



## EUROPEAN UNION

**OSCE Human Dimension Implementation Meeting 2013  
Warsaw, 25 September 2013**

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**EU statement – Working Session 5  
FUNDAMENTAL FREEDOMS II; FREEDOM OF MOVEMENT;  
NATIONAL HUMAN RIGHTS INSTITUTIONS, HUMAN RIGHTS  
EDUCATION**

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Madam Moderator,

the European Union believes that a vigorous and independent civil society is essential to ensuring protection and promotion of human rights and to holding governments to account. Therefore, we support enhancing dialogue with civil society and strive to empower it, including through our foreign policy instruments. Recent attempts in some OSCE participating States to criminalize activities of human rights defenders and to curtail rather than protect them are alarming. We are concerned about increasing attempts by some participating States to limit, control or restrict NGO activity through legislation, court action and other means, particularly with regard to foreign funding.

Freedom of movement is a fundamental human right and a central value of the European Union, both in terms of free movement and its relations with third States. As we reiterated during the April 2013 Supplementary Human Dimension Meeting,

the EU will continue to implement the OSCE commitments in this area. We recall that the core of the OSCE commitments concern the right of all citizens to leave and return to their country, the freedom to travel within and freely choose their place of residence in their country. The European Union will remain ready to discuss how to advance on the freedom of movement within the existing OSCE commitments. We are concerned over numerous reports of restrictions of this freedom in several participating States, including through unofficial "travel bans" or "security checks", that are often also targeting human rights defenders or journalists.

While it is the primary responsibility of the State to promote and protect human rights, individuals themselves, groups and the whole society all have an important role to play. We appreciate the valuable work of the National Human Rights institutions and support it through our foreign policy instruments. National Human Rights institutions established in compliance with the Paris Principles can play a key role in introducing human rights issues to national policy agendas, in keeping them high on the agenda, and in supporting their governments in adhering to international human rights standards. We welcome last year's resolution of the UN General Assembly A/RES/67/163 on the Ombudsman, mediator and other national human rights institutions, which encouraged States to consider, where applicable, their creation also at local levels. We also welcome the Human Rights Council resolution "National institutions for the promotion and the

protection of human rights" (A/HRC/23/L.15) which was adopted at its 23rd session.

The EU has stressed the importance of National Human Rights Institutions in several policy documents. The European Parliament has, for example, called for the setting-up of appropriate national human rights institutions in all Member States and called for measures to facilitate networking between these bodies across the EU. It also invited the EU institutions and the Member States to develop the capacity of equality bodies, data protection bodies, National Human Rights Institutions and the Fundamental Rights Agency as litigants on matters concerning human rights. The European Union also provides assistance to third countries in the creation of national human rights institutions.

We believe that education, including human rights education, plays a crucial role in the protection of human rights as well as promoting mutual understanding and respect for human rights, tolerance and diversity. Human rights education should be able to respond to new developments in the society, such as those triggered by increased access to and use of new technologies, internet and social media. In this regard, participating States should further develop human rights education for youth, as well as for public officials, in particular those working in justice and those dealing with vulnerable groups, such as minorities, children,

and persons with disabilities. Judges, prosecutors and other practitioners dealing with the legal protection of human rights have a particularly important role in strengthening the rule of law and ensuring effective human rights protection. While the main part of this work has to be carried out at the national and local level, international cooperation between the OSCE, Council of Europe and the UN in this area can contribute to this important work.

We would therefore like to make the following recommendations:

- Participating States shall ensure that all those seeking to uphold human rights are able to do so in safe environment and shall refrain from excessive restrictions on civil society and human rights defenders, including as regards foreign funding;
- Participating States shall ensure freedom of movement within their territories and consider ways how to strengthen the guarantees for the freedom of movement of human rights defenders, journalists and election observers;
- Participating States shall promote the establishment of national human rights institutions, including at local level in line with the Paris Principles and their functioning without obstacles;
- Participating States should encourage systematic human rights

education and training programmes that are designed to promote mutual understanding, respect for human rights and diversity, including for judges and prosecutors.

- Participating States are encouraged to inform judges, prosecutors, lawyers and other practitioners and officials dealing with the legal protection of human rights (including border guards and immigration officials) as well as others working with national authorities, of existing handbooks on European law in various fields of human rights protection.

The Candidate Countries, the former Yugoslav Republic of Macedonia\*, Montenegro\*, Iceland+ and Serbia\*, the Countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, and the EFTA country Norway, member of the European Economic Area, as well as, the Republic of Moldova, Armenia and San Marino, align themselves with this statement.

*\* the former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process.*

*+ Iceland continues to be a member of the EFTA and of the European Economic Area.*