



Address by Ambassador Janez Lenarčič
Director of the OSCE Office for Democratic
Institutions and Human Rights (ODIHR)

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Report on the 16th Human Dimension
Implementation Meeting

Check against delivery!

Your Excellencies,
Ladies and Gentlemen,

It is my pleasure to be back to the Permanent Council to present the report on the 16th Human Dimension Implementation Meeting (HDIM) that took place between 24th of September and 5th of October 2012 in Warsaw.

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This year the HDIM remains the largest regional conference devoted to a whole range of human rights and democracy issues. Year after year the unique framework and diverse elements of HDIM keep attracting over a thousand participants from the whole OSCE region and beyond, including the Partners for Co-operation. This year was no exception: the event hosted more than 1000 participants of whom almost 600 were from non-governmental organizations, geographically balanced from throughout the OSCE area as well as from Partner countries.

As for delegations, our statistics shows the participation of almost 400 participants from 54 participating States, 6 Mediterranean and 2 Asian Partners for Co-operation.

The HDIM attracts participants not only because it provides for a formal exchange of views at working sessions, but it also provides a very popular platform for side events and informal discussions. This year's HDIM hosted 51 side events - organized by delegations, NGOs, international organizations and OSCE structures. It is worth noting that many of these side events were organized by NGOs focusing on a wide range of human dimension issues, highlighting good practices as well as serious implementation gaps in a large number of participating States across the OSCE region. Several events were organized by a coalition of NGOs created on the margins of HDIM last year to co-ordinate the advocacy efforts around the OSCE events. I would like to encourage participating States to ensure that OSCE human dimension events continue to provide civil society actors with opportunity to present their views and to voice their genuine aspirations so as to actively contribute to the implementation of the OSCE commitments of our participating States. This role was recognized repeatedly, and most recently at the Astana Summit.

This year's keynote speaker, the renowned Professor Adam Rotfeld, provided some food for thought to HDIM participants when he touched upon the issues of universal values reflected in international obligations and their impact on human security. He reminded all of us that the respect for human rights, rule of law and democratic governance is the main factor of internal stability and international security.

Before moving on to the substance of the working sessions, I wish to draw your attention to some statistics on the dynamics of the interventions made during the HDIM. As always, some sessions were highly popular amongst the participants and others less so, while at one working session both the attendance and number of participants in the debate were dramatically below average.

I wish to highlight that each and every item is certainly important. But there are differences in interests expressed by participants. Allow me to draw up a short list of five best ratings based on the number of interventions. This year's rating of most debated topics starts with number five given to **Rule of Law I** that included democratic lawmaking, independence of the judiciary, and right to a fair trial. Fourth place was shared by two sessions: **Fundamental Freedoms I or Freedom of expression, free media and information** and **Fundamental Freedoms II**. The latter session had to cover several different topics in one discussion, such as freedom of assembly and association, freedom of movement, national human rights institutions, the role of civil society, and human rights education. Third place on this list belongs to

Freedom of religion or belief that happened to be a special day with both sessions heavily attended. Second place goes to **Rule of Law II**, which focused on capital punishment, prevention of torture and protection of human rights and fighting terrorism. The top session of this year's HDIM, which accommodated 91 interventions with 90 seconds each, was the session on **Tolerance and non-discrimination II** that covered prevention of hate crimes, racism, xenophobia, discrimination, and anti-Semitism.

On the other end of the spectrum, the discussion of human dimension activities and project work received only nine interventions. This limited number of interventions came despite the efforts not only of ODIHR but also of colleagues from the Secretariat who travelled from Vienna to discuss how our activities contribute to enhancing implementation of human dimension commitments.

Ladies and gentlemen,

This brief review of statistics provides substance for further debate and another argument for reviewing the modalities of Human Dimension Events in order to make them more focused and attractive. Ten years have elapsed since the adoption of PC Decision 476 in 2002. In this time, societies have evolved in the way they interact with each other and with their governments. The Human Dimension Events have to adapt to these changes without jeopardizing the unique nature of this forum. It is, and should remain, a forum where delegations can freely raise issues of concern and where civil society can also speak freely and directly to participating States. We in ODIHR support the efforts of participating States to bring positive changes to the OSCE peer-review mechanism, including the HDIM. The review of the modalities has been on the agenda for over a year now with consultations going on at different levels. I wish to encourage the Permanent Council not to lose the momentum on this issue.

Ladies and gentlemen,

The consolidated summary of the HDIM was circulated to all delegations earlier this week. It is also available on ODIHR website.

So I will just focus on the highlights of the HDIM.

- At the **Tolerance and non-discrimination II** session, participants stressed that hate crimes continue to occur in the OSCE region. Participating States were urged to implement their OSCE commitments, in particular MC Decision 9/09, and intensify their efforts to collect data, train criminal justice officials and support civil society organizations. Participants also highlighted that while freedom of expression needs to be respected and upheld, intolerant discourse impedes the feeling of safety by many communities. They therefore called on participating States to condemn manifestations of intolerance and work with relevant communities to increase confidence.
- At the two sessions on **Rule of Law**, the need for enhanced efforts to prevent torture in the OSCE region was highly emphasized. In this regard, civil society expressed concerns about a potential lack of co-operation with National Preventive Mechanisms and limited access to places of detention. Participants urged more transparency by some governments on their involvement in such activities as extraordinary rendition. Civil society representatives pointed out the persistent human rights concerns related to overly broad or vague definitions of terrorism or extremism, which lead to the labelling of religious believers or political opposition as terrorists in some participating States. Participating States were also called upon to uphold fair trial standards and

initiate legal reforms in the areas of anti-discrimination, domestic violence and criminal law.

- During the special day on **Freedom of religion or belief**, it was stressed that while speech expressing intolerance of religious beliefs should be condemned, there is no need for further restrictions on the freedom of expression: rather, there is a need for enhanced national and international action to fight discrimination on the grounds of religion or belief. Participants noted that a number of long-standing commitments, such as the right to worship in a place of one's choice, the right to freely express one's religious beliefs, and access to basic legal personality, have still not been fully implemented. The discussions greatly benefited from the presence and participation of all three Chairmanship Representatives on tolerance.
- At the session on **Freedom of expression, free media and information**, the OSCE Representative on Freedom of the Media, Dunja Mijatović emphasized that there is a dire need to implement existing commitments on free expression and media freedom, and warned that instead of progress, we witness deterioration of media freedom in numerous participating States. Several participants offered specific examples of the violence and threats that journalists face in their work, and they called upon the authorities to actively defend free expression in their countries. Some participants spoke on the need to strike the right balance between rights and responsibilities. Ms. Mijatović acknowledged that media quality can always improve. However, honouring OSCE commitments is an obligation of participating States and fulfilling this obligation should not be made conditional on liking or disliking how media perform.
- The **Freedom of assembly and association** is high on today's agenda globally and in the OSCE, in light of serious legislative restrictions in some OSCE participating States. Both civil society representatives and participating States, expressed concerns regarding overly restrictive licensing procedures for peaceful assembly, obligatory registration of associations, and inappropriate or excessive use of force in policing assemblies. I hope that some elements of that discussion at HDIM will serve as valuable input later today at the SHDM on this issue, which starts this afternoon.
- The OSCE was called on to engage more in the area of **human rights education**. Participants praised the recently-launched ODIHR Guidelines on human rights education for law enforcement officials and for secondary schools systems. The session also highlighted the role played by **national human rights institutions** and the key importance of their independence.

Other key messages raised at HDIM, included the following:

- At the session on **Humanitarian Issues and Other Commitments**, participants stressed the need to continue to develop durable solutions for refugees and internally displaced persons, investing more into solutions for IDPs and supporting reconciliation processes. It was recommended that more focus be given to women migrants and their children in OSCE work. OSCE participating States were encouraged to utilize ODIHR's programme of Training

Against Hate Crimes for Law Enforcement in relation to border management issues affecting migrants, third country nationals and refugees.

- On the special day on **empowerment of Roma women**, it was stressed that Roma, Sinti and Traveller women can and should play important roles as agents of change and role-models in their communities and wider societies; and we saw outstanding positive examples of these Roma and Sinti women, who participated in the HDIM. However, there are still many challenges faced by Roma and Sinti women, including discrimination in access to education, persisting segregation, dire housing conditions and evictions, health status and access to health care. These concerns should be addressed urgently, along with other issues discussed further at the session on **gender equality**. I was very encouraged to hear of progress by participating States in adopting concrete national actions plans to implement the goals of UN Security Resolution 1325 on Women, Peace and Security. Challenges still remain in this area as a number of participating States highlighted the continuing prevalence of domestic violence and other forms of violence against women in the OSCE region.
- The session on **Implementation of the OSCE Action Plan to Combat Trafficking in Human Beings**, which included the introduction by the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Maria Grazia Giammarinaro, focused on the development of an effective National Referral Mechanism, in particular the legal framework and effective identification of and assistance to trafficked persons; access of trafficked persons to justice and compensation; and protection of human rights in return of trafficked persons.
- The **High Commissioner on National Minorities**, Knut Vollebæk, stressed that language and education rights are important tools for the integration process within a society. Participating States must strive to strike the right balance between State and minority languages. Education should facilitate participation by all, including national minorities, in society, while supporting diversity and fostering understanding, tolerance and good relations amongst all ethnic, cultural and religious groups.
- The session on **Democratic elections** emphasized the role that ODIHR, especially its Elections Department, has played in election observation. We were honoured that the Secretary General Lamberto Zannier joined us in Warsaw for that session and delivered introductory remarks that underlined both the fundamental importance of democratic elections and his support for ODIHR's efforts. The discussion focused on recent elections in participating States, ODIHR's election observation methodology and ODIHR's co-operation with the OSCE Parliamentary Assembly. As usual, there was criticism of ODIHR's methodology as well as strong support voiced for its election observation activities. Participating States were called upon to adhere to their commitments and to invite ODIHR to observe their elections.
- At the session on **Democratic institutions**, the participating States were reminded to live up to all OSCE commitments in the area of political parties and to guarantee political pluralism at all stages of the political process. The governments were encouraged to recognize the growing role of the Internet in

democratic governance and guarantee and respect all OSCE human dimension commitments – online as well as offline.

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Ladies and gentlemen,

This was a very brief overview of the two weeks of lively discussions at the HDIM. As I said, you have all received the electronic version of the consolidated summary. This year, we have discontinued the practice of distributing the CD-ROMs as all the HDIM information and documents are readily available online.

I hope the delegations and the OSCE at large will make the most of these discussions. I trust that the critical issues brought up at HDIM will not be left unnoticed, but will be reflected in the agendas of the incoming Chairmanship and of all participating States next year.

As always, I would like to acknowledge the importance of civil society participation in the OSCE Human Dimension Events. The voices of civil society actors add a unique value to any peer-review mechanism and their participation should thus be preserved and promoted in line with the provisions of the Helsinki Document of 1992.

In conclusion, I would like to express my gratitude to the Irish Chairmanship and everyone, including staff of my Office, who contributed to the successful organization of the 16th HDIM. I wish to reiterate that ODIHR stands ready to assist the participating States in meeting their human dimension commitments and following up on the valuable recommendations made by HDIM participants. In particular, we are fully prepared to support the endeavours of the current Irish and the incoming Ukrainian Chairmanships to follow up on the outcome of this year's HDIM.

Thank you for your attention.