

Human Dimension Committee Meeting

**Vienna
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Address by

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Ambassador Kvile, dear Robert,

Excellencies,

Ladies and Gentlemen,

Dear colleagues,

It is a great pleasure for me to report to this distinguished committee, not only because it is the “third committee” of the OSCE, dealing with Human Dimension Issues, but because I truly believe that its introduction in Vienna was one of the most fruitful reforms of the Human Dimension of the last years.

Before I start by presenting to you ODIHR’s work in the past year and introduce you to some of my thoughts on what could further be done in 2016, I would first like to thank Ambassador Robert Kvile for his excellent work as chair of this Committee. Your efforts and initiative, dear Robert, clearly contributed not only to making this Committee and the OSCE Human Dimension more relevant, but also to reaching out to external partners and organizations working in our common field. Let me also underline how much I am looking forward to

closely co-operate with you, dear Katja, during your time as chair of the HDC. The continuity I expect to see in the excellence of the leadership of this committee is a true blessing to all of us.

Ladies and Gentlemen,

I mentioned the introduction of this committee as an example of a fruitful reform in the Human Dimension of the OSCE. This is particularly interesting against the backdrop of the proposals for the reform of the Third Dimension, which have recently been circulated in different formats, among others in the “Helsinki +40” process. I am very glad that the “Panel of Eminent Persons” took on board some of our proposals in its very interesting final report, and especially the idea of strengthening the “review capacity” of the OSCE in its Human Dimension.

As I said earlier this year, we should think about how we can organize our work more systematically and how to make it more geographically balanced. Why not work further on the idea of an “Implementation

Review Mechanism”, which could monitor the implementation of Human Dimension commitments each year and thus address the situation in all participating States, without exceptions? I believe that this committee could play a key role in such a mechanism, becoming an even more important forum for our dialogue on the implementation of commitments.

Such a mechanism should work in a 360 degree perspective – exactly how ODIHR is working. I firmly believe in the universal nature of human rights and fundamental freedoms, and that these are and should be applicable to everybody, without exceptions. That’s why, in my view, we cannot think of human rights as either Eastern or Western values, but only as inherent to every single individual, notwithstanding their cultural background. It makes no sense to divide the indivisible: the dignity of the human being. I strongly believe that all our Human Dimension Commitments stand and speak for themselves and thus cannot be politicized. It is worth to be reminded of this in the year of the 25th anniversary of the Copenhagen

Document and one year ahead of the 25th anniversary of our own Office's existence.

This is valid for all security challenges we faced in 2015, which are, unfortunately, also likely to dominate the agenda in 2016: respect for Human Rights must be at the foundation of any response to a security challenge. A human-rights-centered approach is the best insurance for long-term security. Without human rights protection as a cornerstone, efforts to address challenges such as terrorist threats, the ever mounting numbers of refugees seeking shelter from war or persecution, the crisis in and around Ukraine, and many more, are unlikely to achieve their aims.

Let me give you some examples of the numerous activities ODIHR managed to conduct in the year 2015 with a modest budget of not even 16 million euros. At the same time, please also have a look at the slides above you, highlighting even more of our activities, as I unfortunately don't have enough time to describe them all in detail.

From our monitoring activities in the field of human rights, let me mention the 280-page report on the *Human Rights Situation of Detainees at Guantanamo*. The report calls for the full investigation of past human rights violations, including torture and other cruel, inhuman or degrading treatment, as well as the prosecution of those responsible. I welcome the intention of President Obama's administration to develop a concrete plan for closing down the detention facility at Guantanamo Bay. No person should be subject to indefinite detention without trial. As one of the oldest democracies in the OSCE, the United States of America should lead by example, by making it crystal clear that everyone has the right to a fair trial. The detainees should either be charged or released. The report provides a comprehensive analysis of the situation at Guantanamo, examines a broad range of human rights issues, identifies violations of OSCE commitments and other international human rights standards, and offers recommendations on how to address them. The report is based on interviews with United States government officials, military and civilian lawyers, non-governmental organizations and former detainees, as well as on extensive desk research. Let me use this

opportunity to thank the US government for the good co-operation during the preparation of this report, a co-operation which – I am sure – will be continued in the year 2016 during the general elections in autumn.

In light of the challenges all our societies are facing, I strongly believe that the field of Tolerance and Non-Discrimination should take a more and more important role in our work. As an example, in May this year ODIHR organized a Conference on Enhancing Efforts to Prevent and Combat Intolerance and Discrimination against Christians, Focusing on Hate Crimes, Exclusion, Marginalization and Denial of Rights together with the Serbian Chairmanship. Representatives from civil society, governments and international organizations explored the challenges Christian communities face in the OSCE region, including discrimination and hate crimes. Participants at the conference examined how co-operation and trust among law-enforcement agencies, criminal justice practitioners and Christian communities can be enhanced, and how to ensure that there is an effective body of laws, policies and practices that addresses hate crimes and intolerance faced

by Christian communities across the OSCE region. ODIHR is ready to continue its efforts in helping participating States to record data on hate crimes against Christians – data that can be immensely useful in guiding policymakers in preparing the most effective response to this problem.

I highly welcome that the incoming German Chair made the field of Tolerance and Non-Discrimination a top priority of its work in the Human Dimension – also in the field of countering antisemitism, which is also an important part of the work of ODIHR. As one example of our activities in this field, allow me to remind you about my visit to Hungary together with the personal Representative of the OSCE Chair on Combating Anti-Semitism, Rabbi Andrew Baker. There, I reminded the government about their own declarations and followed up on the necessity to show continuous action in order to bring about positive change in this field.

More can be done in the field of co-operation among religions and interfaith dialogue, in order to make sure that violence and abuses of human rights have no place on the spiritual side of our existence. Only

last week, ODIHR organized a National Meeting of Religious and Belief Communities together with the Ministry of Culture of Ukraine in Kyiv, which gathered 160 participants. The goal was to explore the prerequisites for effective, meaningful, sustained and inclusive dialogue and to discuss the current state and prospects for future development of interfaith dialogue in Ukraine. I see this as a substantial contribution to foster national dialogue in Ukraine. In 2016, ODIHR will be active in further facilitation of dialogue between the Orthodox Churches of Kyiv and the Moscow Patriarchate.

Last week, I publicly welcomed the complete abolition of the death penalty in Mongolia. Following a parliamentary vote on 4 December, in favor of a new criminal code that abolishes capital punishment for all crimes, Mongolia has become the 105th country worldwide and the 52nd OSCE participating State to abolish the death penalty in law. I am convinced that this is a very positive development and an encouraging example of progress made towards the respect for human dignity and integrity in the OSCE region. I hope that the United States as well as

Belarus and the three remaining de facto abolitionist States in the OSCE region will soon follow Mongolia's positive example.

I believe that there is a growing awareness and a global momentum towards abolition and I am sure that the OSCE participating States will continue to play an important role in this regard.

ODIHR is committed to assist participating States in the exchange of information and to monitor the status of the death penalty across the region. The findings are presented each year in ODIHR's publication "*The Death Penalty in the OSCE Area*" and we are closely following new developments in the region throughout the year. By way of an example, I recently expressed my concern about calls to put the death penalty back on the agenda in some participating States¹, particularly in instances where such appeals came from the highest level. I strongly believe that those in high office have a special responsibility and should play an active role in overcoming this practice. In June 2015, I have welcomed the state of Nebraska's decision to abolish

¹ Serbia, Hungary, the Russian Federation, in *The Death penalty in the OSCE Area*, p.12

capital punishment, when it become the 20th state within the United States to do so.

Ladies and Gentlemen,

In the beginning of my speech, as well as during my opening speech at the Human Dimension Implementation Meeting in Warsaw, I mentioned the refugee crisis and ODIHR's readiness to react, but I would like to reiterate it here again: In Helsinki in 1992, the OSCE participating States recognized the need for international co-operation in dealing with mass flows of refugees and committed to ensuring the protection of and assistance to refugees with the aim of finding durable solutions. It is now high time to redouble our efforts to fulfill these commitments.

ODIHR continuously stands ready to assist in fulfilling these commitments. In a combined effort of our Departments, we have developed a coordinated response to this crisis that I would like to share with you in its basic ideas. We are ready to deploy monitoring

teams to several places most affected by the influx of refugees and asylum seekers to independently assess and report on the human rights situation. We already organized a very successful expert panel meeting in Warsaw on the safeguarding of rights of asylum seekers and refugees in the OSCE region, bringing together representatives of the affected community, distinguished experts from OSCE structures and institutions, international organizations and our participating States.

I know that we at ODIHR can only contribute a modest share to solve this crisis. But we will do our utmost and use our strengths to contribute to safeguarding the human rights and the dignity of as many refugees as possible while supporting the participating states to manage this enormous challenge.

Let me one more time thank you all for your attention and let me express my wish to continue the excellent work with all of you in 2016.

Thank you for your attention.