

**EUROPEAN UNION****OSCE Permanent Council Nr 944
Vienna, 14 March 2013**

**EU statement in response to the report by Director of
ODIHR, Ambassador Janez Lenarčič**

The EU and its Member States warmly welcome Ambassador Lenarčič back to the PC and would like to thank him for his substantial report.

The ODIHR is at the core of the OSCE's institutional architecture in supporting participating States in meeting their human dimension commitments. We take from Ambassador Lenarčič's report today that OSCE participating States need to make continuous efforts to strengthen the implementation of OSCE commitments, particularly in the sphere of human rights and fundamental freedoms.

We also recall that the OSCE commitments undertaken in the field of the human dimension are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.

The monitoring of participating States' compliance with the OSCE's election commitments is one of the most transparent and methodical ways of promoting and encouraging democracy and human rights. We appreciate the widely recognised and important role that ODIHR continues to play in the field of election observation, including through follow-up activities. There was a particularly high requirement for ODIHR's election related activities last year with a large number of elections. involving observers from many OSCE participating States.

In this context we regret the fact that ODIHR has been unable to conduct a number of recent election observation missions, either because of lack of financial resources, or due to a lack of seconded election observers. We call on all OSCE participating States, including those from the EU, to continue to support ODIHR's election observation missions, including through the secondment of adequate personnel.

We reiterate our full support for the ODIHR's observation methodology, which has been followed by numerous international actors for their own election observation activities, including by the EU.

We recall the need for close co-operation and partnership between the ODIHR and the OSCE Parliamentary Assembly, as stressed in the MC Decision 19/06 and on the basis of the 1997 Cooperation Agreement. We are confident that the recent inability to fully and duly implement this partnership will be overcome soon and that both institutions will mutually reinforce their complementary roles by returning to joint presentations of their preliminary findings after election day on the occasion of forthcoming election observation missions.

We fully support the activities of ODIHR's Democratisation Department, which plays a key role in promoting democratic governance and the rule of law. In this field, we would like to emphasize ODIHR's close co-operation with the OSCE Parliamentary Assembly and OSCE field operations in strengthening democratic and representative parliaments in OSCE participating States. We also express our full support for ODIHR's trial monitoring activities, including of its recent monitoring mission in Georgia. In the context of its work on strengthening the judiciary we commend ODIHR for its continued involvement in the War Crimes Justice Project in South-Eastern Europe. We support ODIHR's assistance in the fields of democratisation, democratic law making and political participation to OSCE Mediterranean Partners, especially to Tunisia.

Concerning the work of the Human Rights Department, we stress our support for the work on freedom of assembly and of association. We commend ODIHR for its monitoring activities on freedom of peaceful assembly and its respective report released on the occasion of the Supplementary Human Dimension Meeting in November 2012. The report as well as the meeting underlined that much remains to be done to improve fulfilment of commitments in the realm of these fundamental freedoms.

We encourage ODIHR to continue its important activities on the issue of Human Rights Defenders on the basis of the 1994 OSCE Budapest commitment, including the monitoring of the situation of those detained or imprisoned in participating States. In this context we welcome the envisaged project to draft recommendations on the Protection of Human Rights Defenders. Having adopted EU guidelines on the protection of Human Rights Defenders in 2008, we stand ready to contribute to the work of ODIHR on this

topic which could also build on the work of the UN Special Representative for Human Rights Defenders. We also welcome ODIHR's intensified support to National Human Rights Institutions, including the recent Handbook on National Human Rights Institutions and gender equality. Furthermore we commend ODIHR for systematically taking into account gender aspects across all its activities.

In the field of Tolerance and Non-Discrimination we commend ODIHR's activities regarding combating hate crimes, especially the valuable reporting activities, which help to facilitate peer review in the OSCE area. We believe that in its activities the OSCE should increasingly take into account manifestations of hatred and intolerance based on sexual orientation or against LGBTI persons. These forms of discrimination are also a violation of human dignity and must be combated. We support in principle the holding of a proposed OSCE High-Level conference, supported by the ODIHR, on Tolerance and Non-Discrimination issues with special focus on youth education in the course of this year.

We look forward to working with ODIHR's reformed Advisory Panel of Experts on Freedom of Religion or Belief.

With regard to Roma and Sinti issues, we recognise that improving the situation of Roma and Sinti continues to present challenges, including within the EU. We fully support the ODIHR's focus on topics such as early education, building trust within communities and enhancing participation of Roma in public and political life and we look forward to the Office's second status report on the implementation of the OSCE Action Plan on improving the situation of Roma and Sinti in the OSCE area.

The EU commends the ODIHR for its efficient organisation of Human Dimension events notably the HDIM. We would like to reiterate our full support for the open and free participation of NGOs and civil society in all relevant OSCE events. The 1990 Copenhagen Document and the Helsinki Document 1992 provide clear guidance on this issue. We reiterate our appreciation for the added value of the NGOs input to our meetings. Furthermore, we recognise the need to facilitate the preparation of human dimension events by the ODIHR through the timely adoption of all relevant decisions by the Permanent Council.

Finally, we wish to emphasise that the work and assistance of ODIHR in the field of human rights and democratic institutions is in higher demand than ever. We therefore

regret that ODIHR's budget request for 2013 was not met in full. We will use future budget negotiations to support a budget that allows ODIHR to meet the rising demand for its work.

In conclusion, we would like to thank Ambassador Lenarčič and his dedicated staff for their excellent work and wish them all the best in their future activities.

The Acceding Country Croatia*, 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 Liechtenstein member of the European Economic Area, as well as the Republic of Moldova, Andorra and San Marino, align themselves with this statement.

* Croatia, 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.