analysis of available data, we would like to recommend to the Russian Federation authorities the following:
- Take measures that will lead to the investigation of the above attacks on Muslims and their objects of worship to the logical completion, that is, to detect criminals and their adequate punishment.
- Take measures to reduce the Islamophobic hysteria in the media.
- Create (taking into account the existing experience of ODIHR) training programs for law enforcement officers, in order to increase their level of education in the field of hate crimes against Muslims.
- Direct law enforcement agencies' attention to the need for registration of all cases of hate crimes against Muslims.
- Increase the degree of interaction between law enforcement and Muslim community organizations in the areas of prevention, registration, records and investigation of hate crimes against Muslims.

Giuseppe Dossetti Observatory for Religious Tolerance and Freedom

Participating States are urged to:

- provide disaggregated data on hate crimes, paying more attention to the hate crimes against Christians – also where they are majority – in the questionnaire collecting data from national data collection point.
- request the assistance of the OSCE/ODIHR in order to implement TACHLE Program at national level.
- solicit their political institutions adopting code of conduct or ethics for elected representatives preventing intolerant discourse.

- encourage Internet service providers and social networking services to adopt standard form contracts providing termination clauses and penalties in case of intolerant conducts of people using their services.
- adopt national action plan in order to prevent and respond to hate crimes.

Center for Information and Analysis (SOVA)

For the OSCE Participating States:

- To investigate the activities of the groups involved in the war crimes in one way or another; to investigate other especially grave crimes during the conflict in Ukraine. 2 Strictly prevent and adequately punish any instances of violence directed against political opponents, both in the course of public events as well as outside them. (These two recommendations relate primarily to the Ukraine and Russia, but not only them.) 3 To give an evaluation to the national laws on incitement to hatred and their implementation, with reference to the Rabat Action Plan.
- More actively use the information collected by non-governmental organizations that perform systematic monitoring of racist groups, and consult NGOs on law enforcement issues. Despite methodological, and even political, differences, such cooperation can be very productive.
- Adjust the legislative framework covering hate crimes and related activities, including public incitement, organizing, financing, etc. Legislation should focus law enforcement efforts, first and foremost, on prosecuting the most dangerous crimes against the person. The internal policies and regulations of law enforcement agencies should reflect the same priorities.
- Change the crime reporting system so that suspected hate motive could be recorded at any stage, including the earliest one. Specialized police units are more effective in investigating hate crimes, but regular police should conduct such investigations as well..
- Publish hate crime statistics, highlighting the different types, regions, and number of victims. Official statistics should be based on court decisions (for both proven and unproven cases), and not on the number of opened criminal cases.
- Actively participate in the TAHCLE training program for police officers.
- Train law enforcement personnel in detecting and deterring any unusual forms of offenses motivated by racial and similar hatred.
- Adopt and develop comprehensive anti-discrimination legislation or a series of individual acts containing effective rules and procedures of proving discrimination.
- When enforcing the laws relating to violations of the rules of entry and residence in the country, obtaining work permits, etc., officials should avoid making public statements linking these disorders with specific ethnic groups, and avoid holding large campaigns. Such enforcement should be carried out systematically and uniformly.
- Public officials should have no right to express publicly their intolerance or even disrespect to any minorities. Civil service legislation should include effective sanctions against such actions. These penalties also need be made public.

European Union

Recommendations:

- Enhance efforts to implement all OSCE commitments, in particular the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, as well as continue the regular review of its implementation; in this context, participating States should respond promptly and comprehensively to ODIHR's requests for information.
- Enhance the complementarity of the OSCE Action Plan on Improving the situation of Roma and Sinti and the EU Framework for National Roma Integration Strategies.
- Enhance implementing of the OSCE commitments with regard to Roma and Sinti by local authorities.
- Enhance data collection with regard to the situation of Roma and Sinti in all fields of the Action Plan, as far as this is in compliance with the legal framework and overall policy of a Member State.
- Include, where appropriate, a monitoring and assessment component in strategies, policies, measures and programmes related to Roma and Sinti, as well as review mechanisms taking into account the respective results of monitoring and assessment, as far as this is necessary by taking into account any existing monitoring mechanisms especially in the framework of the European Union.
- Enhance efforts to increase enrolment for Roma and Sinti children and youth at all levels in State-provided education and reduce school dropout rate; enhance efforts to eliminate segregation of Roma and Sinti at all levels in education
- Enhancing, where appropriate, the participation of Roma and Sinti in the elaboration, implementation and evaluation of the policies that affect them ;
- Prevent further marginalization and exclusion of Roma and Sinti and address the rise of discrimination and violent manifestations of intolerance against Roma and Sinti, including against Roma and Sinti migrants;
- Enhance efforts to strengthen the rights of Roma women and girls and to eliminate discrimination on multiple grounds;
- Enhance cooperation among international organizations with regard to improving the situation of Roma and Sinti.
- Continue activities of the OSCE field operations with regard to improving the situation of Roma and Sinti.
- The implementation of commitments against all forms of intolerance.
- Strengthen the capacity of ODIHR to deal with TND issues and ensure better synergy between the CiO Personal Representatives and ODIHR structures.
- Publicly speak out against hate crime, whatever the motivation.

Balkan Sunflowers

Recommendations on Implementation of the Strategy and Action Plan 2009-2015:

- An updated ‘‘needs assessment’’ of the three communities should be prepared
- Communication with, and support to municipal authorities to implement activities aiming to improve the situation of Roma, Ashkali and Egyptian communities should be immediately enhanced.
- The adoption and the implementation of Local Action Plans should be supported to ensure transparency and increased coordination between institutions and civil society
- The process for drafting a new, post-2015 Kosovo Policy for inclusion of the

communities should be immediately initiated and the focus of the new policy document should refer to the key areas identified in the Council Recommendation of 9 December 2013 on effective Roma integration measures in the Member States.

- The final draft of the new Kosovo policy, with a precisely set budget, should be submitted to the Kosovo Assembly for adoption
- A Permanent Office in charge of the co-ordination of the implementation of the new policy document and legal framework, should be established in the Office of the Prime Minister
- Municipal Mayors should be responsible of – and accountable for – the implementation of the central and local policies, at the local level
- Each municipality should establish a permanent Municipal Working Group for implementation of the LAP, involving NGOs, and communities' representatives.
- New policies should be long term, up to 2020

Mission Europa, Netzwerk Karl Martell

- MISSION EUROPA recommends that heightened awareness to legal theories like “Prior Restraint” be developed and considered when assessing concepts that concern state action – including non-state actors acting under color of authority – when considering activities involving free expression. It also recommends that distinctions between thought and expressions be considered suspect deserving strict scrutiny.

International Federation for Therapeutic Choice (IFTC)

Central Recommendation to Participating States of the OSCE:

To draft legislation to safeguard the freedom of:

- Minor and adult persons to receive freely sought professional care in order to eliminate, diminish, or manage unwanted sexual minority feelings, behavior, and/or identity.
- Medical and mental-health practitioners, educators, and researchers to offer professional education, guidance, and therapy to minors (with the support of their parents) and adults who freely choose such care in order to eliminate, diminish, and/or manage any unwanted sexual minority feelings, behavior, and/or identity.

We therefore recommend to OSCE Participating States:

In light of the aforementioned fundamental rights upheld by the Convention on the Rights of the Child and the Universal Declaration of Human Rights:

- To recognize and condemn intolerance and discrimination against sexual minorities who freely choose to receive help in order to overcome or diminish their unwanted sexual attractions, orientation, behaviors, and/or identity.
- To draft legislation to safeguard the freedom of medical and mental-health practitioners and educators to offer their professional guidance and therapeutic expertise to all people whose own sexual minority concerns are unwanted and who freely choose help in order to overcome or diminish their unwanted sexual attractions, orientation, behaviors, and/or identity. This includes minor children who themselves freely seek such services with the consent of their parents.

Activist from Moldova

In the light of the mentioned above the government of the Republic of Moldova is urged to:

- Enhance the implementation of the Action Plan regarding the support of Roma during 2011-2015;
- Provide trainings to professors regarding inclusive education;
- Undertake effective measures to ensure inclusive education and provide qualitative education to Roma children;
- Enhance the efforts to eliminate discrimination and marginalization of Roma in all areas of social, economic, political life;
- Enhance the access of Roma women and youth to education, employment, health and social services;
- Ensure the effective participation of Roma in political life and decision-making process, taking into consideration the principle of representative democracy;
- Include Roma consultative groups in decision-making process and the design of policies directly affecting them;
- Train the judges, prosecutors and law enforcement bodies on adequate investigation and sanctioning of hate crimes and hate speech;
- Condemn the discriminatory political discourse against Roma and adequately sanction such incidents.

ternType International Roma Youth Network

We would like to urge participating states to:

- Include the history of the Roma in respected states as part of the school curriculum in history classes.
- Mainstreaming educational materials on Roma Genocide history and remembrance in schools and non-formal education and Invest in to the research on the Roma Genocide
- Formal establishment of the 2nd of August as the memorial day of the Roma Genocide.

Canada

Canada's recommendations for this session are:

- For participating States to recall these founding principles and develop or improve their monitoring and data collection of hate crime and implement whole of government approaches to combating hate, violence and discrimination.
- For participating States to develop and implement legislation to combat hate-motivated violence.
- For participating States to ensure that hate crime on the basis of religious belief or sexual orientation are included as offences in their national criminal codes.

NGO 'Sandidzan'

- Мы уверены, что подобные действия, безусловно, станут причиной повышения уровня террористической угрозы, угрозы экстремизма в регионе. Призываем руководство Грузии осознать, что подобные провокационные планы не могут служить делу мира на Южном Кавказе, и отказаться от подобных безответственных планов.

Switzerland

Recommandations:

La participation effective d'une communauté minoritaire aux affaires publiques qui la concernent est un élément essentiel à son intégration. A cet effet, nous recommandons aux Etats participants:

- De redoubler d'efforts pour mettre en place des mécanismes de participation et de consultation des Gens du voyage, Sintis et Roms.
- De s'engager dans un dialogue ouvert avec la société civile pour progresser dans la mise en oeuvre de ses engagements.

Recommendations to the OSCE

Giuseppe Dossetti Observatory for Religious Tolerance and Freedom

The OSCE/ODIHR is called upon to:

- train law enforcement agencies, media and civil society to consider carefully also the hate crimes perpetrated against majority groups.
- develop a comprehensive training on hate crimes for prosecutors similar to TAHCLE.

The OSCE Representative on the Freedom of the Media is called upon to:

- provide – in close cooperation with the OSCE-ODIHR and the Advisory Panel of Experts on Freedom of Religion or Belief – guidelines for voluntary professional standards and self-regulation of the media on countering religious intolerance and discrimination in the media.

Russian Federation

- В этой ситуации для ОБСЕ необходимо на деле наладить механизм взаимодействия со всеми странами для успешной борьбы с наемничеством, и, соответственно, с угрозами терроризма и преступлениями на почве ненависти.

Center for Information and Analysis (SOVA)

For the OSCE:

- In the context of the conflict in Ukraine, establish a working group that would monitor military activities of the ultranationalists. An agreement between Ukraine and Russia on the format of such a group should be reached.
- Compile and distribute experience gained from prior comprehensive efforts against groups that practice racist violence, including specific criminal investigations, detection and destruction of the groups' infrastructure, isolation of their funding sources, identifying organizers and coordinators of violent actions, etc. Hold an international expert workshop on this topic, if needed.
- Establish a working group to assess the effectiveness of national legislation in terms of countering not only hate crimes, but also incitement of hatred. We understand that it is impossible to create recommendations for legislation on incitement to hatred in the framework of the OSCE. However, it should be possible to respect existing laws and their implementation. The Rabat plan of action, developed in the framework of the United Nations at the beginning of last year, can be taken as a fundament.
- Organize a seminar – or better a series of seminars - for law enforcement officials from different countries, presenting a summary of successful practices for collecting information and recording hate crimes statistic.

International Federation for Therapeutic Choice (IFTC)

We recommend to OSCE/ODIHR and OSCE Missions:

- To be aware of and condemn intolerance and discrimination against sexual minorities who freely choose help in order to eliminate, diminish, or manage unwanted feelings, thoughts, behavior, and/or identity.
- To assist OSCE Participating States in monitoring and drafting legislation, with special attention to safeguarding the above-mentioned rights upheld by the CRC and the UDHR.

Buergerbewegung Pax Europa

BPE recommends:

- That statistics be made not only about the victims of hate crimes, also about the perpetrators, in order to identify if any political or religious group appears to be causing particular problems in the field, and as a basis for further legal action if this is the case.
- That OSCE pS undertake a vetting of Islamic organizations in the political sphere to ensure that they do not give rise to radical views on adherents of other religions, and in particular that their literature and other material be investigated for endorsement of such views.
- That OSCE pS call upon Islamic organizations to issue official statements that harassment of and hate crimes against Jews, Christians or other non-Muslims is against the teachings of Islam, and that such intolerance of other religions cannot be tolerated.

Tuesday, 30 September 2014

WORKING SESSION 13: Tolerance and non-discrimination II (cont.)

Recommendations to participating States

Observatory on Intolerance and Discrimination Against Christians in Europe

To improve what is already on a good path, please allow me to make five recommendations:

- First, we recommend to participating states to combat underreporting by collecting disaggregated data on hate crimes against Christians. In some countries, vandalism against a Christian site is only listed as vandalism against a public building.
- Secondly, we recommend to participating states to mind the problem of „reverse discrimination“, or unintended discrimination, which could be caused as a side effect of anti-discrimination policies. Excessive regulation of private conduct with regard to discrimination on the grounds of religion or sexual orientation may cause conscience problems and discrimination of Christians. An example of such over-boarding legislation is the draft EU - fifth equal treatment directive.
- Ladies and Gentlemen, let me conclude with a fifth recommendation: In the light of recent global developments, combating persecution of Christians outside the OSCE area must become a priority of the foreign secretaries of participating states in their foreign policy.

Recommendations to International Organizations

International Human Rights Movement "World without Nazism"

- В этой связи я считаю, что правозащитные организации, эксперты, специализирующиеся на этой теме, должны объединить усилия для проведения совместного мониторинга уровня агрессивного национализма в разных странах с целью представления Доклада на данную тему, который мог бы быть представлен на различных международных или национальных площадках. Доклад может быть сделан на основании общей совместно выработанной методики, что позволит нам ввести определенный стандарт в определении уровня радикального национализма в Европе. Первый опыт такого исследования был сделан в 2013-2014 годах нашей организацией, которая выпустила "Белую книгу нацизма", где анализируется эта проблема.

Institute Europeen de Recherches et D'Etudes Des Sciences Sociales et Religieuses

In this context, we formulate the following suggestions:

- We call the Kingdom of Belgium as other Participating States to refuse the institutionalized Islamophobia that may exist in the public space.
- Personal Representative on islamophobia should take more strong position in close cooperation with ODIHR.
- We call the Belgian Government to take the necessary measures to counter all hate acts towards the cultural and religious minorities, with the help of strict measures, training

programmes and interculturality. As such, White Paper about the intercultural dialogue of the Council of Europe and different tasks of OSCE just like those on the Principal Directors for Trainers should serve as a basis of references.

- Personal Representatives should express their opinions within the framework of OSCE principles and ODIHR Guidelines without specific ideological and political preferences. In that way, OSCE and ODIHR are available to provide assistance for using correct key language and support.
- Finally, we call the next Serbian Presidency of the OSCE, to reinforce the ways of ODIHR so that they could better prevent the attacks experienced by the religious minorities within Participating States like in Belgium. We keep on underlining that to ensure equal participation of all communities in the OSCE area, the ODIHR should promote and facilitate more participation of Muslim NGOs towards its activities & events.

Council of Europe

The Recommendation tackles the issue in the following 11 chapters:

- Equality and non-discrimination legislation;
- Research, data, statistics;
- Participation in political and public life as well as decision-making;
- Education and training;
- Employment and economic situation;
- Health care and rehabilitation;
- Access to social protection and community-based social services;
- Sexual and reproductive rights, motherhood, and family life;
- Access to justice and protection from violence and abuse;
- Participation in culture, sport, leisure and tourism;
- Raising awareness and changing attitudes.

All member States should implement the provisions contained therein, taking account of the special situation and requirements of women and girls with disabilities, not only when elaborating disability legislation and policies but also when generally promoting and fostering gender equality.

Forum 18

What can constructively be done? Participating States, OSCE institutions and field operations could:

- insist that human dimension commitments are implemented in full by all participating States;
- situate OSCE religious tolerance and non-discrimination work within a human rights for all perspective, prioritising respect for the freedoms of religion or belief, expression, assembly, and other human rights and fundamental freedoms including the right to be free from torture;
- mainstream work to ensure and promote freedom of religion or belief with its interlinked human rights, for example building on the work of the ODIHR Human Rights Department;
- use tools such as the EU Guidelines on the promotion and protection of freedom of

religion or belief¹, the OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities and the OSCE Guidelines on the Protection of Human Rights Defenders.

ABTTF - Federation of Western Thrace Turks in Europe

We strongly believe that it is crucial that Greece should condemn firmly and unequivocally all forms of hate crimes. Hate crimes constitute serious human rights violations and there is a need to impose on the perpetrators of sentences that are effective, proportionate and appropriate to the offence committed.

- Greece should ensure co-operation, where appropriate, at the national and international levels, including with relevant international bodies and between police forces, to combat violent hate crimes. ABTTF urges the Greek authorities to raise the public awareness for the problem of the dissemination of incitement to hatred in public discourse. In combating hate-motivated attacks and crimes against the migrant groups and the Turkish Minority of Western Thrace, the Greek Government should investigate and prosecute perpetrators, and condemn publicly and unequivocally such incidents. The far-right and neo-Nazi political parties such as Golden Dawn must be banned and excluded from all state subsidies, where evidence demonstrates that they advocate for and are involved directly or indirectly in acts of racist violence.

Western Thrace Minority University Graduates Association

The Turkish Minority of Western Thrace recommends Greece:

- To consider the Turkish Minority as equal citizens not only in papers but also in practice,
- To treat the members of the Turkish Minority as citizens of Greece not historical enemies,
- To respect the Turkish Minority's ethnic, linguistic and cultural background,
- To conduct an objective, effective, result-oriented dialogue mechanism with the Turkish Minority Representatives.

Human Rights Without Frontiers

Human Rights Without Frontiers Int'l recommends to the government of France:

- To revise its policies stigmatizing and ostracizing so-called sects and their members
- To stop financing organizations fueling social hostility towards religious or belief groups
- To respect the jurisprudence and the fundamental principles of neutrality and impartiality governing the relations between the state and any religious or belief community as advocated by the jurisprudence of the European Court
- To examine the good practices of the Geneva-based Centre d'Information sur les Croyances in Switzerland which is financed by three French-speaking and one Italian-speaking cantons.

Core Issues Trust

Core Issues Trust requests the participating states of the OSCE, and the ODIHR to promote protective legislation for, and to pay careful attention to:

- The right of access to appropriate and competent guidance and therapeutic care, including spiritual care, for both minor and adult individuals seeking help, after advanced, informed consent, and
- The protection of trainee and practising professionals to provide such support with access to both professional memberships of relevant bodies and requisite insurance.

Order of St. Andrew the Apostle, USA

The Order recommends the following.

- First, the Government should allow full legal standing for the Ecumenical Patriarchate and all religious institutions (Muslim and non-Muslim). If necessary, the 1935 Law on Religious Foundations should be amended. Exceptions could be made in matters related to the national security and public safety.
- Second, the Government should extend the August 27, 2012 deadline for the submission of applications to recover seized property.
- Third, the Government should expand the scope of the Decree to include all seized properties that were excluded.
- Fourth, the Government should totally revamp the manner by which the Decree has been implemented. A Public Advocate, who is not a Government bureaucrat, should be employed to ensure that the Decree is implemented in a fair and expeditious manner. The Public Advocate should be provided the necessary staff and authority to oversee its mission.
- Fifth, the Government should codify the Decree into statutory law, so that it cannot readily and arbitrarily be rescinded by later executive fiat.
- Sixth, the Government must fully implement the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which Turkey has subscribed, and interpret the 1923 Lausanne Treaty so as to provide equal rights to all religious minority communities.

Islamische Gemeinschaft Milli Gorus e. V.

Our Recommendations are:

- Governments are expected to register Islamophobic attitudes and the resulting adult crime separately, safety authorities are expected to investigate and to let explore this phenomena criminologically.
- After the arson attacks on mosques, churches and synagogues in Germany and other European countries, governments are asked to increase the protection of religious centers. When creating a risk assessment religious communities must be involved in this process.
- The fact that investigating authorities often exclude a political motivation right at the beginning off the investigating process, creates the impression that the determination result was anticipated in most cases. This assumption needs to be reviewed with the help of studies and analyzes. For this insight is required into various investigation files. Moreover, in this context, we call for the implementation of the recommendations of the

NSU-committees of inquiry with the assistance of science and civil society.

- Training of police and judicial awareness with respect to the subject area of anti-Muslim crimes and training to strengthen intercultural competence.

Forum for Religious Freedom Europe (FOREF)

Recommendations:

- That the Government of Hungary, and specifically the Minister of Human Capacities, place back on the official registry of incorporated churches included in the appendix of Act CCVI (206) of 2011 those churches deregistered unconstitutionally and in breach of the European Convention on Human Rights by Parliament in 2011. Hungary should honor its international legal commitment to the European Convention and abide by the Court's decision. That Hungary should modify its church law so that legal recognition of churches is not determined by 2/3 vote of Parliament, something criticized in both the European Court and the Hungarian Constitutional Court.
- That participating States to assist Hungary to harmonize its laws in accordance with the Helsinki standards and international human rights law.

Church of Scientology; Human Rights Office

- We urge the French authorities to draw the necessary conclusions from this outcome. The countries of the Council of Europe, in alignment with the OSCE guidelines on non-discrimination on the basis of religious affiliation, do not want such a discriminatory system as the one existing in France. We are open to any discussion on this topic with the French representatives, and respectfully ask the ODIHR to engage in discussions with France to put an end to discrimination against religious minorities in this country.

Council of Europe

The Council of Europe presents the following specific recommendations:

- 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.
- 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.
- Member States of the Council of Europe are once again encouraged 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.
- OSCE participating States are encouraged to allocate sufficient resources to national independent bodies entrusted with the fight against racism and intolerance.
- 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.

International Raelian Movement

The Raelian Movement's requests are the following:

- That the French governments stop financing anti-cult movements with tax payers' money unless they protect the rights of all their citizens and sponsor meetings to support universal understanding.
- That the MIVILUDES' and the CIAOSN's (equivalent of MIVILUDES in Belgium) mission become that of reviewing all religious books, including those of major religions, to promote universal Peace and remove passages that incite to hatred.
- That the legislative arsenal against minority religions, notably the About Picard Law, be replaced by a reminder of the Declaration of Human Rights.
- That the governments in Europe change the terms « cults » and « « sects » in all the new official and administrative documents by less ambiguous terms like « minority religions».
- That civil servants (magistrates, police officers, teachers, educators, etc.) no longer be trained to fight and single out members of religious minorities as they do in France within the CAIMADES, a sub-organization of the UNADFI, but rather promote the protection of universal beliefs and thus more tranquil communities.

Social Action Center in Ukraine

Anti-discrimination Coalition has a number of recommendations for Ukraine and urges member-states to continue monitoring Ukraine's progress in implementation of the following:

- Reform relevant legislation and implementation mechanisms to ensure access to redress for victims of all kinds of discrimination including hate crimes.
- The State must ensure access to the fair justice in courts, as well as for free legal assistance, for all victims of discrimination.
- Provide human rights trainings for the police, prosecutors, border guards, staff of temporary detention facilities and judiciary, as well as facilitate the reporting of cases when Roma people are abused due to their ethnicity, as well as when it happens to other persons of different ethnic origin, or LGBT persons: effectively investigate complaints and bring those found guilty of such acts to justice.
- Develop dialogue with the civil society organizations aimed at improvement of reporting and investigation practices, as well as at building cooperation mechanisms for better provision of services.
- Take measures to effectively identify and ban illegal profiling practices within law enforcement authorities and establish independent mechanism of complaints on human rights abuses committed by police.

Buergerbewegung Pax Europa

Recommendation to the Austrian Delegation:

- BPE recommends that Austria take seriously its OSCE commitments with respect to implementing the Law on Islam in Austria. We reaffirm the necessity that the Austrian authorities demand a certified German copy of the Koran and the Hadith to check whether Islamic teachings are indeed compatible with Austrian laws.
- BPE recommends that Austria actively obtain written affirmations from Islamic organizations that they do not currently, and will not in the future, seek to introduce Sharia law in the land.
- BPE recommends that OSCE and its participating States abandon the use of undefined and ambiguous terms until a definition has been agreed upon by all participating States.
- BPE calls on religious leaders in the OSCE region to repudiate verses that call for violence against non-believers.
- BPE recommends that the enforcement of legal systems at odds with universal human rights and democracy become punishable under the law.
- BPE calls on religious leaders to refrain from teaching violence to their congregations. We also call on religious education teachers to refrain from teaching their students about Jihad and violence.

European Union (EU)

Nos principales recommandations sont les suivantes :

pour les Etats participants

- Veiller à ce que chaque individu puisse jouir, sans distinction, des droits de l'Homme et des libertés fondamentales et dispose de moyens de recours effectif en cas de discrimination ou autre violation de ces droits et libertés ;
- favoriser l'apprentissage de la diversité, du dialogue et de la tolérance et déconstruire les préjugés en promouvant les droits de l'Homme ;
- oeuvrer à la compréhension et à la tolérance entre communautés ;
- Condamner de façon systématique les appels à la haine quels qu'en soient les auteurs, les motifs et les individus ou les communautés visées ;
- Coopérer activement avec le BIDDH pour prévenir et combattre toutes les formes d'intolérance

Giuseppe Dossetti Observatory for Religious Tolerance and Freedom

Participating States are urged to:

- foster the participation of religious communities in public life and welcome the interventions in the public debate of the religious leaders.
- follow-up the Cordoba, Bucharest, Astana and Tirana Conferences by convening a Conference at the appropriate high-level in 2015 to examine in a balanced way racism, intolerance and discrimination, within the realm of all existing commitments.

The Chairmanship-in-Office is urged to:

- consult closely with the Personal Representatives and support their work.
- appoint a fourth Personal Representative on Combating Racism, Xenophobia and Discrimination, focusing on Intolerance and Discrimination against the members of other religious communities and against Roma and Sinti, in order to focus one Personal Representative's mandate on Intolerance and Discrimination against Christians.

The Personal Representatives of the Chairmanship-in-Office are called upon to:

- focus on, and adopt a standardized approach to, country visits and subsequent reports.
- intervene when incidents do occur, through public statements and engagement with authorities of relevant participating States.

Canada

Canada's recommendations for this session are:

- For participating States to better implement their OSCE commitments on tolerance and non-discrimination and to unequivocally condemn hate and violence against persons on the basis of race, religion, sex or sexual orientation.
- For participating States to continue their cooperation with ODIHR's Tolerance and Non-Discrimination Program.
- For participating States to make specific efforts to confront violence towards persons based on their sexual orientation by providing meaningful responses to such violations.
- For the OSCE and all its participating States to take a clear stand against violence targeting sexual minorities and to reflect this explicitly in the body of OSCE commitments.

United States of America

As we examine and strive to address challenges in the United States, we urge all participating states to look inward and recommit to advancing the implementation of tolerance commitments, including by reversing alarming spikes in racist, xenophobic, and discriminatory acts in the OSCE region. To that end, we call for all participating States to:

- Support and fully utilize ODIHR's Tolerance Unit. Increased funding for ODIHR within the unified budget and through extra-budgetary projects is needed to support the expanded workload of the Tolerance Unit, including requests from participating States for training on hate crimes, reviews of hate crimes legislation, and other monitoring and capacity building tools. Additionally, with a view to making the recently launched ODIHR hate crimes website (www.hatecrime.osce.org) a more useful tool, we encourage all participating States to provide disaggregated national hate crimes data to ODIHR. Reporting hate crimes can be the first step in broader efforts to investigate and prosecute such offences.
- In light of a number of recent attacks against migrants in Greece, which have in part been fueled by xenophobic rhetoric, we welcome plans by Greece and ODIHR to hold training on combating hate crimes. We also welcome the recent adoption of an anti-discrimination law in Georgia that includes protections for members of the LGBT community. The United
- States regrets that there have been violent attacks in Moldova ostensibly fueled by anti-

LGBT animus. We urge Moldovan public officials to speak out against such acts and ensure that violent hate crimes are effectively prosecuted.

- Strengthen efforts to combat anti-Semitism as well as intolerance and discrimination against Muslims, Christians, and members of other religions. The spike in hate speech and violent physical attacks targeting Jews this summer, as well as attacks on Jewish religious and cultural institutions in many parts of the OSCE region, underscores the importance of the upcoming November commemoration of the 2004 Berlin Conference on Anti-Semitism. We thank Personal Representative Rabbi Baker for his work to make this event a reality and call upon all participating States to send senior representatives. More importantly, we call on all participating States to implement concrete efforts to protect Jewish communities, and address continuing prejudices, so that Jewish communities may be secure and flourish.
- We look to ODIHR to continue its programs, training, and direct engagement in OSCE states on tolerance issues. With anti-Muslim hate crimes on the rise in the United Kingdom,
- France and elsewhere in the region, ODIHR outreach to Muslim groups through projects such as the April 2014 expert meeting on combatting hate crimes against Muslim communities provides significant support to participating States, and to Muslim women in particular.
- Strengthen OSCE tools to combat racism and xenophobia. To address longstanding issues of prejudice and discrimination faced by citizens and migrants of various backgrounds, ODIHR should publish a report on racism and xenophobia in the OSCE region, elaborate an Anti-Racism Action Plan, and establish an Anti-Racism civil society fund.

Turkey

Recommendations by Turkey

- Hostility and hate crimes against Muslims have had a serious impact on the sense of security among Muslim communities. We call on all participating States to acknowledge the threat of Islamophobia and take the necessary legal, administrative and educational measures to combat manifestations of anti-Muslim sentiment, including stereotypes, prejudice and hate crimes against Muslims.
- Participating States should intensify their exchange of best practices in combating intolerance and discrimination towards Muslims, including examples of good cooperation between Muslim communities and law enforcement officers in combating hate crimes against members of these communities.
- Participating States should step up their efforts in monitoring and reporting on hate crimes, including a more effective partnering with civil society as well as the collection of disaggregated data in order to shed more light on the extent of manifestations of hostility towards Muslims.
- Participating States should develop community projects that aim to provide around-the-clock support to victims of anti-Muslim hate crimes; participating States should also take measures to thoroughly address forms of intolerance and discrimination other than hate crimes experienced by Muslim communities.
- Participating States should develop training programs on Islamophobia for law enforcement officers, other public officials, as well as teachers, clergy and imams, requesting ODIHR to provide the necessary support if required.
- Participating States should support and increase funding for the work of the ODIHR and the three Personal Representatives of the Chairperson-in-Office on combating

intolerance and discrimination.

- Participating States should make better use of ODIHR's capacity to raise awareness on intolerance, discrimination and xenophobia, also by providing extended tasking for ODIHR beyond the scope of the Office's work on hate crimes reporting.
- Participating States should initiate increased cooperation to address intolerant public discourse concerning Muslims, including by political leaders, in the media, and on the internet. In addition, ODIHR and the Representative on Freedom of the Media should enhance their collaboration in addressing anti-Muslim media activities, biased reporting and negative stereotyping.
- Participating States should consider possible avenues of cooperation and coordination in countering the growing cohesion and networking of across the OSCE area of groups promoting an Islamophobic agenda.

Thinkout

The recommendations of ThinkOut:

- In Article 9 of the European Convention of Human Rights it states that everyone has the freedom to live their religion freely. In the second part of this artikel this right of freedom is being restricted. The largest part of victims of these restrictions are muslims and especially muslim women.
- They are targeted because of their visual features. The victimization and discrimination of muslim women should be adressed urgently so it is possible for them to live their lives just as any other women with any other religious or ethnical backgrounds.
- Secondly we want to add that the next serbian OSCE chairmanships should make a priority to adress the hate crimes and discrimination agains muslims. In order to ameliorate the existing laws in a way that will protect this group of persons who are underrepresented and misrepresented by media.

Recommendations to the OSCE

Latvian Antifascist Committee

- Я не первый раз пытаюсь привлечь внимание ОБСЕ к т.н. “чёрным спискам”, которые по сути являются дырой правового беспредела в Европе. Человек может быть лишен права свободного передвижения без какой бы то ни было возможности на защиту или оправдание. Считаю, что ОБСЕ должна очень серьёзно отнестись к этому вопросу и этот правовой беспредел должен быть ликвидирован.

European Humanist Federation

- The situation for LGBTI people is extremely grave in some parts of the OSCE region. Because the stakes are so high, we cannot afford to tolerate the intolerant. We urge the OSCE to increase pressure on those states who too often not only give privileged weight the intolerant views of their religious institutions but enact laws on the basis of such intolerant beliefs.

ELEUTHEROS (Pour le droit d'être Chrétien)

Recommandations OSCE- Demander aux autorités des divers Etats représentés ici et en particulier à la France:

- qu'ils garantissent expressément à tout musulman qui le souhaite la liberté fondamentale de changer de religion et le droit d'embrasser et pratiquer la religion de son choix,
- qu'ils établissent ou réécrivent avec les différents représentants des organisations musulmanes de leur pays des conventions dans lesquelles il est bien mentionné clairement et explicitement le droit pour tous leurs fidèles de changer de religion, quelles que soient par ailleurs les interprétations que ces représentants musulmans puissent donner à leurs textes religieux.

Observatory on Intolerance and Discrimination Against Christians in Europe

- Thirdly, we recommend to ODIHR to reconsider their definition of anti-religious hate. For example, violence against a Christian due to him being a Christian is considered a hate crime. Violence against a pro-life-protestor however, is not seen as an anti-Christian incident, because, as ODIHR would say, the attacker does not hate Christianity as such, but only the pro-life position.
- We argue however, that the pro-life conviction is intrinsically part of Christianity and even if an attacker might be indifferent to other aspects of Christianity, if hatred of one aspect leads him to attack a peaceful protestor, it should be sufficient to call this an anti-Christian incident.
- Fourthly, we recommend to OSCE to develop materials on how to combat intolerance against Christians and to disseminate this through the OSCE region. A manual on how to combat intolerance through education, for example, exists currently only with regard to Muslims, not with regard to Christians.

ABTTF - Federation of Western Thrace Turks in Europe

- In addressing the phenomenon in general terms, ODIHR should pay more and continuing attention to hate-motivated incidents and crimes against Muslims in the OSCE area, including Greece and establish a more concrete cooperation mechanism with NGOs in reporting racism and racist hate crimes they face in countries which they live, which indeed needs organization of an OSCE High Level Conference on Intolerance against Muslims.

Constantinopolitan Society

Due to systematic and ongoing violations of religious freedom, OSCE / ODIHR is called upon to urge the Turkish government to bring its laws and practices into compliance with international standards on freedom of religion or belief.

Specifically, OSCE / ODIHR is called upon to urge Turkey -as an OSCE participating State- to:

- Give the Greek Orthodox Patriarchate the right to officially use the ecclesiastical title of "Ecumenical", as it is a title that is historically established since the 6th century and

globally recognized.

- Grant full legal personality to the Ecumenical Patriarchate, so that the latter may enjoy, inter alia, ownership rights and exercise property ownership / management.
- Lift the prerequisite that the election of the Ecumenical Patriarch depends on the pre-approval of the Prefecture of Istanbul.
- End Turkish citizenship requirements for the Ecumenical Patriarch and the Holy Synod of the Greek Orthodox Church, and permit them to select and appoint their leadership and members in accordance with their internal guidelines and beliefs.
- Lift all obstacles and reopen without any delay and prerequisite the Theological School of Halki with exactly the same status it held before 1971 and permit students to enroll from both within and outside Turkey.
- Resolve the question of those non - Muslim Foundations considered fused (“mazbut”), which, along with their properties, should be returned to the Greek Orthodox community and the Ecumenical Patriarchate.
- Return the three churches of Panayia Kafatiani, Aya Yani and Aya Nikola in the district of Karakoy-Galata in Istanbul, as well as their 72 immovable properties, which have been illegally and forcibly occupied by the self – declared and nonexistent “Turkish Orthodox Patriarchate (TOP)”.
- Restore historical Byzantine churches of Haghia Sophia in Nicaea (Iznık) and Haghia Sophia in Trebizond, which were arbitrarily turned into mosques, to their previous function as museums.
- Implement the Turkish Constitution and the Lausanne Treaty consistent with international obligations, such as Article 18 of the ICCPR and OSCE commitments on freedom of religion or belief.

International Raelian Movement

- We ask the OSCE to intervene with the National Education Board to encourage French and Belgian universities to create a fully independent body to study each spiritual movement. This body could be composed of sociologists, psychologists, historians, theologians, and other experts in human behavior, lawyers and representatives of each group.

European Union (EU)

pour le BIDDH :

- Poursuivre la réflexion sur l’articulation des travaux des représentants personnels de la présidence avec le BIDDH pour une meilleure cohérence et efficacité des activités au sein de la dimension humaine de l’OSCE ;
- Mieux prendre en compte les formes multiples de discrimination dans la promotion des droits de l’Homme et la lutte contre l’intolérance.

Giuseppe Dossetti Observatory for Religious Tolerance and Freedom

The OSCE/ODIHR is called upon to:

- develop Guidelines for educators on countering intolerance and discrimination against Christians.

Turkey

- ODIHR should continue and enhance its valuable work on educating Muslim communities about hate crimes.

Wednesday, 1 October 2014

WORKING SESSION 14: Fundamental freedoms II

Recommendations to participating States

Observatory on Intolerance and Discrimination Against Christians in Europe

Recommendations to OSCE/ODIHR and participating states:

Today, we see several attempts to curb freedom of conscience. Combatting a worsening of the situation, we would like to introduce four recommendations:

- It is worrisome when governmental institutions to call for a ‘regulation’ of conscientious objection, fearing an „excessive use“ of freedom of conscience. We recommend to participating states, to be extremely careful when considering regulating a fundamental right – because regulation means restriction.
- There are some who claim that “human rights, including rights to conscientious objection, apply only to individuals and not to institutions” and that, for this reason, Christian hospitals, or even Christian Churches, are not entitled to them. This is wholly wrong: it is said nowhere in international law that human rights can only be exercised individually; on the contrary, with regard to certain human rights, their collective nature is explicitly recognised. We recommend to participating states, to protect also the collective dimension of freedom of religion and conscience.
- Some states claim that conscientious objection is fine as long as a successful and supervised referral to someone else is mandatory. But a referral is equally unacceptable, as it presents a form of cooperation which is morally comparable to performing the procedure oneself. We recommend to participating states not to oblige anyone to refer to someone else for a valid objection of conscience.

Core Issues Trust

Core Issues Trust requests the participating states of the OSCE, and the ODIHR to:

- observe the UK government’s failure to protect the ‘ex-gay’ minority by promoting viewpoint discrimination by public bodies including the judiciary, and
- recognise the dangers of political indoctrination currently evident in UK political society which allows only one viewpoint to be promoted in advertising space, and
- note the imbalance of resources being exploited in this case by those refusing to allow the expression of a contrary point of view.

Open Viewpoint Public Foundation

Recommendations:

- Ensure that the 2008 law “On Freedom of Religion and Religious Organizations in the KR” is brought into accordance with provisions of the constitution of the KR and ICCPR, ensure the rights of all religious individuals to exercise all human rights and freedoms in all areas.
- Ensure proper strengthening of laws in the KR that protect against discrimination based on religion, regardless of citizenship, sex, affiliation with particular religious groups, and in particular protect the rights of religious minorities to exercise all rights and freedoms along with other members of society.
- The state should educate on religious diversity and the existence of different faiths in society, which would also be provided with equal opportunity to exercise their rights as well as be guaranteed safety and protection.
- The State and its representatives should ensure effective measures to combat discrimination and proper supervision of the observance of international obligations which have been voluntarily assumed by the Kyrgyz Republic.
- Encourage the Kyrgyz Republic to conduct a functional analysis of the authority of the State Commission on Religious Affairs in order to ensure the legality and protection of interest of religious organizations as well as the rights and freedoms of every religious individual.
- Ensure the principle of participation and involvement of all faiths in the decision-making process of issues related to freedom of religion and the activities of religious organizations in the KR, including in the Jogorku Kenesh as well as in the government or with the participation of the president.
- Enforce constitutional guarantees and obligations of the state-party at the local level (local self-governance, municipalities), in particular taking control of decisions and practices of local governments (burial, security and protection, conducting due process).

Human Rights Without Frontiers

Human Rights Without Frontiers Int’l recommends to the government of Turkmenistan:

- To release objectors to military service and to adopt a legislation creating an alternative civilian service
- To grant all religious communities the right of association, assembly and worship
- To allow believers of any religion to share their beliefs individually or collectively
- To lift censorship on the publication, production and import of religious literature
- To decriminalize the religious activities of unregistered religious groups and their members

Forum 18

Participating States, OSCE institutions and field operations could:

- insist that human dimension commitments are implemented in full by all participating States;
- situate OSCE religious tolerance and non-discrimination work within a human rights for all perspective, prioritising respect for the freedoms of religion or belief, expression,

assembly, and other human rights and fundamental freedoms including the right to be free from torture;

- mainstream work to ensure and promote freedom of religion or belief with its interlinked human rights, for example building on the work of the ODIHR Human Rights Department;
- use tools such as the EU Guidelines on the promotion and protection of freedom of religion or belief, the OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities and the OSCE Guidelines on the Protection of Human Rights Defenders.

Center for Information and Analysis (SOVA)

Our recommendations for OSCE participating states:

- Do not use lists of banned literature as an instrument for protecting tolerance, including religious tolerance as this tool has already demonstrated a complete lack of efficiency, and it generates a lot of human rights violations.
- Accept the fact that religious tolerance should be protected by the same mechanisms as other forms of tolerance, and refrain from creating special rules that restrict certain freedoms for the sake of specifically religious tolerance.
- Disavow any and all laws that interpret religious polemics as incitement to religious hatred, and to revise the previously adopted solutions reflecting this spirit.
- Prevent enactment of new laws and other legal acts that are aimed at restriction against public expression of religious beliefs.
- Develop an effective mechanism for adopting decisions on the construction of religious buildings.

Order of St. Andrew the Apostle, USA

The Order, therefore, respectfully submits that in order to comply with the tenants of the OSCE, to which the Turkish Government has committed, the Turkish Government, without further delay, must undertake the following:

- Officially recognize that the Ecumenical Patriarchate and its institutions, as well as the institutions of other non-Muslim religious denominations and faiths in Turkey, have legal personality and standing, with rights to acquire, own, build and repair property. If necessary, the laws related to minority foundations should be amended.
- Fairly and expeditiously implement the August 2011 decree allowing for the return of confiscated property. The decree should be converted into settled law, and a truly independent body should be appointed to implement the law.
- Allow the Ecumenical Patriarchate to reopen the Theological School of Halki.
- Continue the reform process in connection with the election of a new Ecumenical Patriarch and abstain completely from any national or local government interference related to the internal governance of the Ecumenical Patriarchate or any other non-Muslim religious body.
- Fully implement the 1948 Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which Turkey has subscribed, and interpret the 1923 Lausanne Treaty so as to provide equal rights to all religious minority communities.
- Publicly commit that Hagia Sophia will remain a museum, as it has since 1935.

Church of Scientology; Human Rights Office

- We urge the French authorities to draw the necessary conclusions from this outcome. The countries of the Council of Europe, in alignment with the OSCE guidelines on non-discrimination on the basis of religious affiliation, do not want such a discriminatory system as the one existing in France. We are open to any discussion on this topic with the French representatives, and respectfully ask the ODIHR to engage in discussions with France to put an end to discrimination against religious minorities in this country.

European Association of Jehovah's Christian Witnesses

Jehovah's Witnesses respectfully request the government of Bulgaria to:

- Ensure that law enforcement authorities provide appropriate protection against the physical assaults on Jehovah's Witnesses, and acknowledge acts of religious hatred;
- Protect the right to manifest one's religious beliefs individually and jointly with others;
- Allow Jehovah's Witnesses to build houses of worship without interference or discrimination; and
- Hold responsible those who, by means of public media, slander others and incite religious hatred.

Jehovah's Witnesses respectfully request the government of Kyrgyzstan to:

- allow Jehovah's Witnesses to register local religious organizations in the southern regions of Kyrgyzstan and to terminate the criminal prosecution of Ms. Koriakina and Ms. Sergienko.

Jehovah's Witnesses respectfully request the government of Kazakhstan to:

- stop persecuting the Witnesses for so-called "missionary activity," prevent illegal police interference with Jehovah's Witnesses' right to peaceful assembly, cease imposing bans on the religious publications of Jehovah's Witnesses, and fulfill its obligations under international law to guarantee the right to freedom of religion, expression, assembly and association.

Jehovah's Witnesses respectfully request the government of Tajikistan to:

- register them with full legal status, allow them to legally import their religious literature, and stop illegal interrogations and intimidations.

Jehovah's Witnesses respectfully request the government of Turkey to:

- implement an alternative civilian service program in harmony with European standards and to allow them to build and register places of worship by properly applying the zoning law.

Jehovah's Witnesses respectfully call upon the government of Turkmenistan to:

- Grant official registration to Jehovah's Witnesses;
- Grant amnesty to those imprisoned as conscientious objectors and on false charges;
- Consider the introduction of a genuine alternative civilian service;
- Desist with threats, illegal searches and seizures, false accusations, beatings, and inhumane treatment against Jehovah's Witnesses; and
- Allow Jehovah's Witnesses to legally import and share their Bible based literature.

Jehovah's Witnesses respectfully request the government of Uzbekistan to:

- Register them in Tashkent and other Uzbekistan cities;
- Stop illegal searches and seizures of religious literature from their homes; and
- Stop arresting and prosecuting them for attending peaceful religious gatherings.

Jehovah's Witnesses in Russia respectfully appeal to the Russian authorities to promptly take positive steps to protect the freedom of religion of Jehovah's Witnesses:

- Abide by the PACE Resolution 1896(2012), and refrain from misapplying the law on extremist activities against Jehovah's Witnesses; terminate all legal cases and criminal investigations against Jehovah's Witnesses based on extremist charges;
- End the persecution of Jehovah's Witnesses in Taganrog and Samara;
- Remove publications of Jehovah's Witnesses from the Federal List of Extremist Materials;
- Register the Moscow Community of Jehovah's Witnesses; and
- Prevent further illegal police interference with Jehovah's Witnesses' peaceful exercise of their freedom of religion and freedom of assembly.

All-Russian Public Organization of Assistance to the Protection of Freedom of Conscience

- Предлагаю дать положительную оценку действий Российской Федерации по обеспечению соблюдения основных документов ОБСЕ в сфере свободы совести и поддержать инициативы РФ в этом направлении.

Forum for Religious Freedom Europe (FOREF)

- FOREF urges the government of Azerbaijan to halt the persecution of Jehovah's Witnesses, whose worship services have been disrupted by police officers, and whose members have been fined. Religious texts, including Islamic and Old Testament passages, as well as those of the Jehovah's Witnesses have been banned.

International Partnership for Human Rights (IPHR)

OSCE participating States should:

- Refrain from exploiting security concerns to advocate and enforce restrictions on freedom of religion that are inconsistent with their international human rights obligations, and publicly acknowledge that freedom of religion is an inherent right of all citizens that cannot be denied.
- Abolish requirements of compulsory registration of religious communities, as well as any offences for unregistered religious activity laid down by national legislation, and ensure that all religious groups that so wish can obtain registration in a simple, transparent and fair process.
- Bring all legislation and practice affecting freedom of religion into compliance with relevant international human rights standards, including the strict criteria for any permissible limitations of this right set out in article 18, par. 3 of the International Covenant on Civil and Political Rights. To this end, States should consult with international and national experts and make use of the guidelines and assistance offered

by the ODIHR and other human rights bodies.

- Publicly condemn intolerance and discrimination toward religious minority groups; investigate and hold accountable those guilty of religiously motivated discrimination and attacks; and work with civil society and different faith communities on promoting religious tolerance in practice.
- Ensure that no one is arrested or imprisoned for their peaceful exercise of freedom of religion and that any individuals charged in relation to their religious activities are granted fair proceedings in full accordance with requirements set out by international law and that any allegations of torture or ill-treatment against them are promptly and impartially investigated.
- Refrain from returning or cooperating in the return of individuals charged with offenses of a religious nature to countries where they would be at risk of torture and other serious human rights violations.

Russia and those parties claiming authority on the Crimean Peninsula should:

- Publicly acknowledge that freedom of religion is an inherent right of all people that cannot be denied including through the enactment of restrictive legislation;
- Refrain from exploiting security concerns to enact and enforce prohibitive, antagonistic legislation such as the “anti-extremism” law, which is inconsistent with international human rights obligations;
- Bring all legislation and practice affecting freedom of religion into compliance with relevant international human rights standards, including the strict criteria for any permissible limitations of this right set out in Article 18, Paragraph 3 of the International Covenant on Civil and Political Rights;
- Publicly condemn intolerance and discrimination toward religious minority groups and hold accountable those guilty of religiously motivated discrimination and attacks including abuses perpetrated by members of law enforcement bodies;
- Ensure that any individuals charged with criminal or civil misconduct in relation to their religious activities are granted fair proceedings in full accordance with requirements set out by international law;
- Work with civil society and different faith communities to promote religious tolerance in practice.

OSCE Participating States and OSCE institutions should:

- Consistently affirm that the international community does not recognize Russian authority in Crimea and hold Russia accountable for violations of its obligations as an occupying force under the Geneva Conventions to guarantee the rights of those falling under its effective control;
- Publicly acknowledge the illegitimate implementation of “anti-extremism” legislation in Crimea and hold both Russian and local authorities accountable for the violations of the fundamental right of freedom of religion and belief under international law;
- Publicly and unequivocally communicate solidarity with those who have suffered abuse of their right to freedom of religion and use all available channels to provide support by raising awareness of violations, monitoring trials and trends of harassment, and demanding accountability for violations.

United States of America

As the United States has almost no diplomatic relations with Belarus, USCIRF recommends that the U.S. government should publicly raise Belarusian religious freedom violations at appropriate international fora, such as the OSCE and the UN, including the need to reform the religion law and calling for the dropping of all criminal charges against Catholic Father Lazar.

Recommendations for U.S. Policy

For the past decade, U.S. policy in Azerbaijan was dominated by the Afghan war, and human rights and religious freedom were not major concerns. USCIRF believes that this policy was shortsighted. The evolving regional geopolitical situation may or may not create new security imperatives for the United States, but USCIRF recommends that the U.S. government prioritize religious freedom and related human rights in Azerbaijan by:

- Pressing the Azeri government to allow religious groups to operate freely without registration and to amend the religion law registration process to ease its requirements and make it voluntary;
- Encouraging public scrutiny of Azerbaijan's religious freedom record in international fora, such as the UN, the Council of Europe (CoE) and the OSCE, and highlight cases of prosecution of Azeri citizens that violate international norms in comments at such fora;
- Urging the Azeri government to agree to visits by UN Special Rapporteurs on Freedom of Religion or Belief, the Independence of the Judiciary, and Torture, set specific visit dates, and provide the full and necessary conditions for such visits;
- Ensuring that the U.S. Embassy in Azerbaijan maintains active contacts with Azeri human rights activists and press the Azeri government to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer;
- Specifying freedom of religion as a grants category and area of activity in U.S. government programming in Azerbaijan; re-establish funding for the State Department's Title VIII program for research, including on religious freedom and human rights, and language programs; and encourage the publicly-funded National Endowment for Democracy to make grants for civil society programs on tolerance and freedom of religion or belief; and
- Encouraging the Broadcasting Board of Governors to increase radio, Internet, and other broadcasting, particularly in the Azeri language, on Azerbaijan's human rights and religious freedom record and freedom of religion or belief as an element of U.S. foreign policy.

Recommendations for U.S. Policy

For the past decade, U.S. policy in Central Asia was dominated by the Afghan war, and human rights and religious freedom were not major concerns. USCIRF believes that this policy was shortsighted. The evolving regional geopolitical situation may or may not create new security imperatives for the United States, but USCIRF recommends that the U.S. government prioritize religious freedom and related human rights in Kazakhstan by:

- Pressing the Kazakh government to reform the 2011 religion law to permit unregistered religious groups to operate freely and to end police raids of religious meetings and penalties for members and religious leaders, and ensuring that the U.S. Embassy in Kazakhstan actively monitors religious freedom cases and presses the Kazakh government to drop

- all criminal charges against Pastor Kashkumbayev and Aleksandr Kharlamov and to ensure that prisoners have access to family, human rights monitors, adequate medical care, and legal representation;
 - Encouraging President Nazarbaev to speak publicly about respect for religious freedom for all Kazakhstanis and to include members of the country's minority religious communities in the Congress of World and Traditional Religions, a state-funded conference of international religious leaders held biannually in Astana;
 - Encouraging public scrutiny of Kazakhstan's record on religious freedom and related human rights in appropriate international fora, such as the UN and OSCE, and encouraging the UN Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA) to enhance the human rights aspect of its mandate of assistance in more effective government responses to terrorism and extremism;
 - Specifying freedom of religion as a grants category and area of activity in U.S. government programming in Kazakhstan, re-establishing the State Department's Title VIII program to fund research, including on religious freedom and human rights, and language programs, and encouraging the publicly-funded National Endowment for Democracy to make grants for civil society programs on tolerance and freedom of religion or belief; and
 - Encourage the Broadcasting Board of Governors to increase radio, Internet, and other broadcasting, particularly in the Kazakh language, on Kazakhstan's human rights and religious freedom record and freedom of religion or belief as an element of U.S. foreign policy.
-
- USCIRF recommends that the U.S. government should urge Kyrgyzstan to seek expert advice from relevant OSCE entities concerning any draft legislation pertaining to freedom of religion or belief, and should publicly raise Kyrgyzstan's religious freedom violations at appropriate international fora, such as the OSCE and the UN.

Recommendations for U.S. Policy

In response to continuing violations of religious freedom in Russia, USCIRF recommends that the U.S. government should:

- Implement fully the Sergei Magnitsky Rule of Law Act, which imposes U.S. visa bans and bank asset freezes against Russian officials, including Chechen President Kadyrov, who violate human rights, by continuing to name such officials and including them in the Politically Exposed Persons list;
- Make freedom of religion or belief a key human rights and security concern in the U.S.-Russia relationship and press Russia to reform its extremism law in line with Council of Europe recommendations, such as by adding criteria related to the advocacy or use of violence and ensure the law is not used against peaceful religious communities;
- Include in U.S.-funded exchanges participants from Russian regions with sizeable Muslim and other minority populations and initiate an International Visitors Program for Russian officials and lawyers on the prevention and prosecution of hate crimes and other human rights issues;
- Give priority to re-programming funding from the \$50 million slated for the now-defunct USAID Russia program to a range of civil society programs, such as a new Internet program to address historical, religious and cultural issues as well as programs on tolerance and freedom of religion or belief; and

- Re-establish funding for the State Department's Title VIII program for research, including on religious freedom and human rights, as well as for language programs related to the study of Eurasia.

Recommendations for U.S. Policy

For the past decade, U.S. policy in Central Asia was dominated by the Afghan war, and human rights and religious freedom were not major concerns. USCIRF believes that this policy was shortsighted. The evolving regional geopolitical situation may or may not create new security imperatives for the United States, but USCIRF urges the U.S. government to prioritize religious freedom and related human rights in Tajikistan. In addition to recommending that the U.S. government designate Tajikistan as a CPC, USCIRF recommends the U.S. government should:

- Press Tajik officials to work with civil society to bring the 2009 religion law and other relevant laws into conformity with international commitments, including those on freedom of religion or belief, and criticize publicly violations by the Tajik government of those commitments;
- Continue to monitor the trials of those charged on account of their religious affiliation, and work with the international community, particularly the Organization on Security and Cooperation in Europe (OSCE), to provide training for the judiciary in civil law and human rights standards;
- Urge the Tajik government to agree to visits by UN Special Rapporteurs on Freedom of Religion or Belief, the Independence of the Judiciary, and Torture, set specific visit dates, and provide the full and necessary conditions for such a visit;
- Ensure that the U.S. Embassy maintains active contacts with human rights activists and press the Tajik government to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer;
- Ensure that U.S. assistance to the Tajik government, with the exception of aid to improve humanitarian conditions and advance human rights, be contingent upon the government establishing and implementing a timetable of specific steps to reform the religion law and improve conditions of freedom of religion or belief; and
- Re-establish funding for the State Department's Title VIII program for research, including on religious freedom and human rights, as well as for language programs related to the study of Eurasia.

Recommendations for U.S. Policy

For the past decade, U.S. policy in Central Asia was dominated by the Afghan war, and human rights and religious freedom were not major concerns. USCIRF believes that this policy was shortsighted. The evolving regional geopolitical situation may or may not create new security imperatives for the United States, but USCIRF urges the U.S. government to prioritize religious freedom and related human rights in Turkmenistan. In addition to recommending that the U.S. government designate Turkmenistan as a CPC, USCIRF recommends that the U.S. government should:

- Raise human rights and religious freedom in all bilateral meetings with the Turkmen government, urge it to adopt new laws and practices that comply with international human rights standards, establish a regular reporting mechanism on these issues, and call for the release of religious prisoners, including conscientious objectors;
- Ensure that the U.S. Embassy maintains active contacts with human rights activists and

press the Turkmen government to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer;

- Encourage public scrutiny of Turkmenistan's record on religious freedom and related human rights in appropriate international fora, such as the UN and OSCE, and encourage the UN Regional Centre for Preventive Diplomacy for Central Asia (UNRCCA), which is based in Turkmenistan and seeks to encourage more effective government responses to terrorism and extremism, to enhance the human rights aspect of its work;
- Urge the Turkmen government to agree to another visit by the UN Special Rapporteur on Freedom of Religion or Belief, as well as visits from the Rapporteurs on Independence of the Judiciary and on Torture, set specific visit dates, and provide the full and necessary conditions for their visits;
- Encourage the Broadcasting Board of Governors to increase radio broadcasts and Internet programs to Turkmenistan, including information on religious freedom, human rights and basic education, to help overcome decades of isolation, and continue to press for resumption of the U.S. Peace Corps program that existed for 20 years, which the Turkmenistan government ended in 2013; and
- Re-establish funding for the State Department's Title VIII program for research, including on religious freedom and human rights, as well as for language programs related to the study of Eurasia.

Recommendations for U.S. Policy

For the past decade, U.S. policy in Central Asia was dominated by the Afghan war, and human rights and religious freedom were not major concerns. USCIRF believes that this policy was shortsighted. The evolving regional geopolitical situation may or may not create new security imperatives for the United States, but USCIRF urges the U.S. government to prioritize religious freedom and related human rights in Uzbekistan. In addition to recommending that the U.S. government continue to designate Uzbekistan as a CPC, USCIRF recommends that the U.S. government should:

- Lift the waiver on taking any action in consequence of the CPC designation, in place since January 2009, and impose sanctions if conditions do not improve within 90-180 days, including a ban on visits to the United States by high-level Uzbek officials;
- Ensure that U.S. statements and actions are coordinated across agencies so that U.S. concerns about human rights are reflected in its public statements and private interactions with the Uzbek government, including calls for the release of religious prisoners and conscientious objectors;
- Ensure that the U.S. Embassy maintains active contacts with human rights activists and press the Uzbek government to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer;
- Make U.S. assistance, except humanitarian assistance and human rights programs, contingent on the Uzbek government's adoption of specific actions to improve religious freedom conditions and comply with international human rights standards, including reforming the 1998 religion law and permitting an international investigation into the 2005 Andijon events;
- Encourage the Board for Broadcasting Governors to ensure continued U.S. funding for the Uzbek Service of the Voice of America, which has been threatened in the recent past;
- Re-establish funding for the State Department's Title VIII program for research, including on religious freedom and human rights, as well as for language programs related to the study of Eurasia; and

- Press for UN Human Rights Council scrutiny of the human rights situation in Uzbekistan, as well as raise concerns in other multilateral settings, such as the OSCE, and urge the Uzbek government to agree to visits by UN Special Rapporteurs on Freedom of Religion or Belief, the Independence of the Judiciary, and Torture, set specific visit dates, and provide the full and necessary conditions for such visits.

Giuseppe Dossetti Observatory for Religious Tolerance and Freedom

Participating States are urged to:

- benefit from the Guidelines on the Legal Personality of Religious or Belief Communities in drafting and reviewing legislation pertaining to registration of religious communities.
- return to religious communities the place of worship which were confiscated by public authorities, returning them to the original owner instead allocating to other religious.
- adopt legislation and zoning laws which prohibits zoning of place of worship for different use than original.
- promote a dialogue between the representatives of the religious communities that are building a new place of worship and the religious communities historically present in the places in order to foster a climate of mutual tolerance and respect between believers of different communities.
- guarantee the right to wear religious symbols and attire in public spaces, which is encompassed by the freedom of religion or belief.
- guarantee the conscientious objection not only to the compulsory military service but also in relation to all morally sensitive questions.
- not force children to a compulsory religious or ethical teaching which may be not consistent with the convictions of the children's parents, providing for this case non-discriminatory opt-out possibilities.
- engage in consultations with religious communities in order to adopt anti-discrimination laws which do not violate the autonomy and self-organization of the religious communities.
- foster the participation of religious communities in public life and welcome the interventions in the public debate of the religious leaders.
- request the assistance of the OSCE/ODIHR in reviewing or drafting legislation pertaining freedom of religion or belief.
- mainstream freedom of religion or belief in their foreign policies.

Foundation "CitizenGO"

Recommendations:

- Defend the respect of the human right of freedom of conscience, which is unable to exist with radical atheism and aggressive feminism;
- Be critical of legal documents and the rulings of the courts, which include in their justification unlimited abortion without considering the human values they violate including the freedom of conscience of every member of the medicine staff;
- to demand the respect and protection of the members of the medicine staff, who refuse to participate at the abortion;
- to promote freedom of conscience as the strategic goal for the development of the human rights protection.

Institute for International Research at the Ukrainian Academy of Sciences

To the OSCE participating States:

- Taking all appropriate measures to conduct their activities in such a manner as to protect places of worship and other religious objects in conformity with customary international law and the principles and objectives of international agreements, relevant UNESCO recommendations as well as provisions of the Kyiv Ministerial Council Decision 3/13 on Freedom of Thought, Conscience, Religion or Belief;
- Adopting appropriate domestic legislation and agree on common standards, in line with relevant international instruments that will encourage ratifying all additional Protocols to the Hague Conventions of 1954 and Geneva Conventions of 1949;
- Elaborating and establishing an OSCE mechanism on protecting places of worship and other religious objects in “hybrid” war;
- Broadening of the HDIM’s agenda to include follow up issues on fulfillment of relevant provisions of IHL depending on current security situation in the OSCE area;
- Providing access to their territories by the international fact-finding missions aimed at verifying the possible destruction of worship’s places and religious objects as well as violence committed toward clergy and lay people, etc.;
- Supporting creation of national monitoring system for worship’s places and other religious objects protection, etc.;
- Providing relevant information on the implementation of international commitments on worship’s places and religious objects protection under annual reporting on the OSCE Code of Conduct on Politico- Military Aspects of Security, including those related to the provisions of the Kyiv Ministerial Council Decision 3/13 on Freedom of Thought, Conscience, Religion or Belief;
- Organizing/updating special training programmes, elaborating national regulations on cultural objects and worship’s places protection;
- Providing thorough investigation and effective criminal sanctions against perpetrators violated relevant international commitments on worship’s places and religious objects protection in conflict areas.

To the OSCE Chairmanship:

- Furthering efforts on the initiative on revitalizing the role of the OSCE as regional arrangement under Chapter VIII of the United Nations Charter in order to encourage pS ratifying and fully implementing all additional Protocols to the Hague Conventions of 1954 and Geneva Conventions of 1949;
- Updating mandates of its three Personal Representatives on combating intolerance and discrimination to cover issues of worship’s places and other religious objects protection;
- Initiating follow up meeting on implementation of the international commitments on worship’s places and other religious objects protection in the OSCE area, incl. those relevant to the Kyiv Ministerial Council Decision 3/13 on Freedom of Thought, Conscience, Religion or Belief, the OSCE Code of Conduct on Politico-Military Aspects of Security, etc.

To the national religious communities and NGOs:

- Establishing/maintaining close cooperation with relevant OSCE institutions and FOPS as well as non-governmental international organizations such as the International Committee of the Blue Shield, etc.;
- Preparing suggestions for national regulations on cultural objects and worship’s places protection;

- Creating national monitoring system for warship's places and religious objects protection with active involvement of informal military chaplains services;
- Participating in governmental bodies related to cultural objects protection and monitoring of investigation of all national violations of international commitments on warship's places and religious objects protection, etc.

Implementation of the proposed recommendations should take place in partnership with public institutions and civil society organizations, in an inclusive and transparent manner. Civil society can play a key role here, helping to build bridges and inspiring governments to act.

Western Thrace Minority University Graduates Association

The Turkish Minority of Western Thrace urges Greece to:

- Take necessary steps to recognize the popularly elected muftis, and abolish the practice of state appointed officials / imams that is against the religious autonomy of the Turkish-Muslim minority,
- Ensure the revision of the law No: 3647/2008 regarding the charitable foundations (Wakfs) passed by the Greek Parliament and entered into force on February 29, 2008, which was prepared without taking the opinion and will of Western Thrace Turkish Minority and recognize that it cannot be accepted or implemented in its current form.

Muslim Problems Research Center

In this regard, we recommend to Government of the Russian Federation:

- Cease the activity of anti-extremist legislation.
- Cease the action of all the lists of extremist literature, Internet-resources, persons suspected of extremist activity.
- Give the legal certainty to the notion of extremism and include in this definition such a qualifying feature as violence or obvious call for it. Perhaps, it is worth to pay attention to recommendations given in the conclusion No.660/211 of European Commission for Democracy through law concerning the Federal law "On countering extremist activity" adopted by the Venice Commission at 91-1 plenary session from June 15-16, 2014. And also consider the possibility to refuse of anti-extremist legislation at all since it just duplicates already-existing articles in the Criminal Code of the Russian Federation that involve criminal responsibility for violent crimes committed on the grounds of race, ethnic, religious, political hostility, as well as there are the articles with clear-cut and easy-to-understand legal effects for threat of homicide and other speeches founded on hatred and animosity by the above-mentioned features.
- Rehabilitate all the citizens subjected to prosecution according to anti-extremist legislation existed before the moment of introduction of changes in it.

Christian Solidarity Worldwide (CSW)

CSW recommends that Turkey take the necessary measures to:

- Remove all reservations to international human rights treaties and uphold the rights outlined in the international statutes to which it is party;
- Ensure that all belief groups and their institutions can obtain legal personality and exercise their internationally established rights;
- Ensure that the Turkish state, including the Diyanet, acts in a non-discriminatory manner in accordance with Turkey's international human rights commitments on freedom of religion or belief;
- Remove the religion section on identity cards;
- Enable the establishment of clerical and theological institutions for all religions;
- Effectively prosecute those who attack places of worship or individuals due to their religion or belief and provide the victims of rights violations with reparations;
- Educate all public officials, including those charged with law enforcement in their duty to protect the rights of religious minorities in a manner consistent with the international human rights framework on freedom of religion or belief;
- Monitor the implementation of the decree returning confiscated properties to minority communities, to ensure that the General Foundations Board of Turkey processes each application for return of assets quickly and fairly.
- CSW further calls on OSCE participating States and institutions:
- To encourage and assist the Turkish authorities in promoting greater interfaith harmony and understanding in accordance with the accepted international human rights standards on freedom of religion or belief.

Open Viewpoint Public Foundation

Recommendations:

- The Government of the Kyrgyz Republic to provide systematic training of its employees on constitutional and international standards of human rights and freedoms, including in the area of freedom of religion;
- Parliament to revise legal acts that are contrary to the Constitution of the Kyrgyz Republic and its international commitments in the area of the right to freedom of religion;
- State Commission for Religious Affairs of the Kyrgyz Republic to abandon ineffective tools for recording and reporting on religious organizations, to expand its activities in the field of conflict prevention and the establishment of mutual tolerance and respect between the followers of different religions, believers and atheists.
- Parliament shall eliminate limitations of the right to freedom of religion and other rights and freedoms in the legislation, in accordance with the Constitution of the Kyrgyz Republic and international standards of human rights and freedoms.
- The Government of the Kyrgyz Republic to take into account the results of examination of normative legal acts in the field of freedom of religion;
- The Government of the Kyrgyz Republic, together with experts and advocates, to develop a new design concept for state policy in the sphere of religion.

Norwegian Helsinki Committee

The main recommendations of the report are unfortunately very similar to the recommendations of 2010:

- Revise the legislation in order to ensure they are in compliance with Kazakhstan's and Kyrgyzstan's international obligations and national legislation, namely to end:
 - mandatory registration of religious groups,
 - censorship of content and limitations on distribution of religious material,
 - complicated restrictions on foreign religious workers and proselytism,
 - severe punishments for religious activities that are protected by human rights law.
- In particular, we urge Kazakhstan to revise the 2011 Law on Religion, the 2014 Criminal Implementation Code and other related laws, namely to end:
 - discrimination of leaders of religious and other civil society groups;
 - and the shameful practice of enforced psychiatric confinement for religious activities that are protected by human rights law.
- We also urge the states to halt the practice of:
 - unfair trials,
 - surveillance and raids on religious groups,
 - threats to signatories of documents submitted for registration of a religious group,
 - deportation of foreign citizens or exit bans of nationals for religious activities that are protected by human rights law.
- The Kyrgyz Republic is now in the process of revising its state policy on religion, and we appreciate the beginning efforts, the welcoming attitude in dialogue meetings and the invitation to provide assistance. However, there is still room for improvement in the procedures and the documents that exist as draft version at present. We therefore urge the Kyrgyz Republic to:
- Ensure that revised legislation is in compliance with international human rights documents they are signatory to and prevent provisions that contradict national legislation;
- Involve civil society actors and religious believers in a genuine dialogue in the process; ensure that necessary information is available to all participants of the working groups; and that discussion is carried out in both the official and the state languages.
- Finally, we would like to underline the need to ensure that burial can take place in the way the deceased and relatives wish in all regions of the country, having in mind the challenges that exist despite already functioning legislation.

Open Viewpoint Public Foundation

Recommendations to ensure the right to religious freedom

- To ensure revision of effective law on religious freedom and religious organizations to bring it in line with the provisions of the Constitution of the Kyrgyz Republic and commitments of the Kyrgyz Republic assumed within the frame of international human rights instruments, where the Kyrgyz Republic is a party.
- To ensure training of staff of public agencies dealing with freedom of conscience and religious freedom to respect diversity of views and convictions, and to observe human rights and freedoms. To eliminate from practice of authorities and officials incorrect (insulting and discriminatory) terminology used in relation to religious organizations. To ensure legality and equal attitude to religious organizations from the part of authorities.
- To facilitate education of the society on diversity of views, which could include

religious, atheistic or other views. To enable production of the relevant programs by mass media companies where the state participates as shareholder, to encourage production of the programs or coverage of these issues by private channels. To focus on fighting stereotypes that affect status of believers. To fight radicalization by means of awareness raising, education and provision of assistance.

- To establish effective communication between authorities and confessions and promote constructive inter-confessional dialogue. In this view, to refer to the international experience related to arrangement of the work aimed at development of inter-confessional interaction formats. The state should perform protocol function: interact with the confessions to identify relevant issues and find solutions.
- Registration procedure for religious organizations needs improvement in terms of harmonization with the approaches used in relation to legal entities, as well as considering rules, structures and governance bodies within the organizations. It is required to eliminate shortcomings of practice that turned believers to infringers in a view of presence of illegitimate norms.
- To ensure application of legal mechanism to combat those organizations that pursue illegal objectives, including by using religion. To ensure revision of decisions that are based on illegitimate categories, such as “sect”, “traditional religion”, “destructive organization”, “totalitarian organization”, and to bring these decisions in compliance with the law. To touch upon these issues while arranging religious expert examination.
- While interacting with religious organizations it is required to develop single approach to regulate relations between the state and confessions in the sphere of education, public and municipal service, provision of support to the activity of religious organizations within the frame of general strategy for supporting generally useful activity, considering diversity of the society and views in accordance with effective constitutional legal framework and international standards.

European Union (EU)

In conclusion, the EU would like to offer the following recommendations:

- In promoting freedom of religion or belief, the indivisibility, interdependence and interrelation of human rights and the OSCE human dimension commitments should be kept in mind. The implementation of commitments in this area goes hand in hand with respect for other fundamental freedoms and human rights, especially freedom of expression and equality and non-discrimination for all without distinction. If one of them is lacking, the other one cannot be fully achieved and vice versa.
- Participating States should safeguard the rights of all persons independent of their religion or belief, or the absence thereof, by following a rights-based approach. This goes beyond promoting tolerance and urges positive measures to create an inclusive pluralistic society. States should protect all persons - not religions or beliefs in themselves - and also protect the right to express opinions on any or all religions and beliefs. We welcome ODIHR's decision to create two posts related to Freedom of Religion or Belief in its Human Rights Department.
- Participating States should create an environment that enables citizens and groups to challenge prejudices and discrimination against any persons or communities, whether it be in the minority or the majority, on grounds of their religious or non-religious beliefs.

Alliance Defending Freedom

Participating States are urged to:

- guarantee the conscientious objection not only to the compulsory military service but also in relation to all morally sensitive questions.
- not force children to a compulsory sexual, religious or ethical teaching which may be not consistent with the convictions of the children's parents, providing for this case non-discriminatory opt-out possibilities.

European Association of Jehovah's Christian Witnesses

Jehovah's Witnesses respectfully request the government of Ukraine to:

- Ensure that law enforcement authorities follow through with the UN Human Rights Committee recommendations (§ 11 CCPR/C/UKR/CO/7) by providing protection against assaults on Jehovah's Witnesses, and to identify these as religious hate crimes;
- Ensure that all acts of violence against Jehovah's Witnesses are promptly and effectively investigated and that criminal cases are initiated against the perpetrators;
- Ensure that the law enforcement authorities and judicial authorities refrain from discriminating against Jehovah Witnesses by hiding investigation results and making procedural decisions that protect the perpetrators instead of victims; and
- Abide by its commitment to uphold the fundamental freedoms of Jehovah's Witnesses, as guaranteed by the Constitution of Ukraine, the European Convention on Human Rights, and the International Covenant on Civil and Political Rights.

Jehovah's Witnesses respectfully request the government of South Korea to:

- Recognize the legal right of conscientious objection to refuse military service;
- Grant amnesty for conscientious objectors now imprisoned;
- Implement alternative civilian service for conscientious objectors in line with international standards and obligations which South Korea accepted as a State party to the ICCPR; and
- Expunge the criminal record of those convicted for conscientious objection to military service and provide for rehabilitation of their civil rights.

Buergerbewegung Pax Europa

Pax Europa thus recommends:

- That OSCE pS, Turkey in particular, do not only prevent their citizens from traveling to Syria, but also make efforts to prevent their return.
- That OSCE pS demand from all organizations calling themselves 'Islamic' that they approve neither of the goal nor the methods of Islamic State, and that such violent behavior against Muslims and non-Muslims is contrary to Islamic teachings and tradition.
- That OSCE pS re-categorize any Islamic organization not willing to do so as 'political' rather than 'religious', subject to scrutiny by relevant authorities and intelligence agencies for seeking to undermine democracy and human rights, or even implement Sharia law.

- That Islamic organizations and representatives, including the distinguished Islamic delegates to the OSCE, undertake a joint, comprehensive effort to prove that Islamic State is acting contrary to the teachings of Islam. Carrying proof that Islam is a peaceful and tolerant religion would have the additional benefit of disarming 'Islamophobia'.

Canada

Canada's recommendations for this session are:

- For OSCE participating States to ensure that legislation pertaining to registration of religious organizations embrace the principles of Article 18 and are not used to obstruct and curtail activities of religious communities;
- For OSCE participating States to repeal the provisions of blasphemy laws that consider criticism of religious beliefs, religious organizations and religious practices or religious debate as a crime;
- For OSCE participating States to respect the right of those individuals who wish to change their religion or belief;
- For OSCE participating States to ensure that religious communities are able to peacefully practice their religion without the threat of violence and persecution.
- For OSCE participating States to cooperate and work closely with ODIHR's Human Rights and Tolerance and Non-Discrimination Departments to benefit from their expertise and experience, so as to better meet OSCE commitments on Freedom of thought, conscience, religion or belief, as well as combating hate crime and discrimination on the basis of religion.

Switzerland

- Switzerland calls on all participating States as well as all religious and civil society leaders alike to speak out to prevent sectarian violence and to promote tolerance and mutual respect.

Recommendations to the OSCE

Coordination des Associations et Particuliers pour la Liberté de Conscience

- CAP respectfully requires that the OSCE intervenes with the French government so that such policy and measures cease and freedom of religion or belief is restored in France.

Observatory on Intolerance and Discrimination Against Christians in Europe

- Anti-discrimination policies may cause a kind of „reverse discrimination“ – namely an unintended discrimination as a side effect. Excessive regulation of private conduct with regard to discrimination on the grounds of religion or sexual orientation may cause conscience problems and discrimination of Christians. We recommend to ODIHR to look more deeply into this problem; and to participating states not to extend anti-discrimination legislation to private businesses.

ELEUTHEROS (Pour le droit d'être Chrétien)

Recommandations OSCE :

- Le respect et la prise en compte de nos convictions chrétiennes
- Que ces convictions prennent le pas sur toutes motivations commerciales d'entreprises qui, pour des raisons économiques et financières, s'alignent sur les intérêts de communautés religieuses qui ne sont pas les nôtres.'
- Que les pays participants notamment la France rendent obligatoire l'étiquetage des produits issus des abattages rituels et [ou de tout autre ingrédient ou préparation incluant un rituel halal ou casher.

Institute for International Research at the Ukrainian Academy of Sciences

To the ODIHR:

- Organizing in cooperation with other international institutions an expert meeting on promotion cultural objects and warship's places protection in the OSCE area based on relevant provisions of the Document of the Cracow Symposium on the Cultural Heritage of the CSCE Participating States of 1991, the OSCE Code of Conduct on Politico-Military Aspects of Security and the Kyiv Ministerial Council Decision 3/13 on Freedom of Thought, Conscience, Religion or Belief;
- Supporting the creation of the international fact-finding missions as well as network of national focal points on places of warship and religious objects protection;
- Elaborating a best practice guide on places of warship and other religious objects protection in "hybrid" war.

To the OSCE field operations (incl. OSCE SMM to Ukraine):

- Monitoring the ongoing humanitarian crisis in the East of Ukraine and in the occupied Crimea with unbiased focus on violations against warship's places and other religious objects;
- Providing practical support and advise on the ground to all non-governmental actors involved in elaboration of protective measures, establishing contacts with authorities and creation of monitoring network;
- Developing new projects in affected host countries on places of warship protection;
- Providing support and maintain contacts with civil monitoring networks and initiatives on protection of places of warship;
- Executing complementarity coordination efforts between different FOPS and fact-finding missions of other international organizations deployed in common area of responsibility.

Azerbaijan

- We would call OSCE to pay much closer and needed attention to the desecration and destruction of cultural and religious monuments in the occupied territories of the Republic of Azerbaijan. We are fully convinced only through concerted international efforts such shameful acts of violence could be prevented and their results and consequences eliminated.

Norwegian Helsinki Committee

To the international community:

- Address freedom of religion or belief from a human rights-based perspective as an individual and collective human right for all, not from a perspective that splits consideration of this freedom based on beliefs;
- Underline the importance of respecting privacy, rule of law and human rights, including freedom of religion or belief, in protecting the population from terrorism;
- Halt the threat of the "traditional" values, beliefs and communities approach to established human rights universality, state responsibilities and terminology, and return to the intrinsic principle of human dignity for all.

Alliance Defending Freedom

The OSCE/ODIHR and to the OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion or Belief are called upon to:

- assist - in cooperation with the Advisory Panel of Experts on Freedom of Religion or Belief - the participating States in reviewing or drafting legislation pertaining freedom of religion or belief in order to guarantee the right to conscientious objection in all morally sensitive questions, providing that the rights of others to be free from discrimination are respected and that the access to lawful services is guaranteed.
- assist the participating States in reviewing or drafting legislation pertaining to freedom of religion or belief in order to guarantee (a) that the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions is fully respected and (b) that the participating States provide non-discriminatory opt-out possibilities that would accommodate the right of parents.

Wednesday, 1 October 2014

WORKING SESSION 15: Fundamental freedoms II (cont.)

Recommendations to participating States

European Humanist Federation

We call upon all OSCE states to reject religious doctrine as a justification for denying women their basic right to control and own their bodies, and children the sexual and reproductive health education they need.

European Union (EU)

We would therefore like to make the following recommendations:

- The EU continues to firmly believe that everyone has the right to freedom of movement and residence within the borders of their own country.
- The systems of residency registration should be abolished. In the instances where residency registration and declaration procedures are used they should be applied fully respecting freedom of movement.
- The EU believes that such practices as imposing exit visa regimes should be abolished to ensure that the rights of all citizens to freedom of movement are respected.
- OSCE participating States should enable residents of conflict zones, refugees and IDPs to exercise their right to freedom of movement, in particular, to access health-care as well as for other humanitarian purposes, including reunification of families.
- Freedom of movement of human rights defenders must be respected to ensure they can perform their tasks without any restrictions regarding their movement.