



ODIHR.GAL/82/06
2 November 2006
OSCE+
Original: as delivered

HUMAN DIMENSION IMPLEMENTATION MEETING

CONSOLIDATED SUMMARY

Warsaw, 02 – 13 October 2006

CONTENTS

I. EXECUTIVE SUMMARY	3
II. PARTICIPATION	5
III. RAPORTEURS' REPORTS	6
<i>Working Session 1: Fundamental freedoms I.....</i>	<i>6</i>
<i>Working Session 2 and 3: (specifically selected topic): Addressing factors contributing to the cycle of trafficking in persons.....</i>	<i>8</i>
<i>Working Session 4: Tolerance and non-discrimination I.....</i>	<i>11</i>
<i>Working Session 5: Humanitarian Issues and other commitments</i>	<i>13</i>
<i>Working Sessions 6 and 7: (specifically selected topic) Access to Justice.....</i>	<i>14</i>
<i>Working Session 8: Rule of Law I.....</i>	<i>18</i>
<i>Working Session 9: Rule of law II.....</i>	<i>20</i>
<i>Working Session 10: Democratic institutions</i>	<i>22</i>
<i>Working Session 11: Discussion of human dimension activities (with special emphasis on project work)</i>	<i>24</i>
<i>Working Session 12: Fundamental freedoms II</i>	<i>27</i>
<i>Working Session 13: Fundamental freedoms II.....</i>	<i>29</i>
<i>Working Session 14: Tolerance and non-discrimination II,.....</i>	<i>32</i>
<i>Working Session 15: Tolerance and non-discrimination (continued).....</i>	<i>33</i>
<i>Working Sessions 16 and 17: (specifically selected topic) Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments</i>	<i>34</i>
IV. COMPILATION OF WRITTEN RECOMMENDATIONS	39
V. ANNEXES.....	133
• KEY-NOTE ADDRESS AND OPENING SPEECHES.....	133
<i>Opening Statement by Ambassador Christian Strohal, Director of the OSCE ODIHR.....</i>	<i>133</i>
<i>Opening Statement by H.E. Didier Donfut, State Secretary for European Affairs, Belgium</i>	<i>136</i>
<i>Opening statement by H.E. Dr Janusz Stańczyk, Undersecretary of State, Ministry of Foreign Affairs of Poland.....</i>	<i>140</i>
<i>Opening Statement by OSCE Secretary General Marc Perrin de Brichambaut.....</i>	<i>142</i>
<i>Opening Statement by Ambassador Rolf Ekeus, the OSCE High Commissioner on National Minorities.....</i>	<i>145</i>
<i>Opening statement by the OSCE Representative on Freedom of the Media, Mr. Miklós Haraszti.....</i>	<i>148</i>
<i>Keynote speech by the Council of Europe Commissioner for Human Rights, Mr. Thomas Hammarberg.....</i>	<i>149</i>
• LINK TO THE TIMETABLE.....	152
• LINK TO MODALITIES FOR OSCE MEETING ON HUMAN DIMENSION ISSUES	152
• LINK TO THE ANNOTATED AGENDA	152
• LINK TO THE OVERVIEW OF SIDE EVENTS	152
• INDEX OF DOCUMENTS.....	153

I. EXECUTIVE SUMMARY

The OSCE Human Dimension Implementation Meeting (HDIM) took place in Warsaw 2 – 13 October 2006. This HDIM was the eleventh of its kind, organized by the Office for Democratic Institutions and Human Rights to review implementation of the broad range of OSCE human dimension commitments. The HDIM provides a unique opportunity for the exchange of ideas and good practices between government representatives, international organizations and civil society.

Following the Permanent Council decision the structure of the HDIM was modified. The “review” sessions, traditionally set for the first week, were clustered thematically around the specifically selected topics. This allowed for a more focused discussion.

The meeting was opened by a statement of the ODIHR Director, Ambassador Christian Strohal. The opening plenary was continued with opening statements by State Secretary for European Affairs of Belgium Mr. Didier Donfut and Undersecretary of State, Ministry of Foreign Affairs of Poland, Dr. Janusz Stanczyk. The OSCE Secretary General, Ambassador Marc Perrin de Brichambaut, the OSCE High Commissioner on National Minorities, Ambassador Rolf Ekeus and the OSCE Representative on Freedom of the Media, Mr. Miklos Haraszti, also delivered opening statements. Mr. Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, delivered the key note address. All addresses are enclosed in this compilation.

The Working Sessions of the first week were devoted to: Fundamental Freedoms I; Two Working Sessions on the specifically selected topic: Addressing Factors Contributing to the Cycle of Trafficking in Persons; Tolerance and non-Discrimination I; Humanitarian Issues and Other Commitments, Two working sessions on the specifically selected topic: Access to Justice; Rule of Law I; Rule of Law II.

The Working Sessions of the second week included: Democratic Institutions; Discussion of human dimension activities (with special emphasis on project work); speakers from international organizations, missions and NGOs highlighted examples of effective co-operation with the ODIHR at all levels, offering ideas and models which may be useful elsewhere; Fundamental Freedoms II (part 1); Fundamental Freedoms II (part 2); Tolerance and non-Discrimination II (part 1); Tolerance and non-Discrimination II (part 2); Two Working Session on the specifically selected topic: Promotion of Tolerance, non-Discrimination and Mutual Respect and Understanding: the Implementation of OSCE Commitments, where one session was devoted to review of implementation of OSCE commitments related to Tolerance and non-Discrimination and one focusing on forward-looking discussions on the role of youth.

In the Reinforced Closing Plenary Session, the Rapporteurs presented their reports from the Working Sessions. Head of the OSCE Chairmanship Unit, Ministry of Foreign Affairs of Belgium, Ambassador Frank Geerkens, addressed the Plenary on behalf of the Chairman in Office of the OSCE. A closing statement was given by the Director of the Office of Democratic Institutions and Human Rights, Ambassador Christian Strohal.

The following moderators were involved during the HDIM: Ambassador Christian Strohal moderated session on Democratic Institutions, as well as the special day session on promotion of Tolerance and non-discrimination and mutual respect and understanding. Ambassador Mette Kongshem, Permanent Representative of Norway to the OSCE and Mr. Arturo Perez, Deputy Permanent Representative of Spain to the OSCE, facilitated discussions during working sessions relating to Tolerance and non-discrimination, whereas Ambassador Edin Dilberovic, Head of the Delegation of Bosnia Herzegovina to the OSCE moderated the special day session on tolerance and non-discrimination. The working session on humanitarian issues and other commitments was moderated by Mr. Andreas Halbach, Special Liaison Mission of the International Organization for Migration. Discussions during the special day on addressing factors contributing to the cycle of trafficking in persons were facilitated by Ms. Allison Jernow, US Prosecutor and Ms. Naile Tanis, Director of the KOK-Federal Association Against Trafficking in Women and Violence Against Women in the Migration Process. Mr. Roland Bless, Senior Adviser to the OSCE Representative on Freedom of the Media, Mr. Antoine Bernard, Executive Director of the FIDH and Mr. Jeremy Gunn, Member of the ODIHR Advisory Panel of Experts on Freedom of Religion or Belief moderated Working sessions devoted to Fundamental freedoms. Mr. Berry Kralj, the ODIHR's Chief of Rule of Law Unit was a moderator of the special day session on Access to Justice. Rule of Law sessions were moderated by Ms. Kirsten Mlacak, Head of Human Rights and Mr. Vladimir Shkolnikov, Head of Democratization of the ODIHR. Discussions at working sessions related to human dimension activities were facilitated by Mr. Toralv Nordbo, First Deputy Director of the ODIHR. Mr. Nicolae Gheorghe, Senior Adviser on Roma and Sinti Issues of the ODIHR was a moderator of the working sessions devoted to tolerance and non-discrimination.

A total number of 54 side events profiled a broad range of human dimension topics. These provided opportunities for governments to present best practices, for NGOs to brief on their activities and for more in-depth and focused discussion on various topics. (A detailed list of side events and conveners is available in the attached timetable).

Participating States as well as NGOs provided a wide range of recommendations on human dimension issues that addressed the implementation of OSCE commitments in participating States and relevant programmes for OSCE Institutions. These recommendations were compiled thematically by the ODIHR for each working session and distributed on daily basis to all participants.

For the third consecutive year the ODIHR used its electronic Documents Distribution System (DDS). This tool allowed all documents and recommendations to be immediately displayed in electronic form on terminals available at the conference venue and accessible through OSCE website. With the possibility of sending documents via e-mail directly from the terminals, the system facilitates additional impact to the debate. It also significantly reduces costs of the Meeting. A list of documents distributed during the HDIM is attached to this report. A CD-ROM with copies of all documents will be distributed among all participants and be available upon request from the ODIHR.

The total of 1031 participants attended the HDIM, including 433 representatives of 324 Non-Governmental Organizations (NGOs). Only 3 out of the 56 participating States did not send a delegation to the Meeting.

Particular efforts were made to foster NGO participation. In line with the modalities, all NGOs were given equal access to the list of speakers. Additionally, with the support of voluntary financial contributions from some participating States more NGOs from the recently admitted participating States were able to attend.

II. PARTICIPATION

The Meeting was attended by a total of 1031 participants, out of which 465 representatives of 53 OSCE participating States (apart from Moldova, Monaco and Turkmenistan). There were 8 representatives of 4 OSCE Mediterranean Partners for Co-operation (except for Jordan and Tunisia) and 12 representatives of all 5 OSCE Partners for Co-operation also present at the Meeting.

Additionally, 41 representatives from 17 offices of 7 International Organizations were present: CIS – Commonwealth of Independent States, Council of Europe, Council of the European Union, European Monitoring Center on Racism and Xenophobia, International Committee of the Red Cross, International Organization for Migration, Organization of Islamic Conference and the United Nations (including: UN Office on Drugs and Crime, UN Department of Public Information, UNDP, UNESCO, UNICEF, UN High Commissioner for Human Rights, UN High Commissioner for Refugees, UN Human Settlements Programme, United Nations Mission in Kosovo, United Nations Office in Geneva).

The OSCE Institutions were represented by 29 participants as well as there were 63 representatives of all 18 OSCE Field Missions.

The Meeting was also attended by 433 representatives of 324 Non-governmental Organizations.

III. RAPPORTEURS' REPORTS

Working Session 1: Fundamental freedoms I

Working session 1 of the HDIM addressed fundamental freedoms including freedom of expression, free media and information. It followed up the 2006 SHDIM on Freedom of the Media.

The Director of the ODIHR introduced the session underlining the central tenet that “media should be in the custody of society and not of the state.” The OSCE Representative on Freedom of the Media, Mr Haraszti, endorsed this principle, and advocated the development of self-regulation mechanisms in the OSCE region to ensure simultaneously media freedom and responsibility. A side event earlier in the day hosted by the Office of the Representative had looked at models of such self-regulation, identifying that in certain situations complementary legislation could be enacted, for example requiring the publication of media ownership trees to promote transparency.

The distinguished Representative spoke of general challenges affecting the region:

- Highlighting the growing nervousness of state prosecutors in the face of security concerns and leaks of classified or sensitive information, he spoke of the increased use of legal tools that had earlier been considered inappropriate for societies with vigorous investigative journalism. He reaffirmed his message of the 2005 HDIM; that journalists should not be held liable for receiving and publishing leaked information. The liability for disseminating unauthorised information should lie solely with the officials who were obliged to maintain the secrets. He added that the right to protection of sources was a fundamental of a democratic society, and one recognised by countries respecting a good separation between civil society and the administration;
- He spoke of the inequitable application of administrative measures to different media sources, stressing that systems of registration, re-registration, taxation, distribution, and access to equipment were sometimes manipulated to discriminate against the independent media. Such discrimination was, he added, most prevalent in States with state-owned media. Further, accreditation procedures were too often used to prevent rather than facilitate access of international and national journalists to information;
- In the context of enhancing the regulatory means to protect cultural and ethnic sensitivities, Mr Haraszti believed that hasty regulatory zeal would not help in fighting hate speech. Whilst efforts were required to combat intolerant rhetoric, hate speech should not serve to repress reasonable criticism or expression. Again, the answer was to develop self-regulation mechanisms and encourage moderate voices.

Mr Haraszti also reported encouraging progress in the reform of defamation legislation. Seven OSCE participating states had removed criminal libel and insult provisions from their penal codes. Others had removed imprisonment as a form of punishment for defamation, and most recently some Balkan States had liberalised their defamation legislation. He appealed to all participating States with defamation articles in their criminal legislation to remove them, whether

or not they were in use. Further, he appealed to participating States to provide questionnaire responses to the Office of the Representative to assist with their new project which will review laws and practices on access to information. This project is, in methodology, similar to the libel and defamation database.

The interventions that followed illustrated Haraszti's points with a number of specific examples.

For a majority, the repression of the media in a number of OSCE participating states - through physical violence, harassment, intimidation, administrative controls and through legal challenge - was the predominant concern. In spite of the progress made in decriminalizing defamation legislation in the region, its continued use in a number of countries was highlighted. That custodial sentences were handed down for the peaceful expression of opinion was noted for its significant chilling effect. Some States argued that custodial sentences were either commensurate with the gravity of the offence or were for crimes not related to expression, such as the possession of narcotics. A number of speakers and the Representative called for political leaders to abolish criminal defamation legislation, especially where those leaders had already urged prosecutors not to use it. Many speakers voiced deep concern over the death in custody of the journalist Ogalsapar Muradova, and called for an immediate and transparent investigation into the death. A few participants noted the need for thorough, independent and impartial investigations to all cases of human rights abuses against journalists, to counter the climate of impunity.

In a similar vein, concerns were raised over legislative tools being used against journalists in the context of security concerns and leaks of classified information. On the one hand, some participants referred to the need to ensure unhindered access to all information of public interest. On the other hand, others referred to the need for all participating States to avoid restricting public speech, debate and free media under the pretext of the fight against terrorism. In this context, the Council of Europe referred to its 2005 Declaration on Freedom of Expression and Information in the context of the fight against terrorism.

While four participating States reported growth of their independent media sectors and concerted efforts made to ensure equality of treatment, other interventions detailed widespread use of intimidation tactics and administrative obstacles to repress the independent media and consolidate state control over the sector. It was noted that in some participating States there were very few independent operators left, and some were forced to work from abroad. Re-registration procedures and exorbitant fines were cited more than once for their impact in forcing independent outlets to close. Some noted the use of administrative obstacles to circumvent legislation that met international standards.

Some States described teething problems around modernising their approach to the media and developing a good separation between the administration and media, including around determining the ownership of media outlets, denationalisation of state-owned media, and providing adequate access to information. A number of participating States welcomed fruitful cooperation with the OSCE in the modernization of their media sectors, and looked forward to continued partnership.

The need for mechanisms of media self-regulation was raised in different contexts. Some highlighted their value for ensuring sufficient separation of the administration and media. Others, that there was a compelling need for these mechanisms to sufficiently address a lack of awareness

around cultural and religious sensitivities. On the latter, a few speakers said they saw no contradiction in protecting people from hate speech and protecting freedom of expression, and that media responsibility does not amount to self-censorship. Also on the issue of media responsibility, some participants called for the media to better represent minority groups such as the Roma, who often suffer from negative stereotyping in the press. Remedies for self-regulation and bettering professional standards included establishment of Independent Media Ombudsmen and Press Complaints Commissions.

In summary, the recommendations of working session 1 concentrated on:

Encouraging participating states to:

- Decriminalize libel;
- Remove administrative obstacles that hinder journalists;
- Provide for unhindered access to all information of public interest;
- And, review best practices in raising awareness among journalists around cultural and religious sensitivities.

Likewise, participants supported the continued activities of the OSCE Representative on Freedom of the Media in:

- promoting the decriminalizing of legislation;
- ensuring full implementation of legislation on media freedom;
- And, exploring how self-regulatory mechanisms are better placed to promote media quality and sufficient regard for cultural and religious sensitivities.

Many participants urged the Representative to continue his engagement on existing areas of focus, while others noted the need to expand the current geographical focus.

Working Session 2 and 3: (specifically selected topic): Addressing factors contributing to the cycle of trafficking in persons

A whole day was dedicated to the specifically selected topic *Addressing factors contributing to the cycle of trafficking*.

The morning session mainly focused on the experiences in the **implementation** of the recommendations of the OSCE Action Plan to combat Trafficking, and measures to improve **protection and assistance** to trafficking victims. Key note-speaker, Ms. Heidi de Paw, presented a short analysis of the Belgium multi-agency response to THB, and how the challenge of identification impacts on the effectiveness of the anti-trafficking responses. One of her main points was that an inconsistency in approaches to the identification of trafficked victims, despite training and normative guidelines, continues to undermine anti-trafficking responses. And that existing measures to provide protection - such as the provision of a reflection delay - are not utilized properly in practice. Ion Vizdoaga from Moldova described a worrying trend towards generating statistics on criminal cases in countries of origin for the purposes of reporting which undermined victim assistance and support and the quality of criminal cases. He emphasised the

need to ensure protection of victims rights to privacy and legal assistance during criminal investigations and proceedings.

During the discussions participating States reaffirmed their commitment to fight trafficking in human beings, and shared information about legislative measures taken, institutions set up, interagency bodies, national referral mechanisms and national plans of action.

The importance of giving legal residence and support to victims of trafficking was also emphasised. Networks between NGOs and governmental institutions were highlighted, as well as regional and bilateral cooperation across borders.

The issue of THB in the context of sports events was also addressed. Specific measures like more extensive police controls, specific training of frontline and law enforcement personnel, health workers and social services were proposed.

Several speakers addressed the problem of lack of specific data both on victims and vulnerable population to THB, and underlined the need to address demand as well as supply, and look at the problem of internal trafficking. Other participants pointed to the special vulnerability of the Roma population to trafficking.

The afternoon session dealt with the complex issues that underpin **demand** for the labour or service of trafficked persons in different contexts. Both key note speakers emphasized the inconsistencies in the identification of victims - with obvious consequences in terms of protection of their rights, victim assistance and support - and also how criminal statistics are used and understood. A definitional lack of clarity - in terms of who qualifies as a trafficked victim - makes it impossible to speak of demand for trafficked persons labour or services. Both key note speakers rather suggested that we should speak of the demand for cheap and unprotected labour, as it is stated in the OSCE action plan against THB.

A victims-oriented approach was mentioned by many participants, and it was pointed out that trafficking is both a law enforcement and human rights concern. One delegation pointed out that their legislation, where the buyers of sex are criminalised, stems from the need to protect the victims. Another State called on the participating States to amend legislation that would criminalise trafficking.

Many participants reminded that *demand* lacks understanding and definition (in the past known only as demand for sexual services), and highlighted the need to look at all purposes for which people are trafficked. One NGO emphasised that the existing demand for labour of vulnerable and unprotected workers - creates more chances for trafficking. To tackle the demand there is a need for labour protection and monitoring of markets where forced labour may occur.

It is important to understand how states are implicated in creating markets where people are unprotected. The role of the state is therefore not only to address unprotected labour but also look at spheres where abuse can occur, and to facilitate their leaving such markets if they so wish.

The importance of focusing on the root causes of trafficking such as poverty, marginalization and discrimination was underlined by some speakers. Several participants also emphasised the need to conduct awareness raising activities, but at the same time be careful in terms of how the

images used in awareness raising could lead to negative consequences. One delegation called for a Global partnership - within coordination of anti-trafficking activities could be enhanced. It was also suggested to link people/agencies/institutions who are concerned with helping trafficked persons with empowering them to claim their rights. These new actors can be trade unions, migrants NGOs, and women support organizations that should try to move people from being just victims - to victims who take control over their lives.

To sum up; it seems to be a general consensus of the benefits and efficiency of a multi-agency-approach - with a strong engagement by the so-called front-line-services. However, in order to be able to effectively combat THB and to give swift and adequate assistance to victims, the *definition of demand* and *the identification of victims* must be further evolved and elaborated. In this, States and Governments have a special responsibility – in particular in implementing appropriate legal instruments.

Summary – main recommendations to the OSCE participating states:

- PS should promote a multi-agency approach to THB cases and develop a dynamic mechanism of cooperation among various state institutions and NGOs in detecting THB cases and in referring victims to support services.
- PS should sensitise frontline services (e.g. police, social workers, labour inspectors) to THB and improve their capacity to detect situations of exploitation.
- PS should implement the OSCE Action Plan to combat THB and its Addendum by setting up National Referral Mechanisms, implementing legislative provisions on legal, social assistance, health care and ensuring that social services are more inclusive of Roma children.
- PS should establish a victim compensation fund, and guarantee victims access to shelters and compensation. Introduce specific criminal provisions against sale of babies, and confiscate assets of perpetrators.
- PS should allocate specific funds on anti-trafficking work in the OSCE budget of field operations.
- PS should sign and ratify the *UN Convention on the Protection of the Rights of all Migrant workers and their Families*, sign and ratify the *CRC Optional Protocol on the sale of children, child prostitution and child pornography* and to sign and ratify the Council of Europe Convention on Action against THB.
- PS should take action to establish and enforce minimum labour standards, in combination with migration policies that recognize the demand for labour and the demand for opportunities to migrate.
- PS should ensure that trafficking for labour exploitation is brought into public view and is addressed.
- PS should develop public awareness campaigns on products and services that are produced by exploitative and forced labour and develop guidance to assist consumers in identifying goods or services that have not been produced through exploitation.
- PS needs to encourage better informed and responsible media reporting in relation to trafficking for future major sporting events

Summary – main recommendations to the OSCE, its institutions and field operations:

- OSCE should intensify anti-trafficking activities in cooperation and coordination with relevant OSCE bodies and with local NGOs. Collect available training resources on THB and share them among participating States. Including providing training to law enforcement, health workers and social services to detect THB cases, identify and assist victims.
- OSCE should collect information and address all exploitative and hazardous forms of child labour in conformity with the ILO standards, and encourage the creation of ethical employer associations which will adhere to codes of conduct that ensure protection of the rights of its workers.
- OSCE should give more attention to the link between sporting events and trafficking in human beings and for continuous awareness raising campaigns.
- Call attention to the problem of street children exploited in a variety of illegal activities. Employ Roma experts in anti trafficking programs and projects.

Working Session 4: Tolerance and non-discrimination I

Working Session 4 tackled the issues of Equality of opportunity for women and men; Implementation of the OSCE Action Plan for the Promotion of Gender Equality, the role of women in conflict prevention and crisis management and the prevention of violence against women.

In his introductory remarks, Ambassador Strohal underlined the importance of furthering the goals of the OSCE Action Plan through a comprehensive mainstreaming of gender issues in all activities. Against a backdrop of alarming statistics on the prevalence of violence against women, he noted the need for a reinforced political will among participating States to curb this phenomenon. At the same time, Ambassador Strohal, sent out a call to take immediate and decisive action for increasing the role of women in early-warning and conflict prevention and resolution processes, as well as in crisis management.

As the moderator of the Session, Ambassador Kongshem pointed out that, despite significant improvements in the legislation of many participating States, there are still significant challenges in achieving de facto gender equality. At the OSCE level, there have been many efforts to promote gender equality as a cross dimensional topic, linking equality, security and stability; however, progress in the internal gender mainstreaming within the Organization remains limited.

The first keynote speaker, Ms. Anja Ebnother, from the Geneva Center for Democratic Control of Armed Forces (DCAF), outlined areas of co-operation among the DCAF and the OSCE. In particular, she mentioned the on-going efforts to implement the OSCE Code of Conduct on Political- Military Aspects of Security, provision of parliamentary assistance, border security and promotion of a democratic control/oversight of the security sector. In addition, Ms. Ebnother pointed out that the ODIHR and the DCAF are working together to develop a handbook on Human Rights and Fundamental Freedoms in Armed Forces. She also underlined that violence against women stands as one of the key human rights threats and a public health issue in the world. She emphasized that combating domestic violence needs to be integrated as a central part

of ensuring human security by state institutions and other stakeholders involved in providing security to citizens. Ms. Ebnother also stressed the link between gender-based violence and other forms of exploitation, such as trafficking and prostitution. Furthermore, it has been signaled that violence and insecurity breed women's exclusion from decision making processes and perpetuate poverty among women. Therefore, efforts to implement the UNSCR 1325 should include strong support to women's organizations to engage in policy - making processes, particularly in post conflict situations. At the same time, security forces should provide a leading example in terms of effective enfranchisement of women in their own structures and thus they would be better able to respond to the security needs of women. Summing up, she said that women have to become actors and not victims in our task of building security.

The second keynote speaker was Ms Beatrix Attinger Colijn, OSCE Senior Advisor on Gender Issues. Ms Attinger said that at the outset of the Action Plan on gender equality it received a marginal attention and its implementation seemed to depend on the goodwill of personalities rather than on an institutional obligation. The renewed action plan of 2004 has improved the possibilities of implementation through reinforced provisions. However, we have to move from relaying almost exclusively on statistical indicators to a real change in mentalities and on the daily working processes of the Organization. Many people still think that gender mainstreaming is relevant but not here and not now. To surmount these obstacles at a practical level, the Advisor has developed a tool box with guidelines on how to implement the Action Plan and recommendations for potential activities in undertaking concrete tasks.

After the interventions by the two keynote speakers the moderator invited participants to take the floor and so they did in numbers. Summing up the numerous interventions, most of them addressed both the positive efforts and progress but also the shortcomings both at the national and multilateral levels to translate the provisions of the OSCE Action Plan and the UNSCR Resolution 1325 into practice. Many of them also made reference to the need to creating partnerships between state institutions and civil society organizations representing women's interests in order to ensure an effective implementation beyond simple rhetoric of both plans. Of course, most of the participants agreed that the OSCE has to set an example on moving from words to deeds when it comes to enhance gender equality, particularly, but not only, at the higher decision making bodies.

As far as recommendations are concerned, the following ones were made:

To the OSCE.

- To include minority women considerations into the Action Plan.
- To increase awareness on gender sensitive issues in the introduction programmes and training within the Organization.
- OSCE staff regulations should be reviewed in order to create a more family friendly and gender sensitive working environment.
- The OSCE and ODIHR in particular should continue to provide assistance to women's organizations in order to strengthen their capacity as participants and stakeholders in decision- making processes.
- To introduce gender analysis in the ODIHR Election Observation Reports.

- The OSCE should continue to work with law enforcement agencies to provide training and capacity building in combating domestic violence.
- Within its framework, the OSCE should create a regional alliance 1325 which will provide the participating States the opportunity to share know how and experiences in the development of national plan of actions in this regard.

To participating States.

- They should nominate more women candidates for various positions, in particular at the leadership level across the Organization.
- The participating States should develop action plans at the national level to implement UNSC Resolution 1325 on women, peace and security.

Working Session 5: Humanitarian Issues and other commitments

Working Session 5 dealt with Humanitarian issues and other commitments including: migrant workers, the integration of legal migrants, refugees and displaced persons and the treatment of citizens of other participating States.

The Session was moderated by Mr. Andreas Halbach, Director of the Special Liaison Mission of the IOM. Mr Halbach started his intervention by stressing that the global movement of people has become one of most prominent topics in the multilateral agenda to the extent that the UN held last September its first High Level Meeting on Migration. This is an initiative which is going to be continued next and possibly in subsequent years.

Mr. Halbach then introduced the keynote speaker of the Session, Mr. Ayhan Kaya, from the Istanbul Bilgi University. Mr. Kaya focused his intervention on the use of the security discourse with regard to migration, the response of migrants to the recent debates, the rise of culturalist discourses and the negligence of the concept of deindustrialization in portraying the problems faced by migrants. As a response to what he called a tendency to reduce migration to cultural assimilation and homogenization by receiving States, Mr Kaya proposed transnationalizing migration and integration policies. This alternative would imply involving both the receiving and sending countries as well as supranational and international organizations like the OSCE and others. At the end, this possible solution requires accepting the fact that migrants are already inhabiting a space which is neither their country of origin nor of destination but a transnational space.

After this thought provoking introduction, the moderator opened the floor for interventions and a very interesting debate ensued. The general tone of the debate turned around the idea that we are witnessing an impact of securization policies on the movement of people, be them migrants, refugees, displaced persons or asylum seekers. In particular, several participants seized the opportunity to criticize what they considered to be a noticeable tendency towards increasing discrimination and the passing of more restrictive legislation in several receiving States. In this regard, the existence of barriers to effective integration policies for migrants in host countries was highlighted. Several participants also raised the issue of the impact of large migratory flows towards Southern Europe and the response by countries of transit and destination. The difficult situation of Roma populations was also mentioned. The aftermath of the Andijan crisis was the

focus of several interventions both praising and criticizing the actions of the actors involved. On another note, several participants also took the opportunity to explain the changes introduced in their respective legislations and practices both at the national and international level in order to facilitate the situation of migrants, refugees and displaced persons.

When it comes to recommendations, the following were presented:

To the OSCE participating States:

- To promote diversity in multicultural and ethnically diverse societies through participation while respecting individual human rights.
- To promote equality of opportunity and equal access to rights and services.
- To emphasize the link between migration and development and to promote partnerships between countries of origin, transit and destination.
- To honor their commitments under international law and refugee standards to provide asylum seekers with access to a fair, independent and transparent asylum procedure, and not to return any person to a country or territory where they may face serious human rights violations or place barriers in the way of international protection for those who need it.
- To uphold their obligations under international law to protect the best interest of the child and not to detain unaccompanied minors in detention centers.
- To ensure that asylum seekers are only detained when absolutely necessary in compliance with international standards and that asylum seekers and irregular migrants are not detained in cruel, inhuman and degrading conditions.
- For those who have not yet done so, to sign and ratify Protocol 12 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, enshrining the principle of non discrimination. Also to sign and ratify the UN Convention on the Protection of the Rights of All Migrant Workers and members of their Families.
- To ensure that respect for human rights is a precondition of any co-operation with countries of transit of origin, and that both short and long term strategies on irregular migration are grounded in respect for the basic rights of migrants.

Working Sessions 6 and 7: (specifically selected topic) Access to Justice

Working Session 6: Accessible and affordable legal assistance

Working Session 7: Timely and enforceable court decisions

The whole day of October 5 was dedicated to the specifically selected topic of *Access to justice* to demonstrate importance attached to the Rule of Law related issues and to continue discussion initiated earlier this year during 2006 Human Dimension Seminar *Upholding the Rule of Law and Due Process in Criminal Justice Systems*, as well as previous year's Supplementary Human Dimension on the Defense lawyers. The ODIHR Director as well as a number of other speakers commended the Belgian Chairmanship for setting this topic as a priority on this year's agenda. Ambassador Strohal in his introducing remarks indicated that access to justice safeguards Rule *by* and not *under* the law for both participating States and their citizens, which is also guaranteed by a number of OSCE commitments. A general agreement emerged during the following discussion

on the point raised by the ODIHR Director about the rule of law and access to justice as a key component and basis of a functioning democratic society.

The first key-note speaker, Mr. Roger Smith, underlined that without access to justice there can be no justice, which is a core component of the rule of law. Access to justice in itself contains legal aid as its key element, which is essential in the context of a number of other ingredients, *e.g.* independence of judiciary etc. Drawing on his own professional experience both in his country and other OSCE participating States Mr. Smith addressed problems of legal aid organization, especially for those who cannot afford it. He noted that all OSCE participating States have mechanisms to provide legal aid, but they nevertheless utilize different concepts and mechanisms for it. In some countries the aid is *pro bono* based, since lawyers would like to return to society through their service some of their professional earnings. He underlined that legal aid is also human rights concern, because it is a tool to tackle social exclusion. Introducer referred to layers of international obligations in this regard that are created by the UN, the OSCE, the Council of Europe and the European Union. Among those international commitments he picked up to discuss request for fair and public hearing in criminal cases, providing with free legal aid those who are in need, as well as issue of extraditions. He noted that increasing number of automatic extradition makes necessary globalization of legal aid. He also said that legal aid should be granted not only in the criminal cases but also in those, where social and civil rights are touched, especially if those reflect social exclusion of minorities. In conclusion Mr. Smith raised questions related to the organization of legal aid, which can be funded by public money and managed by an independent and not government controlled body directly to lawyers (UK model) or through public defender's office (German model), or through combination of these two approaches. Another group of highly relevant issues related to scope of financial resources to be allocated and safeguarding the quality of the services provided. All these activities shall be closely monitored and evaluated by the OSCE and other relevant international organizations.

The second key-note speaker, Mr. Zaza Namoradze, presented activities of his institute in the area of reform of legal aid in Lithuania, Bulgaria, Moldova, Georgia and Kyrgyzstan, mainly concentrating on the poor quality of free legal aid for those who are facing criminal charges. He noted that lack of funding is the major challenge in this area; nevertheless, there is little understanding of these issues among governments and no structural set up to address those questions. Mr. Namoradze advocated centralization of the management of legal aid instead of engaging 4-5 institutions in guaranteeing the quality of services. Another problem noted in many OSCE participating States is the stage at which the lawyers are involved in assisting their clients: at best it is when the person accused is detained and not when the police investigation is initiated. As the previous speaker, Mr. Namoradze addressed issues of social exclusion and need to allocate more public funds and resources for the legal aid. He indicated that the so-called mixed model of legal aid management creates cost effective mechanisms for tackling problems. He also noted obstacles that can be created in the reform process, such as opposition from police, as well as the positive role that Justice Ministries can play in reformation. The speaker also indicated that regular access of those accused to their lawyers is an important factor in preventing torture, which was further supported in the discussion following.

In the discussion that followed a number of NGOs and participating States outlined problems in individual States related to the violations of the right to the fair trial and to the public hearing, enforced confessions, the right to the fair representation in general and prevention of proper defense for political prisoners by the authorities, slow and not satisfying work of judicial systems,

corruption of lawyers etc. A representative of an international NGO criticized a number of participating States as 'partners in crime' as they have undertaken unlawful kidnappings, which were followed by the application of illegal interrogation techniques amounting to torture.

A group of participating States indicated that legal aid systems should be organized by states, which should ensure that access to justice is provided in practice, which shall include all stages of the proceedings according to the due process, including proper access to the courts. They also noted that special mechanisms of protection and of seeking legal remedies for victims of violent acts by authorities must be ensured. Issues related to the justice management, such as delivering the judgment in a reasonable time, as well as use of alternative sentencing in order to reduce the workload of the judiciary were also addressed.

A participating State noted that shortcomings in the justice system always affect the security of a given country, while saying that there is no perfect system and expressing readiness to share its own experiences with any State interested. In general, a number of participating States shared their own experiences in tackling issues discussed, described national mechanisms of legal aid provision, as well as national mechanisms of appeals to higher instance courts and monitoring legal system. A representative of an international organization *inter alia* addressed talked about the independence of judiciary and presented guidelines for the professional and ethical behavior for judges developed.

Introducer Mr. Smith summarized the discussion by clustering issues addressed in contributions into four groups: 1) charges in a political case, 2) those of a routine crime case, 3) problems of poor people, and 4) concerns for all citizens to the benefit of the judicial system at large. He again spoke of the challenge of implementation, as well as need to address adequate quality of the free legal services provided by public.

The Working Session 7 mostly concentrated on the issues related to the timely and enforceable court decisions. To warm up discussion, Mr. Sergey Pashin, the first key-note speaker, addressed issues of access to justice in the context of judicial reform. He noted that generally reform takes place hand in hand with a counter-reform process and quite often the latter one prevails: new legislation may fail implementation because of inertia and obstacles created by the officials who are not eager to change the rules of the game. To illustrate this claim, introducer referred to a case when an interpretative letter from a Supreme Court on application of the new law in fact prevented implementation of novelties envisaged and thus the letter mentioned got a stronger impact than the law itself. Mr. Pashin raised several problems related to the effective functioning of judiciary, such as filing complaints to the courts, citizens' access to the judges, and transparency of the judicial, budgetary and resource constraints imposed on the system. He also addressed the problems of torture and appeal procedures, as well as ways to seek legal remedies to these problems. The introducer underlined the importance of the Constitutional Court in addressing and remaking unlawful practices. He also brought a number of illustrative cases describing impediments to the effective legal defense activities.

The second key-note speaker, Mr. Roman Romanov, addressed non-sufficient implementation of court decisions, including of the European Court of Human Rights, violations of legal certainty regarding the oversight procedures carried out by the Prosecutor's office, lack of effective investigation of mistreatment in police custody, etc. in a participating State. He nevertheless noted a number of positive developments in the same participating State, most of which are

ECHR-related, whose decisions are increasingly becoming a source law referred by the judges. Use of internet for publicizing decisions of judiciary became an important tool to promote transparency and to prevent corruption. National Action Plan on enforcement of judicial decisions became another tool to strengthen independence of this branch of government. As the previous speaker, Mr. Romanov has also addressed conservative approaches and counter-reform tendencies that are still at large in the judiciary. He raised several issues of concern, among them non-transparent system of selection of judges, widespread corruption among them, lack of remuneration regulation for them, of proper professional examination and training, of public trust etc. Judicial self-government was proposed as a main priority to address these issues. The speaker proposed to reconsider administrative oversight powers that have been granted to prosecutors, as well as develop extra-judiciary mechanisms for settling disputes.

In discussion that followed a participating State noted that unreasonable prolongation of a court decision can amount to a factual refusal to access to justice and described what organizational measures can be taken in that respect, which may also include substantial resource and cost implications that a state is obliged to provide with. The creation of an electronic register and an annual review of statistics on the number of cases may contribute to addressing bottlenecks in the system. Self-government and self-regulation by judges were mentioned as a crucial way to solving existing problems. Another participating State described its reform of communal justice system, which aims at ensuring proper enforcement of court decisions through the introduction of 24-hour-courts and the imposition of disciplinary charges to parties. A participating State made presentation on the work of the national ombudsman, whose office provides with assistance those citizens that cannot afford to pay for legal counsel. Lack of proper financing was mentioned by an NGO as an obstacle for an effective judiciary. A number of civil society organizations mentioned politically motivated cases, as well as a number of human rights violations, such as torture, prevention of access to defense lawyers, etc.

Mr. Pashin summarized the discussion by underlining the importance of the access to justice, since the court is the only place where a state treats a citizen as an equal, a party in a legal proceeding. He responded to an issue raised by an NGO by noting that while low number of acquittals is not an indicator for democracy but it nevertheless gives certain grounds for concerns. Mr. Pashin emphasized the need to distinguish and differentiate reform from deformation of the judiciary. He referred to the importance of continuing exchange of good practices between participating States as a way for finding solutions to the existing problems. Mr. Romanov concluded that many problems raised in the discussion arise from the totalitarian heritage of the past and underlined again importance of the enforcement of judicial decisions.

Recommendations:

- Participating States shall provide adequate funding for legal aid;
- Participating States shall constantly improve the organizational set up of the legal aid in their countries;
- Participating States shall respect the OSCE commitments with regard to access to justice, rule of law and due process;
- Participating States shall safeguard the principle of the presumption of innocence, regulate the rights of defense lawyers in criminal proceedings by law and set out requirements for substantiating court judgments;

- OSCE may introduce minimum standards for the legal aid instruments;
- OSCE as well as other international actors shall review and monitor implementation of the commitments related to the access to justice, as well as national legal aid provision instruments.

Working Session 8: Rule of Law I

Including:

The abolition of capital punishment

During the discussion on the abolition of capital punishment, participants welcomed the global trend towards universal abolition of the death penalty and supported it as a crucial for progress in the respect for human rights. Some participants stated that capital punishment is in some of the states often the result of arbitrarily conducted trial procedure or implemented in discriminatory way. Also the absence of the fair trial in some participating states was raised. There are some PS where the sentencing to death is based on confessions which are the result of torture. Some participants informed of their concern that death penalty is used in some of the participating states as a way to eliminate political enemies or prominent members of separatist movements. The death penalty is by a large majority of the states and NGO's considered as a cruel and inhuman punishment and a denial of human dignity and integrity. Any miscarriage of justice, which is inevitable in any system- death penalty makes irreversible. EU has raised death penalty issues in general terms and individual death penalty with some OSCE participating states since the last HDIM.

Recommendations:

- the immediate abolition of the death penalty in fact and in law
- actively exploring the possibility of alternative punishments
- not to extradite, deport or hand over any person to States where there is a risk of their being condemned to death
- the States which still apply capital punishment should inform other Participating states and civil society about any death sentence and all the relevant circumstances
- OSCE Participating States should ensure the implementation of UN Commission on Human Rights Resolution 2005/59 on The Question of the Death Penalty

Prevention of torture

Torture is universally condemned and outlawed in national law and under a peremptory norm of international law. But the consequence is that torture takes place despite official denial which makes it the more difficult to combat. All the participants expressed their satisfaction that the Optional protocol to the UN Convention Against Torture has entered into force. The prohibition of torture is absolute - it cannot be suspended or restricted under any circumstances, in peace, during armed conflict or any other emergency. The unconditional prohibition applies also in the fight against terrorism. Some of the participants raised their concern that torture is still used in some of the Participating States and that the impunity impose a great danger for the human rights.

According to some participants the human right defenders and the representatives of the International Community should have access to prisons as the only way to eradicate torture. Perpetrators of the crime of torture should be prosecuted, impunity must not prevail.

Recommendations:

- to cooperate fully with international organizations and independent international monitors and to grant them unconditional access to all the places of detainment
- to cooperate with NGO's including those that monitor places of detention and to refrain from excessive restrictions on the activities of civil society
- all the participating states should sign and ratify the Optional protocol to the UN Convention Against Torture or other Cruel, Inhuman or Degrading Treatment or Punishment at the earliest opportunity
- States are to ensure that national laws, practices and policies conform to obligations under the international law
- all the OSCE Participating states should ensure the implementation of UN General Assembly resolution 60/148 on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- to make the conditions for strengthening civil society and to provide access for monitoring bodies in prisons, to make police activities more transparent
- the reports of the monitoring bodies should be made public and not only prisons, but also other places of detention should be monitored
- in accordance with absolute prohibition of torture, the positive actions to combat impunity need to be taken
- to provide assistance to the victims of torture and to fund NGO's dealing with victims
- to provide human rights trainings to the police and judges
- not to extradite, return or deport detainees to countries where it is likely that they will be tortured and to verify diplomatic assurances

International humanitarian law

The participants highlighted the importance of fully respecting international humanitarian law, as a vital to protect civilians from attack. There are fundamental rules to be applied under any condition, such as absolute prohibition of torture. In that way the establishment of the International Criminal Court was welcomed. One participant raised the question of prolongation the deadline for the investigations of the ICTY.

Recommendations:

- OSCE Participating States should ensure respect for international humanitarian law, including the obligation to distinguish between civilians and combatants and the principle of proportionality
- The states are urged to provide to victims of terrorist acts emergency and continuing assistance

Protection of human rights and fighting terrorism

The international legal human rights framework can accordingly cope with the fight against terrorism, there is no need of special laws or of derogations. States must protect human rights, and the fighting terrorism does not imply violating human rights. Criminal law is proper tool to fight terrorism. Only protection of human rights can be the proper way to fight terrorism and the only response and the way out. Fair trial is *sine qua non* in the combating terrorism. Some of the participants stressed that counter terrorism become a means for states to abuse the human rights. Counter terrorism measures must always be conducted in full respect for international law, in particular international human rights law, refugee law and international humanitarian law as set out in relevant international documents. Majority of the participants agreed that governments must never use the fight against terrorism to justify harassment of the members of the opposition. Violence should never be directed against civilians in the name of combating terrorism. Resolute actions to counter terrorism must not degenerate into violation of human rights. Measures taken in the fight against terrorism should not infringe on, or lead to breaches of, human rights and fundamental freedoms. Counter terrorism strategy should be based on the overall concept of security.

Recommendations:

- All states should fully respect human rights, refugee law and international humanitarian law in their counter terrorism measures
- to refrain from joint counter-terrorism activities where there are grounds to believe that these activities might serve the use of torture or other forms of ill-treatment prohibited by international law
- OSCE should assist the participating states to carry out the assessments of the current impact of their antiterrorism legislation on compliance of human rights
- States should ensure that all detainees including those detained in relation to terrorists acts, have access to justice and fair trials
- OSCE should encourage states to react promptly and effectively, including through legal measures, to acts of racism and racial discrimination resulting from tensions generated by the fight against terrorism
- To refrain from adopting anti-terrorist measures which are not in accordance with human rights standards

Working Session 9: Rule of law II

Including:

Follow-up to the 10-12 May Human Dimension Seminar on Upholding the Rule of law and Due process in Criminal Justice Systems, including Penal Systems

There is a need to ensure that judicial proceedings are fair and open to the public, including the civil society monitoring of the Court proceedings. States have the commitment to ensure the independence of the judiciary, so judicial appointments and dismissals should be defined by law and open with transparent criteria. The exchanging of the good practices concerning police and

judicial system should be reinforced, with the aim i.a. to foster the public confidence in their work.

Recommendations:

- OSCE representatives and civil society should have the more important role in conducting monitoring of detention conditions
- To ensure greater transparency of the Judiciary and improve the Court administration
- To strengthen professional training of judges with the valuable support of the OSCE
- OSCE should continue to organize trainings, seminars and meetings to exchange experiences and best practices on the rule of law, fair trial and the functioning of the justice systems in the participating states

Independence of the Judiciary

Independence of the judiciary is the prerequisite for and one of the main elements of the rule of law and of the great importance in encouraging the public confidence in the judicial system. Participants noted that the independence and the transparency of the legal system and the fair trial are guarantees for the protection of human rights. Some of the participants noted that the pressures on judges, breaches of the transparency and the obstacles to the access to justice in some Participating states are the significant violations of the human rights.

Recommendations:

- to establish of an independent, reliable and functioning judiciary and to ensure the independence of the courts
- to develop training programme for the judges and to organize the seminars for exchanging the practice
- to guarantee courts due financial and technical support
- to enhance the judicial cooperation with support of OSCE

Right to a fair trial, including follow-up to the 3-4 November 2005 Supplementary Human Dimension Meeting on Role of Defence Lawyers in Guaranteeing a Fair Trial

Participants have stressed the key role of the defence lawyers in ensuring the fair trial. Their admission to the legal practice has to be transparent and to introduce examinations that objectively test the professional knowledge of prospective lawyers. It has to be ensured that admission to the legal practice is non-discriminatory and on equal footing. The principle of the separation of powers is also inevitable for the fair trial. Some participants have stressed the importance of the political will in addressing the issues of access to justice and access to legal aid. The global, holistic approach is needed to address the reform of legislative process.

Recommendations:

- to enhance the role of lawyers who play a key role in safeguarding the right to fair trial
- OSCE should provide assistance to bar associations in providing legal education and training programmes

- to ensure the balanced regulation of the legal profession
- to take the note of the principles embodied in Recommendation (2000) 21 of the Council of Europe's Committee of Ministers on the freedom of exercise of the profession of lawyer
- to ensure that legal aid is extended to all cases involving any form of detention or deprivation of liberty

Legislative Transparency

The importance of transparency at all stages of the legislative process was stressed by some of the participants. The process of the nomination for judges has also to be transparent.

Recommendations:

- the states should promote the independence of the bar and raising public awareness about legal issues
- to give stronger legitimization to the legislation
- there is a need for stronger OSCE activity in monitoring trial procedures and places of detain in some participating states
- society should be involved at all stages of the legislative process
- public authorities should commit themselves to conducting an active communication policy
- to ensure the greater transparency in the legislative process
- to use new information technology to promote legislative transparency
- to have legal co-operation activities promoting legislative transparency

Working Session 10: Democratic institutions

Working Session no. 10 on Democratic Institutions focused on democratic elections, democracy at national, regional and local levels, citizenship and political rights of citizens in the participating States. In their interventions, many delegations also paid their respect to Russian journalist Anna Politkovskaya who had suffered a violent death two days before. The Director of the ODIHR, Ambassador Strohal, as the moderator of the session noted significant improvement in the electoral processes of some participating States, but serious shortcomings in the implementation of OSCE election-related commitments remain in others. He renewed the offer by the ODIHR to assist participating States in fulfilling these commitments; however, he stressed that ODIHR's support can only be effective in the presence of political will of the States themselves.

The introducer presented the numerous and ongoing election activities of the ODIHR, and underscored the increased number of election assessment missions undertaken by the ODIHR to follow election issues in a broader range of participating States; five assessment missions, in addition to ten observation missions, will have been conducted in 2006. He stressed that regular and transparent reporting by the ODIHR remained crucial for OSCE election-related activities, and pointed to 38 election-related reports that have been published by the ODIHR in 2006, in addition to 14 election law reviews. The introducer mentioned that follow-up activities by

national authorities to the ODIHR's recommendations remained a challenge in many participating States, and that the "Copenhagen Plus" recommendations for additional commitments to supplement the existing ones, as outlined in the 2005 OSCE/ODIHR Explanatory Note to participating States, remained a matter of relevance. The introducer also recalled that the aim of the voluntary Fund for Enhancing the Diversification of Election Observation Missions was to promote participation in election observation activities of a larger number of participating States. He also recognized the valuable contribution of parliamentarians in assisting in delivering the ODIHR mandate.

34 interventions were made after this introduction, of which 21 by non-governmental organizations. In addition, eight States made use of their right of reply in response to prior interventions. Many delegations expressed their support for the ODIHR's ongoing election-related activities as well as the ODIHR's autonomy in this regard, and stressed the need for a consistent follow-up to ODIHR's election-related recommendations, inter alia through a stronger involvement of the Permanent Council and the continued involvement of the ODIHR.

While the methodology applied by the ODIHR was commended by many delegations, others called for further steps to increase the transparency and accountability of the ODIHR's procedures and a revision of ODIHR's methodology. The need for more equal geographical distribution in the composition of the election observation teams, including heads of missions, long-term observers and core teams, and the use of the Russian language in election observation missions were raised by a number of delegations. Also, some delegations called on other participating States to agree that the "Copenhagen Plus" document should be adopted.

Most non-governmental organizations drew attention to restrictions and shortcomings existing in the election processes of their countries, thus limiting or effectively denying the right to free and fair elections to the population at large or certain groups within the population. Inter alia, widespread limitations on domestic election observation, including non-partisan observation, in a number of participating States were deplored. On the other hand, recent positive developments were noted in a number of participating States in the preparation and conduct of elections as part of the democratic process. It was also noted that this process was most successful when accompanied by functioning democratic and judicial institutions under active involvement of the media and civil society.

A number of recommendations were made during the working session that can be summarized as follows:

Recommendations to the OSCE participating States:

- To fully implement OSCE election-related commitments, and to make use of and implement ODIHR's recommendations to improve the conduct of elections in the participating States
- To improve the follow-up to election observation reports, e.g. by including an item on the agenda of the Permanent Council entitled "follow-up to ODIHR election observation", and by providing reports on how participating States implement the recommendations of the ODIHR, subject to peer review
- To second observers from all participating States in order to diversify election observation mission participation

- To agree adopting the “Copenhagen Plus” initiative
- To allow for minority representation in elected bodies, and to support civic education to ensure inclusive participation
- To improve the rights and status of domestic election observers, including non-partisan observers, and allow for full civil society involvement
- To grant, as appropriate, electoral rights to disadvantaged or marginalized citizens

Recommendations to the OSCE, its institutions and field operations:

- To encourage States to make use of ODIHR’s recommendations to improve the conduct of elections in all participating States
- To ensure a follow-up to elections recommendations, e.g. by visiting participating States six to twelve months after elections to assess the implementation of commitments
- To increase the assistance by ODIHR to participating States as far ahead of elections as possible
- To diversify election observation mission participation by training observers from participating States eligible to the voluntary Fund for Enhancing the Diversification of Election Observation Missions, selecting Heads of Missions from all participating States, and aiming at gender balance in the composition of election observation missions
- To further evolve ODIHR’s election methodology with a view to enhanced transparency and equitability
- To accord the Russian language equal status with English in election observation missions or heighten efforts to send observers who speak Russian to CIS countries
- To adopt a ranking system based on comparative analysis of election campaigns in every country
- To use a transparent system of criteria to determine the format of ODIHR’s activity in election observation, including the number of long-term observers, short-term observers in relation to the size of the electorate etc., and to ensure that election observation missions are transparent in their composition and leadership
- To further elaborate a curriculum for the training of observers, and to undertake the modernization of the ODIHR election handbook, bringing in experts with relevant experience
- To include parliamentarians from further Parliamentary Assemblies in election observation missions
- To provide a detailed timeline for ODIHR election activities every year with the budget proposal

Working Session 11: Discussion of human dimension activities (with special emphasis on project work)

Working session no. 11 was dedicated to the discussion of Human Dimension activities with special emphasis on project work. Specifically, the session served to discuss activities of the ODIHR and other OSCE institutions, including monitoring the implementation of human dimension commitments and ways of strengthening and furthering them.

In the introductory part, Ambassador Strohal, Director of ODIHR, thanked for the increasing demand for assistance and recognition of ODIHR as a key player in providing assistance in the OSCE. He emphasized that cooperation must involve all relevant partners, internal and external as well as at the national and international levels, i.e. the participating States and their authorities, OSCE institutions, other international organizations and civil society. Subsequently, six introducers from international organizations, NGOs and the OSCE system presented examples of existing cooperation with ODIHR, in the areas of gender, Roma and Sinti issues, counter-terrorism, Holocaust remembrance and education, tolerance and non-discrimination and legislative assistance. All introducers stated that their own activities and related OSCE's activities had a large degree of complementarity, and that they could benefit from their mutual expertise in joint initiatives while overlaps and redundancies should, and were being, avoided.

19 interventions were made after this introductory part, of which eleven by participating States. Many delegations stressed the great importance they attach to the activities of ODIHR and other OSCE institutions, and stated that they should be supported by all participating States. Election observation, tolerance and non-discrimination, trafficking in human beings, gender equality, human rights education, migration and integration issues and democratization and rule of law were specifically mentioned as areas where cooperation programmes have proven particularly successful in the past or could be useful in the future. While some delegations stressed that assistance programmes should focus on those commitments where deficits were most obvious, other delegations emphasized that the specific needs for assistance should be defined by the participating States themselves. Also, many interventions called for a larger degree of civil society participation in cooperation programmes.

On election-related activities, in particular election observation, some delegations called for a refinement of ODIHR's methodology, including the use of the Russian language and a further diversification in the composition of election observation teams at all levels, as well as for a stronger involvement of participating States and the OSCE's "collective bodies" in defining the terms of reference of ODIHR's election-related work. Also, it was said that the ODIHR should consider deploying more election missions to States with a longer democratic tradition. One delegation said that the forthcoming Ministerial Council in Brussels should adopt relevant decisions in this regard.

Other delegations declared that ODIHR's established methodology can be adapted to a changed environment, but should not be updated to the detriment of existing commitments and standards, and that ODIHR's activities should remain autonomous in the delivery of its mandates and not be "micro-managed" by participating States. Rather, the focus on implementation of and follow-up activities to the ODIHR's election recommendations should be strengthened. The continued relevance of the "Copenhagen Plus" document was also mentioned by some delegations, as was the cooperation in election observation missions with the OSCE Parliamentary Assembly and the report of the Panel of Eminent Persons and its election-related recommendations, respectively.

On a more general note, several non-governmental organizations voiced concern that the cooperation offer extended by ODIHR was not, or only verbally, recognized by some participating States. They stressed that only with political will from both sides could cooperation programmes succeed as part of a larger drive for reform and democratization. However, they deplored that this will was lacking in a number of participating States, and called on States and

OSCE institutions to strengthen their efforts so that all OSCE commitments will be fully implemented.

A number of detailed recommendations were made by delegations during this working session which can be summarized as follows:

Recommendations to the OSCE participating States:

- To make full use of the broad range of assistance offered by ODIHR and other OSCE institutions with a view to better implementation of OSCE commitments
- To pay attention to the impact of cooperation programmes and related activities, ensure adequate follow-up measures, inter alia in the area of election observation, and inform the Permanent Council about steps taken to implement recommendations of the OSCE institutions, e.g. after election observation missions
- To focus on the implementation of ODIHR's election-related recommendations, rather than on challenging the methodology applied by ODIHR, which should remain autonomous in this regard
- To empower ODIHR to evaluate the follow-up steps taken by countries
- To implement the election-related recommendations contained in the report of the Panel of Eminent Persons (2005)
- To reconsider the "Copenhagen Plus" document and, in doing so, to take into account not only election-related issues but also the new challenges and threats of today's world
- To mainstream equality and non-discrimination aspects, equal participation and civil society development as well as gender balance in all cooperation projects

Recommendations to the OSCE, its institutions and field operations:

- To focus programmes on commitments which are especially important in participating States and give priority to areas where deficits are most obvious, or, alternatively, to let participating States define their specific needs and suggest areas of cooperation
- To enhance the methodology applied by ODIHR in election-related activities with a view to more transparency and a stronger involvement of the participating States in the conduct of election observation missions
- To provide training to election observers, compile lists ("rosters") of the heads of election observation missions and approve these in the collective bodies of the OSCE
- To ensure more geographical diversity in the composition of election observation teams, inter alia by increasing the Fund for Enhancing the Diversification of Election Observation Missions, and to send full scale missions to all OSCE participating States
- To use the Russian language in election observation missions in CIS countries, and to interact more closely with other election observation missions as well as with the OSCE Parliamentary Assembly
- To focus on the promotion of the rights of migrants, labour exploitation and integration

Working Session 12: Fundamental freedoms II

Including: freedom of movement, freedom of assembly and association; ombudsperson and national human rights institutions.

The Moderator for this session was Mr. Antoine Bernard, Executive Director of the FIDH. He began the session with a minute of silence to commemorate the murder of Russian journalist Anna Politkovskaya. Throughout the session, numerous speakers offered their condolences to the family and friends of Ms. Politkovskaya, and called upon the Russian authorities to ensure a full and transparent investigation into her murder.

Freedom of Movement

Participants emphasized the link between the freedom of movement and that of assembly and association. Without the right to travel without unreasonable restrictions, full enjoyment of the rights of assembly and association is not possible. While a number of participating States have made progress on guaranteeing the freedom of movement in recent years, the situation remains critical in some States. Some of the primary problems mentioned were:

- Barriers to travel abroad, such as exit visas, blacklists or other practices designed to prevent citizens from exercising their legitimate rights. In some cases, human rights defenders have been prevented from traveling abroad to attend OSCE human dimension meetings;
- Serious problems remain regarding freedom of movement within certain countries, whether due to the presence of internal checkpoints or to various systems of residency registration permits (*propiska*);
- Several participants drew attention to the obstacles some people have faced when trying to return to the country of their birth;
- One participant mentioned that in some post-conflict situations, minorities have difficulty to travel safely, without fear of harassment or attack by elements of the majority population; and
- One participant noted that legislation has recently been enacted in one participating State that restricts the ability of young people to obtain education abroad.

Freedom of Assembly and Association

A majority of the 45 interventions in this session focused on the challenges faced by human rights defenders in a number of participating States, where the civil society climate has been deteriorating in recent years. This deterioration is due in part to increasingly restrictive legislation which makes it difficult for NGOs and individual human rights defenders to carry out their work. Problems of substandard legislation are compounded by systematic harassment of NGOs and individual human rights defenders through administration procedures and the use of the criminal justice system, in clear violation of OSCE commitments. A number of participants touched on the need for the OSCE to intensify and systematize its work with NGOs throughout the OSCE area. They argued that the OSCE had taken a pioneering role in this respect, but that additional measures must be undertaken to protect human rights defenders and promote the implementation of OSCE commitments. Particular problems highlighted by speakers were:

- In a number of participating States, denial of requests for permission to peaceably assemble is the norm rather than the exception;
- Human rights defenders are subjected to harassment, physical and mental assault, as well as arbitrary arrest and imprisonment. In numerous cases, States have failed to adequately protect human rights defenders;
- In a number of participating States, NGOs face numerous, sometimes insurmountable obstacles to registering. The situation has worsened recently, as States have tightened registration procedures and increased penalties for unregistered groups;
- Even when NGOs or other organizations, such as religious groups, are allowed to officially register, they may still face harassment or undue restrictions to their activities by the authorities; and
- One participant drew attention to the fact that some categories of human rights defenders, such as those that work on gender or sexual orientation issues, may be subjected to higher levels of harassment.

Ombudsperson and National Human Rights Institutions

Several speakers mentioned the valuable role that Ombudspersons or national human rights institutions can play in awareness-raising and mediation.

In response to recommendations made by participants at the March 2006 Supplementary Human Dimension Meeting, ODIHR announced its intention to create a focal point within the organization on Human Rights Defenders and National Human Rights Institutions. Several speakers responded positively to this suggestion, noting that ODIHR should work together with the UN, the EU and the COE, who are also active in these areas.

Recommendations

Some of the recommendations made by participants in this session were:

- Participating States should put an end to the repression of human rights defenders and their organizations and fully implement their OSCE commitments as regards freedom of movement, assembly and association.
- Participating States should ensure that their criminal justice systems take timely action to investigate, prosecute and punish the perpetrators of crimes against human rights defenders.
- Participating States should not use the fight against terrorism as a justification for restricting the freedom of movement, assembly and association.
- OSCE/ODIHR should closely monitor the implementation of commitments on the freedom of movement, assembly and association, and report on violations observed.
- OSCE/ODIHR should create a special mechanism, such as a Special Rapporteur or Representative, on human rights defenders.
- OSCE/ODIHR should adopt guidelines on human rights defenders, such as those developed by the EU.
- Participating States should ensure their legislation regulating the activities of NGOs conforms with OSCE and other international commitments. Financial and administrative

obstacles, likely to hinder the free operation of human rights defenders, should be removed. Legislation should not be used to restrict or intimidate them.

- Participating States should give full and practical recognition to the positive role played by human rights defenders in finding peaceful solutions to political and social conflicts; and should ensure their protection and support their activities within the framework of the OSCE and the United Nations.
- OSCE institutions and field missions should increase their monitoring of participating States' compliance with their commitments on freedom of assembly and association; publicize their findings; and provide assistance to participating States to address any shortcomings.
- OSCE institutions and field missions should increase their work to develop and assist civil society, human rights defenders and national human rights institutions within the OSCE region.
- Participating States, OSCE institutions and NGOs should engage in enhanced dialogue with women human rights defenders, who are often incorrectly perceived as a threat to cultural, religious and social norms, especially when protecting women's human rights.
- OSCE Participating States should:
 - guarantee in all circumstances the physical and psychological integrity of human rights defenders in the OSCE Members States;
 - put an end to the continuous repression of human rights defenders and their organizations;
 - fully recognize the vital role of defenders in the advent of democracy and the rule of law;
 - review their national legislation to conform with international and regional human rights instruments, in particular regarding freedoms of association and assembly;
 - comply with the provisions of the final document of the 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension, of the Conference for Security and Co-operation in Europe (CSCE) and of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the UN General Assembly.
 - support and implement all recommendations brought to them from the March 2006 Supplementary Human Dimension Meeting on Human Rights Defenders.
- OSCE/ODIHR should create a special mechanism (such as a Special Rapporteur or a Special Representative), which would be authorized to approach and question the States on this issue, to reply to them, to report publicly and permanently on cases - both individual and collective - and which would work in cooperation with the Special Representative of the UN Secretary General on Human Rights Defenders. The Observatory also calls the ODIHR to develop focal points on human rights defenders in all its offices and representations.

Working Session 13: Fundamental freedoms II

Including: freedom of thought, conscience, religion or belief

There was a very strong interest among participating States and NGOs in this session, which was moderated by Professor Jeremy Gunn, Member of the OSCE Panel of Experts on Freedom of Religion and Belief. More than 50 participants took the floor during the session. Speakers

emphasized that the freedom of thought, conscience, religion or belief contributes to stability and durable conflict-prevention. Interventions made clear, however, that a number of participating States are facing serious challenges with respect to the implementation and exercise of religion and belief. Speakers called upon all participating States to fully implement their OSCE commitments in this regard.

Many interventions focused on the difficulties in obtaining registration in a number of participating States. In many States, religious groups must be officially registered in order to buy or sell property or hold worship services. Unregistered groups are increasingly being subjected to criminal penalties for operating without official permission. However, in a number of States, registration is difficult, if not impossible, to obtain.

Speakers noted that in many States only minority groups face obstacles to registering, while more traditional, majority religions are able to register and operate freely. Several participants called upon participating States to ensure that their laws provide for equality of all religions before the law. In addition, laws and policies must also protect the rights of non-believers. One participant encouraged participating States to consult with ODIHR and the Panel of Experts on Freedom of Religion and Belief when considering amendments to legislation.

Several NGO representatives highlighted problems facing particular groups, such as Jehovah's Witnesses or believers from the gay and lesbian communities. According to these speakers, prejudices against such groups are often exacerbated by disinformation from the State and/or media.

One participant brought up the subject of conscientious objection to military service, and urged the participating States to recognize the rights of conscientious observers and make arrangements for them to fulfill alternative, non-military service.

A number of speakers also raised concerns as to how States are responding to the threat of violent extremism and terrorism. For some participating States, the fight against terrorism has become an excuse to restrict the freedom of religion. Excessive concern with security has led them to enact legislation that is too restrictive, particularly with respect to legitimate missionary activity.

Another area of concern was the bans enacted in several OSCE participating States on religious symbols in public buildings such as schools and courts. Participants argued that the purging of religious identities from the public sphere will not lead to freedom of religion, but will simply drive believers underground.

Due to various events, 2006 was an intense year of discussion on religion, and respect for religious identity and beliefs. Many participants stressed the need for continuous inter-faith, as well as intra-faith, dialogue. Active dialogue between governments and religious groups can help reduce tension and create an open and inviting atmosphere.

Recommendations

Some of the recommendations made by participants in this session were:

- The interagency cooperation between the HCNM and the Advisory Panel on Freedom of Religion or Belief should be continued.
- The Advisory Panel should be empowered to provide guidance and advice to participating States on all pending legislation related to freedom of religion.
- The OSCE/ODIHR should open a debate with all participating States on the forms of religious discrimination that still exist.
- The OSCE/ODIHR should give some concrete content to the “base level entity status” proposed in the brochure on “Freedom of Religion or Belief: Laws Affecting the Structuring of Religious Communities” by listing a number of basic rights that religious and belief communities have not been able to enjoy by now.
- The OSCE/ODIHR should put in place mechanisms of evaluation of the progress of the implementation of the basic religious rights that any OSCE participating State should grant.
- The OSCE/ODIHR should monitor different types of infringement of state neutrality. The ODIHR could coordinate such a monitoring, but the three Personal Representatives should also be involved. New recommendations with respect to state neutrality could be drafted for participating States.
- The ODIHR should explore how state neutrality can be maintained without forcing certain religious groups underground.
- The ODIHR should advise participating States with respect to the terminology and concepts used in their legislation and policies. It is recommended to replace the term “sect” with the term “religious minority” and to critically review that even agnostic Sikhs are often labeled “religious”.
- Both religious and non-religious beliefs have to be protected. It is recommended that an ODIHR expert inquires and reports on the degree to which religious groups are privileged over non-believers in the OSCE area.
- The OSCE/ODIHR as well as participating States should pay more attention to the inclusion of Lesbian, Gay, Bisexual and Trans-Gender believers into their respective religious communities.
- The OSCE and other international bodies should protect the Ecumenical Patriarchate of Istanbul.
- The OSCE should devote more attention to the rights of believers in Belarus and enter into a dialogue with Belarusian authorities on the matter.
- The OSCE should continue to pay attention to tensions arising from registration laws and counter-terrorism policies in Russia and Central Asia. The ODIHR could follow up on these issues.
- The OSCE is called upon to take appropriate steps to correct current breaches of religious freedom in Uzbekistan.
- The OSCE should appoint observers for Mufti elections taking place in Greece.
- The OSCE should question the city plans drafted in Greece which envisage the damaging of Mosques.
- OSCE participating States should agree that judges should not inform their decision by religious beliefs or prejudices.

- OSCE participating States should pay attention to the situation of the Hare Krishna community in Kazakhstan and give advice on how to solve this problem.
- Participating States should consult with the Advisory Panel, i.a. on issues of legislation, and channel their requests through the ODIHR Adviser on Freedom of Religion or Belief.
- Participating States should remove restrictions on the wearing of religious symbols in public buildings.
- Participating States should continue to fight anti-Semitism, Islamophobia as well as other forms of religious intolerance.
- Participating States should investigate and prosecute hate crimes.
- Participating States should ensure a separation of church and state.
- Participating States should abolish criminal defamation laws.
- Participating States should ensure that detainees are allowed to practice their religion or belief.
- Participating States should reinstate mandatory religious education in schools.
- Participating States should explicitly mention sexual orientation as a possible ground for discrimination in their commitments on fundamental freedoms, such as that of religion and belief.

Working Session 14: Tolerance and non-discrimination II,

Including: National Minorities; Prevention of aggressive nationalism, chauvinism and ethnic cleansing.

Working Session 14 was devoted to the issues of national minorities, prevention of aggressive nationalism, chauvinism and ethnic cleansing. In the introductory remarks, the representative of the High Commissioner for National Minorities focused on two issues to which a particular attention was paid during the last year: policing in multi-ethnic societies and integration. A set of recommendations was elaborated on policing and these are intended to serve as reference documents for law and policy makers in the OSCE participating States. Developed against the background that police could be both contributor and a threat to stability in multi-ethnic societies and could determine the state of inter-ethnic relations in all participating States, the central message of the recommendations is that good policing in multi-ethnic societies is dependent on the establishment of a relationship of trust and confidence built on regular communication and practical cooperation between police and minority communities. A study was commissioned on the integration policies applied with respect to a broader definition of migrants and minorities, which concluded that renewed efforts aimed at the inclusion of settled immigrant populations and their descendants to prevent persisting inequalities from becoming entrenched are crucial.

Examples of positive developments, as well as a number of long standing situations where progress needs to be made were presented. Let me mention some of them. On the positive side: progress in the integration of persons belonging to national minorities into state structures, effective response to racial intolerance and violence against persons belonging to national minorities, the establishment of legal frameworks for the protection of national minorities. On the negative side, cases of harassment and violence against members of minorities, dissemination of xenophobic propaganda on the Internet and incitement to racial hatred, treatment of persons belonging to national minorities and denial of their rights were mentioned.

Let me now turn to the issue of aggressive nationalism, chauvinism and ethnic cleansing. It seems that the most effective instrument to tackle those issues is education. In particular history education was mentioned.

A couple of recommendations made during this session:

- effective implementation of OSCE commitments concerning both the rights of persons belonging to national minorities and the right to equality and non-discrimination;
- prompt reaction to hate speech in the media and any statement that incite ethnically motivated hate against minority groups.

Working Session 15: Tolerance and non-discrimination (continued)

Including: Roma and Sinti; Implementation of the OSCE Action Plan on Roma and Sinti

The session dedicated to Roma and Sinti issues stressed the need for a more effective implementation of the OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area.

It was considered that all the existing initiatives and mechanisms on this issue should be fully activated and used by increasing co-operation between Intergovernmental and International Organizations, Governments, as well as between governments and NGO's, in order to reach a better implementation, down to the local level, of the Roma, Sinti and Travellers related policies, actions plans and strategies. The situation of Roma requires coherent and sustained policies of economic, social and societal integration, based on the principles of human rights, equal opportunities and fight against racism and discrimination.

Examples of best practices and lessons learnt were presented in relation with the issues of housing, education, relations between Roma and Police, culture, anti-discrimination measures, establishment of legal and institutional frameworks to deal with the improvement of the situation of Roma and Sinti in the societies in which they live.

Participants emphasized the need for more action, since human rights problems faced by Roma and Sinti are extensive and cases of discrimination still occur OSCE-wide. Among the problems that Roma and Sinti are facing, examples of the living conditions in unsettled spaces, arbitrary evictions, unemployment, lack of education and police violence were given. In this context, and in view of a better implementation of the OSCE Action Plan it was generally considered that a mechanism and a related methodology for yearly review and assessment of the implementation by the participating States of the OSCE Action Plan on Roma and Sinti should be established.

Turning to the future actions that OSCE and its participating States could undertake to increase the implementation of the Action Plan, there was a call for devoting more attention to the subject the situation of Roma and Sinti living in unsettled spaces and of their access to legal housing and secure residence, which could take the form of a specialized OSCE meeting, as well as for a better cooperation and harmonization of actions between OSCE institutions in order to implement the Action Plan.

Working Sessions 16 and 17: (specifically selected topic) Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments

OSCE pS are facing a grave situation as regards manifestations of intolerance and hate crimes. In many pS hate crimes are on the rise. Emphasis was given to anti-Semitism as the oldest persisting form of intolerance and the rise in relevant incidents.

In order to address this situation speakers stressed a number of measures, among them:

To secure sufficient resources for relevant ODIHR programs in this field.

To improve the collection of data on hate crimes or to institute mechanisms of collection where this has not yet been done. The importance of gathering objective and detailed data was particularly stressed and the efforts made by ODIHR in this field were commended. Several speakers expressed concern about the current unsatisfactory state of affairs in this field, when hate crimes go unreported or underreported or are listed as mere instances of hooliganism.

A number of speakers expressed their opinion of the usefulness of a conference of pS as a follow-up Conference to Cordoba on anti-Semitism and other forms of intolerance in Bucharest in 2007.

The question of the prolongation of the mandate of the three Special Representatives of the Chairman-in-Office was raised. It emanated from the session that this issue requires further discussion.

Some speakers outlined the need to address on an equal footing with other forms of intolerance the issue of sexual orientation. Many commended the work that ODIHR is conducting in this respect.

At the part of the session particularly devoted to youth, participants were presented – by Mr. Ivan Kuzminovic – with an impressive picture of the challenges facing youth movements that strive for tolerance and understanding in a post-conflict society.

Participants were informed by a number of speakers of the alarming trend that the proportion of young people both among victims and perpetrators of hate crime is growing. This only underlines the key importance of making youth work a priority in all efforts to promote tolerance and fight racism and discrimination.

A number of good practices were offered by speakers as examples in the framework of youth education and of initiatives by young people themselves. Among those were competitions, sports events and education programs. Participants took note of the Council of Europe's program "everybody is different, everybody is equal". One speaker emphasized the general importance of mainstreaming tolerance and non-discrimination into curricula instead of attaching them as an after-thought.

Several interventions pointed out the fact that holocaust education has an important place in the framework of tolerance education. The upcoming Conference in Dubrovnik in October will provide an opportunity for States to take stock and develop new initiatives in this field.

The issue of the struggle to foster tolerance and respect between religious communities played an important part in this session. Many interventions stressed the interdependence between interfaith relations on the one hand and relations between autochthonous and migrant populations on the other hand. The necessity of establishing dialogue and interaction with Islamic communities and to fight islamophobic tendencies was highlighted. The discussion showed the continuing topicality of questions which for a long time have figured in OSCE Human Dimension Meetings, such as the relationship between religious communities in a modern state and their relation to the state; impartiality versus indifference of the state towards religious communities, and the relationship of freedom of speech and respect for religious freedom.

Participants had the opportunity to familiarize themselves with two main results of ODIHR's efforts, namely the Report on Challenges and Responses to Hate-Motivated Incidents in the OSCE Region and with the TND information system. This system shows high potential as a future hub of tolerance related data, gathered under the auspices of ODIHR and also its sister institutions outside the OSCE.

Recommendations

General recommendations on Tolerance and Non-Discrimination

To the OSCE participating States

- The concrete implementation of OSCE and other human rights commitments.
- Member States of the Council of Europe are encouraged to sign and ratify Protocol No. 12 to the European Convention on Human Rights.
- To enact legislation against racism and racial discrimination, if such legislation does not already exist or is incomplete and to ensure that the key components set out in ECRI's General Policy Recommendation No. 7 are provided in such legislation.
- To secure sufficient resources for relevant ODIHR programs.
- To support the Alliance of Civilizations project.
- To focus on media and public discourse.
- To establish an anti-discrimination agency in each pS.
- To strengthen the early-warning mechanism of the OSCE.
- To support the UN Convention on the Rights of Persons with Disability.

To the OSCE, its institutions and field operations

- OSCE institutions are encouraged to continue their co-operation in the fight against racism, racial discrimination and all forms of intolerance with the CoE by further strengthening mechanisms enabling the free flow of and exchange of information data.
- In the fight against discrimination and intolerance, ODIHR should avoid extending its action to fight against intolerance to issues where there is no consensus.
- To allocate more resources to the TND program.
- To focus on socio-economic inequities facing Muslims to ensure full participation and engagement in all aspects of society.

- To establish contacts with the Organization of the Islamic Conference (OIC)

Recommendations on hate crime

To the OSCE participating States

- pS must take steps to collect comprehensive and accurate data, which shall include specific information regarding the age of perpetrators and victims of hate crime.
- Participate in the elaboration of a uniform hate crime monitoring programme.
- To adopt a law in pS, according to which hate crimes can no longer be classified as ‘hooliganism’.

To the OSCE, its institutions and field operations

- To make pS delivering annual reports on hate crime and measures for counteracting it.
- Develop a single minimum standard for hate crime monitoring and, accordingly, universal and comparable requirements for OSCE pS’ annual reporting on hate crime counteraction. In developing these standards and in promoting such monitoring, the Special Representatives on discrimination and xenophobia, anti-Semitism and Islamophobia must play an active role.
- Introduce a training programme for press officers to prevent their use of language derogatory towards ethnic and religious groups.

Recommendations on religious freedom

To the OSCE participating States

- To intensify dialogue with Muslim Communities in their respective States.
- Specific religious freedom and other human rights violations must be publicly named.
- Make it clear through concrete actions that policy towards OSCE pS which violate religious freedom will be strongly influenced by the practical actions those states take in relation to all religious communities, not just state-favoured ones, and that paper improvements alone will not be viewed as improvements.

To the OSCE, its institutions and field operations

- To devote more attention to dialogue, especially with respect to Islamophobia.
- To pay more attention to intolerance and discrimination affecting Christians.
- To devote more attention to the rights of non-believers and take note that freedom of religion is only one dimension of the freedom of conscience.
- To organize a structured dialogue with the highest leaders of religious denominations about the most fundamental individual and collective rights related to freedom of religion and belief.
- To elaborate a Declaration of Interreligious Tolerance and Respect and to put in place mechanisms of evaluation of the progress of the implementation

Recommendations on the three Personal Representatives

To the OSCE participating States

- That mandates should be extended.

- That the OSCE Personal Representative of the C-i-O for Combating Anti-Semitism be continued.
- That the mandate of the Special Representative of the Chairman-in-Office on Combating Racism, Xenophobia and discrimination, also focusing on Intolerance against Christians and members of other religions should be modified, and that the mandate for Intolerance against Christians and members of other religions be established as a separate one.
- That sufficient funding is designated for the PRs

To the OSCE, its institutions and field operations

- Recommendation to the Spanish Chairmanship to renew the mandates of the three Personal Representatives.
- Personal Representative should pay more attention to youth participation.

Recommendations on homophobia

To the OSCE participating States

- To decriminalize same sex acts.
- To agree on explicit commitment on sexual orientation.
- To safeguard and protect all basic rights, and thus preventing discrimination on the basis of sexual orientation.
- That LGBT people have their rights respected and protected by law as it already applies to those who identify themselves as members of a religious or faith community.

To the OSCE, its institutions and field operations

- That homophobia is addressed at the Dubrovnik meeting, the Bucharest Conference and any other relevant TND and Human Rights events.

Recommendations on cyber hate

To the OSCE participating States

- 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 through computer systems.
- To fulfill the commitments of the Sofia Ministerial Decision 12/04 by giving material support to National NGOs that monitor and fight online hate content (Cyber hate).

Recommendations on tolerance education

To the OSCE participating States

- The importance of education in creating better awareness of the issues concerned.
- To follow-up on issues in relation to Islamophobia and Education.
- To mainstream tolerance and non-discrimination into curricula.
- Importance of holocaust education.

To the OSCE, its institutions and field operations

- The TND Programme of ODIHR should pay more effective attention to the implementation of the specific OSCE commitment to fight against prejudice, intolerance

and discriminations against Christians and members of other religions; this applies too in the context of education as a means to promote respect and understanding and in the work of ODIHR related to *Challenges and Responses to Hate-Motivated Incidents*.

Recommendations on youth and tolerance issues

To the OSCE, its institutions and field operations

- To develop a Working Group on the role of youth and youth organisations in tackling hate-related acts of intolerance and discrimination.

Recommendations on Conferences

To the OSCE participating States

- That a follow-up Conference on anti-Semitism take place in 2007.
- To support the Rumanian Government initiative to organize a high level conference in 2007 along the lines of Cordoba.

IV. COMPILATION OF WRITTEN RECOMMENDATIONS

Monday, 02 October 2006

WORKING SESSION 1 – Fundamental freedoms, including:

Address by the OSCE Representative on Freedom of the Media:

Freedom of expression, free media and information, including follow-up to the 13-14 July 2006 Supplementary Human Dimension Meeting on Freedom of the Media: Protection of Journalists and Access to Information

Recommendations to Participating States:

United States of America:

- The Government of Turkmenistan undertake a transparent investigation into the death in custody of journalist Ogalsapar Muradova,
- Participating States should enact and enforce laws such as Freedom of Information Acts that help to ensure routine public access to government records, press conferences and judicial trials.
- Participating States should enact and enforce laws or regulations that promote parliamentary transparency such as affording timely public access to draft and enacted laws and regulations, legislative voting records and key government decisions.
- Participating States should remove administrative obstacles that hinder journalists from doing their job. These include but are not limited to:
 - Laws that effectively criminalize criticism of the government or government officials;
 - Restrictive and expensive accreditation requirements;
 - Travel bans prohibiting legitimate journalists from traveling internally or abroad; and
 - Excessive taxes on ink, paper and media equipment.
- Participating States should also ensure that journalists who are arrested, detained and charged have timely access to competent legal counsel and are immediately informed of the particular charges filed against them.
- Participating States should ensure the timely, thorough and independent investigation and, if necessary, prosecution of those who harass, intimidate or attack journalists.

European Union:

Participating States should

- strengthen their political commitment to ensuring freedom of opinion and expression, and especially to decriminalize libel;

- review best practices in raising awareness among journalists about religious and cultural sensitivities and diversity among these groups;
- ensure the freedom of the media in the context of the fight against terrorism and in acting as a watchdog to ensure the respect for human rights and fundamental freedoms in countering terrorism;
- ensure the right of journalists to keep their sources of information confidential by enacting appropriate legislation (“shield laws”)
- ensure that governance and regulation of the internet are not misused in order to restrict freedom of expression.

Amnesty International:

Amnesty International calls on the OSCE and its Participating States to:

- Insist on thorough, independent and impartial investigations into all incidents of killings, beatings and other human rights abuses committed against journalists. This is both urgent and necessary to counter the current climate of impunity for assaults on journalists and on all those who peacefully exercise the right to freedom of expression which exists in some Participating States.
- Refrain from passing – or, where already in place, abolish – any legislation, such as Article 301 of the Turkish Penal Code, which exceeds the permissible restrictions on the right to freedom of expression under international law, and leaves the way open for the criminalization of a wide range of peacefully-expressed dissenting opinion.

Article 19

- We call on the Government of Turkmenistan to fully investigate the killing, and to refrain from further harassment of media professionals and their families. We would also call on the OSCE community not to forget the overall human rights’ situation in Turkmenistan, which is amongst the most critical on Earth. We would recommend that a special Permanent Council debate be convened to discuss this.
- Since the massacre in Andijan in 2005, Uzbekistan has clamped down on independent voices with great efficiency. We call on the Government of Uzbekistan to reverse this trend and live up to its international commitments.
- We urge the Representative on Freedom of the Media to remain engaged in Belarus. We call on Belarus to accept his expertise, and stand ready to offer Belarus necessary assistance.
- We urge Azerbaijan to implement the new law on Freedom of Information, which entered into force in December 2005. The recent spate of legal action against journalists in Azerbaijan has provoked the concerns of the international community. We call on Azerbaijan to take action to improve the environment for free expression in the country and stand ready to offer assistance.
- ARTICLE 19 would urge the President of Kyrgyzstan to allow the public broadcasting law to be passed.
- We call on the Armenian Government to speed-up implementation of its law on Freedom of Information.

- ARTICLE 19 would call for the removal of article 301 from the Turkish penal code under which several writers have been charged since 2005, notably Orhun Pamuk and Elif Shafak.
- Ending the frozen conflicts in Nagorno-Karabakh, South Ossetia, Abkhazia and Transnistria remain crucial to bring peace, stability and prosperity to the region. We call on all sides, including those with influence over the various parties, to exercise responsibility when making public statements. ARTICLE 19 would be interested in supporting measures to strengthen and encourage media ethics and professionalism in the conflict zones.

ARTICLE 19's focus has not been solely in the Former Soviet Union. During 2006, we made a submission to the ICJ Eminent Jurists Panel on freedom of expression and UK anti-terror law and practice, in which we expressed increasing concern at the impact of the UK's anti-terror laws and policies on the legitimate exercise of the right to freedom of expression.

- In this context, we call on the Governments of *all* participating States of the OSCE to resist the temptation restrict public speech, debate and free media under the pretext of the fight against terrorism. We recommend that the Representative on Freedom of the Media to continue to monitor trends across the region and reports regularly, and publicly.

ARTICLE 19 joins Mr Haraszi in welcoming the abolition of criminal defamation laws in Croatia, and supports his efforts to make the OSCE region a criminal defamation free zone. However too many Governments across the region still have these laws on their statute books, even if they are not used.

- We recommend that countries with an effective moratorium on using these laws should make the effort to repeal them in order to set an example to the few who still repress freedom of expression using these methods.

International Helsinki Federation for Human Rights:

To the government of Kazakhstan:

- Promptly propose amendments to the media law adopted in July to bring it up to par with international standards for freedom of expression. In the meantime, the execution of the law should be suspended;
- Take swift steps to move defamation provisions from criminal law to civil law and amend them so as to ensure that the sanctions for defamation or libel are proportional to the harm caused. The laws should entail the principle that public officials must be able to endure more criticism than ordinary citizens.

To the president and the government of Kyrgyzstan:

- The president should sign into law the legal act on public service broadcasting, adopted on 8 June 2006, because it is generally in line with international standards and would bring about important improvements to the public broadcasting system in Kyrgyzstan, as well as serve to increase media pluralism;
- Refrain from all attempts to retain or gain influence on publicly funded media, in accordance with their public statements following the 2005 change of government. They should publicly promote pluralism of opinions, transparency and editorial independence in the public broadcast media.

To the government of Uzbekistan and the presidential administration:

- Lift the 24 February 2006 government regulations – and other restrictive regulations and practices – which serve as tools to obstruct free reporting, and stop interfering in the operation of the public broadcasters;
- Allow foreign media outlets to open bureaus and journalists to operate freely in Uzbekistan without administrative and other obstacles such as inadequate licensing and registration policies.

To the government of Turkmenistan:

- Immediately and unconditionally release Kakabai Tedjenov who is being held in forced psychiatric detention for political reasons;
- Conduct an independent investigation into the death of RFE/RL journalist and human rights defender Ogulsapar Muradova, and release immediately her co-defendants Annakurban Amanklychev and Sapardurdy Khajiev;
- Initiate legislative changes to ensure freedom of expression and provide a basis for an independent media landscape in Turkmenistan.

To the government of Belarus:

- Stop the harassment of the independent media, and relax the legislation concerning the media, beginning with the removal of the criminal defamation provisions.

Youth Initiative for Human Rights:

For the purpose of urgent establishment of the rule of law mechanisms and their unconditional respect by Serbian authorities, the YIHR recommends the following:

- The right to free access to the information must be warranted by the Serbian Constitution as one of the basic human rights
- The new Constitution of Serbia must guarantee absolute independence of the Information Commissioner
- The Parliament of Serbia is due to ensure unhindered implementation of the law. For this purpose, it is necessary to introduce stronger sanctions for the breaches of the law, as well as to ensure that courts' decisions be respected.
- The Government of Serbia must immediately prepare the Law on Classified Materials and the Law on Personal Information Protection. Without these two laws, the area of the Law on Free Access to the Information of Public Interest will remain narrow and the amenable to numerous misinterpretations.
- Any kind of officials' support to the breaching of the law must be politically punished and publicly denigrated through democratic procedures within political parties and state institutions.

Recommendations to the OSCE:

European Union:

The OSCE Representative on Freedom of the Media should

- identify good practices in adopting new legislation in line with OSCE and other international commitments, especially with regard to defamation;
- explore how freedom of the press and respect for cultural sensitivities can be simultaneously preserved;
- identify good practices in strengthening transparency and public access to information;
- explore how self-regulatory mechanisms of the media (press councils, codes of conduct etc.) are more effective than regulation by state interventions into the freedom of the media and expression;
- elaborate how comprehensive and non-discriminatory access to information in particular to the internet can be ensured in the digital age.

Article 19

- We urge the Representative on Freedom of the Media to remain engaged in Belarus. We call on Belarus to accept his expertise, and stand ready to offer Belarus necessary assistance.

OSCE participating States have affirmed “...the importance of (...) the free flow of information as well as the public’s access to information.” We note with satisfaction that the majority of participating States have enacted freedom of information legislation.

- We recommend that the Representative on Freedom of the Media pays attention to implementation of these laws, and assists States who have not yet enacted them.

International Helsinki Federation for Human Rights:

To the OSCE:

- Continue close monitoring of media freedoms in the Central Asian participating States and enter into regular bilateral discussion with their governments in order to put an end to the steadily narrowing scope for freedom of expression and media freedom in those countries;

With regard to Turkmenistan, the OSCE Chairman-in-Office should take up the case of Kakabai Tedjenov in bilateral discussions with the relevant Turkmen authorities and push for making information on the case more readily accessible.

Tuesday, 03 October 2006

WORKING SESSION 2 & 3 – Addressing factors contributing to the cycle of trafficking in persons

Recommendations to Participating States:

United States of America:

- The Government of Uzbekistan implement comprehensive anti-trafficking legislation and make a concerted effort to address deficiencies in law enforcement and victim assistance of trafficked persons,
- Participating States consider whether the OSCE could have a role to play, either by gathering training and other materials which could be used as a basis for victim assistance programs in OSCE States, or by providing training directly.
- Participating States support the draft Ministerial Decision on combating sexual exploitation of children.

Azerbaijan:

Мы считаем, что к решению проблемы необходимо подходить, в основном по следующим направлениям:

- выявление и устранение причин и условий, способствующих торговле людьми;
- разоблачение и уголовное преследование преступников;
- защита жертв;
- совершенствование порядка лицензирования деятельности структур, осуществляющих экспорт рабочей силы, организацию различных конкурсов и прочих подобных мероприятий;
- усиление административных, а также повышение качества оперативно-профилактических мер по разоблачению лиц, занимающихся незаконным изготовлением паспортов, виз и выездных документов;
- проведение последовательной и широкомасштабной разъяснительной деятельности среди населения.

Canada:

- Urge participating States and Partners for Cooperation to ratify relevant international instruments (UNTOC) and to ensure that any new regional instruments comply with the principles of existing global standards
- Call on participating States to implement OSCE commitments on identification, assistance and protection

European Union:

- Encourages countries of origin and destination to co-operate with the new Special Representative

Lithuania:

- Different player governmental as well as non-governmental from countries of origin, destination and transit should cooperate to ensure favorable preconditions for victims of sexual exploitation to safely return to home countries and receive relevant social psychological and medical support.

Norway

- That all participating States sign and ratify the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.
- That all participating States should sign the Council of Europe Convention on Action against Trafficking in Human Beings.
- That all participating States should actively implement the OSCE Action Plan Against Trafficking, including the Addendum to the OSCE Action Plan: Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance, by i.a. provide specialist care for child victims of trafficking, including centrally funded safe house accommodation. States should train officials to help identify and protect child victims of trafficking and ensure that officials in social services, police and immigration work together and are able to identify, care and protect child victims of trafficking.

Russian Federation:

В целях совершенствования сотрудничества по противодействию торговле людьми, представляется необходимым:

- организовать подготовку кадров правоохранительных органов, специализирующихся на борьбе с торговлей людьми, в учебных заведениях заинтересованных стран;
- осуществлять постоянный мониторинг по проблемам противодействия торговле людьми;
- наладить обмен передовыми технологиями в организации противодействия торговле людьми и положительным опытом проведения конкретных специальных мероприятий по пресечению и предупреждению указанных преступных форм деятельности;
- проводить совместные исследования по проблемам противодействия торговле людьми с выработкой конкретных предложений;
- планировать и проводить совместные мероприятия и специальные целевые операции по пресечению деятельности организованных преступных групп, ликвидации устойчивых каналов незаконной миграции, а также по розыску лидеров и участников организованных преступных групп.

- Ожидаем скорейшего назначения Спецпредставителя по борьбе с торговлей людьми и надеемся, что он продолжит содействовать консолидации усилий ОБСЕ и других международных организаций и НПО в этой области.

Sweden:

- Clear instructions for police forces, prosecutors, social workers and other authorities in countries need to be developed on how to address trafficking issues.

Switzerland:

- The developments of the past few months have shown that the national referral mechanism is paying off. The results of better adapted procedures for co-operation between the different actors are visible both in criminal prosecution and in victim protection, as well as in the willingness to take measures to raise awareness and to provide support. **Switzerland recommends that OSCE participating States endeavour to set up with the necessary determination and perseverance functioning referral mechanisms along the lines set out in the OSCE Human Trafficking Action Plan (Maastricht 2003) and supplemented by the special needs for the protection of minors (Sofia 2004), as well as on the basis of their own experiences.** Only when all States have similarly well-adapted and efficient forms of cooperation will it be possible for them to work together effectively.
- **Switzerland recommends stimulating and accordingly making use of co-operation between governmental and non-governmental actors.** It is essential for governmental and non-governmental measures to undertaken in combination with each other in particular in efforts both to raise awareness, which are very important, and to establish public awareness of the problem of trafficking in human beings.
- The training of specific professional groups in the identification of victims is indispensable for the protection of the human rights of the victims. **The targeted training of police officers, criminal investigation and justice administration authorities, as well as migration authority personnel must go ahead and be maintained at all levels.**

Ukraine:

- Call for more focused and coordinated efforts from each country, be it origin and destination.
- Call for more targeted and coordinated anti-trafficking action from the international community.

“AMALIPE” Center for Interethnic Dialogue and Tolerance

- A straightforward policy should be developed at the national and international level taking into consideration the cultural and social profile of the most vulnerable groups subject to trafficking. This means de-segregating data to show who is most vulnerable to trafficking.

- A set of measures should be developed at the national level to foster the adequate re-integration of children and women victims to trafficking. Social services in countries of origin, like Bulgaria, need to become more inclusive towards Roma communities.
- Programs and projects should include Roma experts as equal partners with organizations working in the field.
- Recognise the particular vulnerability of Roma children to THB.
- Recognise THB for selling of babies and address demand that fosters this forms of exploitation.
- Tougher measures (including legislation) should be developed at the national level in both countries of origin and destination. In addition, those responsible in countries of destination for fueling the demand for trafficking of babies should face criminal prosecution.
- Employ Roma experts in anti-trafficking programs and projects.

Centre on Migration, Policy and Society, Oxford University:

- Destination countries must take action to eliminate the context in which abuse and exploitation occurs;
- Demand for inexpensive labour and the possibilities of regular migration should be balanced (OSCE Action Plan);
- States should look closer at existing labour markets and ensure that mechanisms exist to enable workers to leave those markets;
- Ensure protection of minimum labour rights;
- Trafficking legislation should not be used to restrict the rights of migrants, especially those in vulnerable situations.

Christian Organisations Against Trafficking in Women:

We would like to ask you to engage in the advocacy activities aiming at the ratification of the Council of Europe Convention on Trafficking in Human Beings by your respective country. (...) As the Convention will only enter into force after 10 ratifications, including 8 member states of the Council of Europe

- we would like to encourage you to advocate for the ratification, or in case your country has not signed it yet, for signature. You may also wish to use this opportunity to re-launch the debate in your country on certain issues addressed in the Convention.
- We would also encourage you to inform your own umbrella organisations of your activities to enable exchange of good practices and to allow for an overview of what has been achieved.

European Roma Rights Center:

- Calls on participating States to address the issue of child marriage and to better protect child rights

- Calls on to NGOs to denounce child marriage and to bring to the attention of the authorities

Institute on Religion and Public Policy:

To the international community:

- to prioritize trafficking;
- to draft legislation in consultation with NGOs and IOs;
- OSCE participating States that have not criminalise trafficking yet to amend legislation accordingly;
- to strengthen victim and witness support; promote social legislative and human rights support to trafficked persons;
- to provide training and sensitize military commanders;
- to implement security border controls.

Nottingham University:

- States should address the general demand for cheap and unprotected labour as a first step in addressing demand factors in trafficking;
- States should take action to establish and enforce minimum labour standards, in combination with migration policies that recognize the demand for cheap labour and the demand for opportunities to migrate;
- States should address the problem of racism, xenophobia and anti-migrant sentiment in societies;
- State should take action to prevent certain forms of labour and services from being socially devalued and/or stigmatized.

PAG – ASA asbl

- Sensitise frontline services (e.g. police, social workers, labour inspectors) to THB and improve their capacity to detect situations of exploitation
- Ensure that officers in the police academy have a module on THB in their general education curriculum
- Promote a multi-agency approach to THB cases and develop a dynamic mechanism of cooperation among various state institutions and NGOs in detecting THB cases and in referring victims to support services
- Ensure consistency in the application of law

- Ensure consistency in victims' treatment; do not discriminate among victims depending on forms of exploitation or nationality.

On behalf of the Alliance Expert Coordination Team:

OSCE/ODIHR, UNHCHR, UNDP, UNICEF, UNIFEM, ILO, IOM, International Federation of Red Cross and Red Crescent Societies, Council of Europe, ICMPD, Europol, Interpol, Dutch National Rapporteur, Nexus Institute, ACTA, Anti-Slavery International, ECPAT, La Strada International, International Federation of Terre des Hommes, Save the Children, Amnesty International.

In the debate on the demand side of trafficking, the Alliance calls upon states, intergovernmental organisations, NGOs, labour unions and the private sector to:

- Broaden the awareness, attention and research into all forms of forced labour and exploitation, whether as a result of internal or international trafficking, and the factors that underpin its demand;
- Tackle the problem of unprotected, informal and often illegal labour which leads to violations of the rights of migrant workers and fosters trafficking and exploitation;
- Support the organisation/unionisation of migrant workers/trafficked persons to enable them to better protect their rights;
- Ensure that informal and unregulated work activities are brought within the protection of Labour laws to ensure that all workers enjoy the same labour rights;
- Collect information and address all exploitative and hazardous forms of child labour in conformity with the ILO Convention on the Worst Forms of Child Labour and design strategic responses in line with the UN Convention on the Rights of the Child
- Encourage the creation of ethical employer associations which will adhere to codes of conduct that ensure protection of the rights of its workers;
- Develop public awareness campaigns on products and services that are produced by exploitative and forced labour and develop guidance to assist consumers in identifying goods or services that have not been produced through exploitation;
- Sign and ratify the UN Convention on the Protection of the Rights of all Migrant workers and their Families and the Council of Europe's Convention on Action against Trafficking in Human Beings;
- Engage in public awareness campaigns focusing on acceptance of migrants and their families to reduce discrimination and stigmatisation of migrant workers.

Recommendations to the OSCE:

United States of America:

- The OSCE give more attention to the potential relationship between large sporting events or other large conventions and the crime of human trafficking,

Canada:

- Called on OSCE Secretariat, institutions and missions to improve coordination and consolidation of anti-trafficking work
- Encouraged OSCE Secretariat, institutions and missions, in partnership with NGOs to focus on providing assistance to participating States in the area of identification and assistance to victims of THB

European Union:

- We look forward to the appointment of a new Special Representative on trafficking in human beings. The OSCE activities against trafficking require strong guidance particularly considering the new tasks with which the Anti-trafficking Unit has been entrusted by Ministerial Decision 13/05.
- We encourage the new Special Representative to continue, with the help of the Anti Trafficking Assistance Unit and in close connection with the other relevant bodies of the OSCE, the excellent work initiated by Dr. Konrad. In our perspective, it is particularly important that the new Representative continues to attach the utmost importance to the activities of the “Alliance against Trafficking”, and give them new impetus.
- The Special Representative should identify best practices and provide guidelines on how the Participating States could most effectively involve civil society in their Anti-trafficking structures and activities.
- The EU attaches particular importance also to the concrete activities and projects carried out by the OSCE on the ground; we therefore invite the OSCE Missions to intensify their activities in the field of anti-trafficking, in close co-ordination both with the OSCE Institutions and with relevant local NGOs: we consider particularly important that each Mission appoints a Focal Point on Anti-Trafficking, and that specific funds are earmarked for initiatives in this field.

Greece:

- Encourage regional co-operation among participating States and development of bilateral agreements on THB issues
- Promote the establishment of NGO networks

Russian Federation:

- наладить обмен передовыми технологиями в организации противодействия торговле людьми и положительным опытом проведения конкретных специальных мероприятий по пресечению и предупреждению указанных преступных форм деятельности;
- планировать и проводить совместные мероприятия и специальные целевые операции по пресечению деятельности организованных преступных групп, ликвидации устойчивых каналов незаконной миграции, а также по розыску лидеров и участников организованных преступных групп.

- необходимо укрепить четкую «вертикаль ответственности» всех структур ОБСЕ, вовлеченных в антитрэффикингую деятельность, избегая при этом дублирования.

Tuesday, 04 October 2006

WORKING SESSION 4 – Tolerance and non-discrimination I, including:

Recommendations to participating States:

Equality of opportunity for women and men

Business Women Association of Kazakhstan

В целях эффективной реализации гендерной политики в стране в соответствии с обязательствами в рамках ратификации конвенции CEDAW и Планом ОБСЕ по продвижению гендерного равенства необходимо осуществить следующие шаги:

- разработать механизм по контролю, проведению мониторинга и оценки прогресса в выполнении «Стратегии гендерного равенства в Республике Казахстан»;
- рассмотреть полномочия Национальной Комиссии по делам семьи и гендерной политике при Президенте Казахстана, которая имеет, к сожалению, только консультативно-совещательные функции, на Министерство по делам равенства, как, например, в Норвегии. Наделить бюджетом и на практике обеспечить систематическую и последовательную интеграцию гендерной проекции во всех её действиях, стратегиях и решениях, в соответствии с Планом ОБСЕ по продвижению гендерного равенства.

Roma National Congress:

Since woman issue is not politically accepted, it is necessary to undertake activities that are more intensive by using most of the internationally adopted documents that can help in more effective lobbying for achievement of positive results.

- The OSCE ODIHR member countries should include Roma activists, intellectuals that are presented equally by both genders (males and females).
In the process the development of the following issues:
 - Initiation of effective instruments for involvement of Roma woman in woman programs as well as in the institutions that treat the woman issue
 - Implementation of adopted documents and regulations with international character on a national and local level in all countries that signed various conventions, resolutions, etc.
 - Building of intra-political Roma platforms for Roma women that will aim at political influence over the politics of the European countries.
 - Initiation of more intensive communication and discussion in ERTF.

“Impreuna” Agency for Community Development

In order to improve the condition of Romani woman from Romania, we recommend:

- The introduction and the promotion of the gender perspective in Roma segment, part of the strategy of every institution, both governmental and non – governmental; creation of a department – Roma Minorities – within the National Agency for Equality of Chances between Women and Men and of a department – Equality of Chances between Women and Men – within the National Agency for Roma.
 - Performance of comprehensive studies concerning the condition of Romani women from Romania.
 - Initiation of several programs aimed for the equality of chances in Roma communities.
 - Promotion of the participation of Romani women in public and political life, where Romani women should take part equally with men to consultative mechanisms or of another nature aimed to increase the access in all the aspects to political and public life.
 - The systematical inclusion of Romani woman in the process of development of the national strategies, at each development level of policies, within their implementation and assessment, by close consulting and equal representation in important positions compared to men.
 - Payment of special attention to Romani women in developing their abilities and opportunities, in order to promote them as active participants, (intellectual) models for the communities from which they come.
 - Creation of an Active Network (Work Group) of Romani Women from Romania; enticing young women from the Roma communities to this network – creation of some intellectual models in the communities from which they come.
8. The permanent collaboration between Romani women and the movement of the women of the majority from Romania.

Gender-Center

We recommend [that]:

- Adjusting the national legislation according to the Law regarding assurance of Equal Opportunities for Women and Men
- Elaboration and implementation of Gender Mainstreaming Strategy
- Strengthening Institutional Mechanisms by assurance financial and human resources
- Introducing affirmative actions (to institute some quota in order to ensure a balanced representation of women and men at all levels of decision making processes)
- Adoption appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women

Implementation of the OSCE Action Plan for the Promotion of Gender Equality

Amalipe Center for Interethnic Dialogue

[Therefore,] our main recommendations are:

- Mainstream Roma issues within the priorities of the Operational Programs
- Incorporate indicators for monitoring activities aimed at overcoming the backward situation of Romani women within both Roma related activities and within the gender section of the Operational programs.

Role of women in conflict prevention and crisis management

Norway

- Norway would like to support Dr. Hernes proposal at the ASRC, to integrate the security perspectives of Resolution 1325 more explicitly into the OSCE Strategy to Address Threats to Security and Stability in the Twenty-first Century.

Switzerland:

- Switzerland calls on the OSCE participating States to develop National Action Plans to implement United Nations Security Council resolution 1325 on women, peace and security, thereby advancing a step further the implementation of the requirements of the resolution on women, peace and security.
- Switzerland recommends to create within the OSCE framework a regional alliance “1325” that should give the participating States the opportunity to share know-how and experiences in the development of national action plans and in the implementation of the resolution. It could also help to implement more effectively the decision of the Ministerial Council 14/05 in the participating States.

International Helsinki Federation for Human Rights:

To the government of **Uzbekistan**:

- Publicly recognize its obligation to respect the right of its citizens to “contribute actively, individually or in association with others, to the promotion and protection of human rights and fundamental freedoms” and to refrain from imposing any restrictions on human rights activity that are not consistent with international law;
- Immediately release all civil society activists who have been detained because of legitimate human rights work or criticism of official policies and ensure that no one is prosecuted, imprisoned or forcefully confined in a psychiatric institution merely for exercising her right to freedom of expression and other fundamental freedoms;
- Put an end to all forms of surveillance and restrictions on the freedom of movement of human rights defenders and others involved in efforts to promote government compliance with international human rights standards and ensure that all reported cases of attacks against human rights defenders are

investigated in a prompt, thorough and objective manner and that those guilty of such attacks are brought to justice.

Prevention of violence against women

United States of America:

- Participating States that do not have specific laws against sexual harassment should act to correct this legal gap in protection
- Participating States make it a priority to strengthen laws against domestic violence, and that ODIHR provide assistance where necessary
- The Governments of Georgia and Kyrgyzstan take immediate action to eliminate the practice of abductions and forced marriages of young women.

Council of Europe

- To denounce domestic violence as a **human rights violation** which is not acceptable in democracies committed to the fundamental values of the Council of Europe;
- To encourage the fight against domestic violence against women in the 46 members states of the Council of Europe;
- To encourage national parliaments to become actively involved in combating domestic violence through the implementation of the pan-European campaign in 2007.

Amnesty International:

Amnesty International calls on Participating States to:

- State officials and political leaders at every level, national, district and local, should publicly condemn domestic violence. They should acknowledge that domestic violence is a human rights violation, and therefore a public concern, not a private matter. Officials may not invoke customs, traditions or religion to evade their responsibility to eliminate violence against women.
- Widespread public campaign should be launched in schools, citizen's forum and workplaces to denounce domestic violence, to remove the stigma from women targeted for violence, and to encourage survivors to seek redress.
- To ensure that all forms of domestic violence are treated in law and practices as criminal offences, that acts of domestic violence are investigated, prosecuted and punished in accordance with the gravity of the crime, and that victims receive appropriate reparations.
- Fund and implement compulsory training to programmes for officials – including police, lawyers, judges, forensic and medical personnel, social workers, immigration officials and teachers – in how to identify cases of domestic violence, how to ensure the safety of survivors and how to collect, safeguard, consider and present evidence.

- Fund and establish temporary shelters or other places for women, without compromising their privacy, personal autonomy and freedom of movement.
- Ensure that all relevant government departments collect and publish data and statistics on domestic violence, that they share data, and that the data is used by policy-makers in devising effective policies and programmes to address domestic violence.
- Ensure that women suffering violence have access to information about their rights and the services and support they are entitled to.

Gender-center

We recommend Government and Parliament that:

- Urgent adoption of the Draft Law on Prevention and Combating Violence in Family;
- Development of program on prevention of Domestic violence;
- Development of services of victims' assistance and abusers rehabilitation;
- Elaboration of data base on domestic violence.

Recommendations to the OSCE:

Equality of opportunity for women and men

United States of America:

- ODIHR look into ways that the OSCE could assist Georgia in implementing their new law on crimes committed within the family, for instance by training social workers to monitor cases or establishing shelters

Norway

- The Secretariat, Institutions and Missions should increase the awareness on gender sensitive issues in their introduction programmes and training.
- OSCE staff regulations should be reviewed in order to create a more family friendly and gender sensitive working environment.
- Integrate the security perspectives of Resolution 1325 more explicitly into the OSCE Strategy to Address Threats to Security and Stability in the Twenty-first Century.

Role of women in conflict prevention and crisis management

International Helsinki Federation for Human Rights:

To the OSCE:

- In bilateral and multilateral contacts with the Uzbek government, emphasize the important role of independent human rights defenders and other civil society activists in the democratic development of any country and bring up for discussion reported cases of harassment and abuse against Uzbek human rights defenders;
- Support the work of civil society groups in Uzbekistan in financial and other ways and take concrete measures, where appropriate, to protect persecuted Uzbek human rights defenders, e.g. by providing for temporary resettlement in emergency cases;
- Encourage the Uzbek government to cooperate with the UN special procedures (in particular the Special Rapporteur on torture and the Special Representative of the Secretary General on the situation of human rights defenders) and extend to them an invitation to visit the country.

Prevention of violence against women

United States of America:

- We ask that ODIHR look into ways that the OSCE could assist Georgia in implementing this new law, such as training social workers to monitor cases and establishing shelters.

Gender-center

We address to OSCE the following proposals:

- to press the Parliament to adopt the Draft Law on Prevention and Combating Violence in Family;
- to support the programs in order to combat domestic violence and provide redress and rehabilitation to victims,
- to support the programs addressed to law enforcement bodies to work with perpetrators,
- to support the efforts of civil society in combating DV through joint initiatives on awareness-raising and education,
- to monitor and evaluate the Government measures in order to prevent and combat Domestic Violence.

WORKING SESSION 5 – Humanitarian issues and other commitments, including:

Recommendations to participating States:

Migrant workers, the integration of legal migrants

Turkey:

- The OSCE participating States should sign and ratify the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Council of Europe:

Migrant workers, the integration of legal migrants:

- To promote diversity in multi-cultural and ethnically diverse societies and respecting individual human rights
- To pursue a holistic approach that places emphasis on the interaction between migrants and host societies, and directing policies at society as a whole
- To promote equality of opportunity and equal access to rights and services.

Refugees and displaced persons

Canada

- We would encourage the Kyrgyz Republic to maintain this approach, which is in keeping with international human rights and refugee law.
- Also, we call upon the Uzbek Government to accept the UNHCR request that international observers be granted humanitarian access to ensure that the basic human rights of the deportees from Kyrgyzstan are respected.
- We strongly encourage the Kyrgyz Republic, Uzbekistan and all participating States to continue to cooperate and maintain an open dialogue with the UNHCR on issues related to refugees and asylum seekers.

United States of America:

- The Government of Kazakhstan end its practice of pressuring other governments to forcibly return Uzbek refugees and asylum seekers, as well as stop pressuring families of refugees; guarantee humane treatment of voluntary returnees; and to allow access to these individuals by the international community

- The governments of Bosnia and Herzegovina, Croatia and Serbia to intensify their efforts to meet their goal of solving the remaining population displacement by the end of 2006 and ensure displaced persons and refugees can find durable solutions for resettlement
- All participating States that do not already, treat the protection needs of vulnerable migrants, refugees and displaced persons as priorities, and for those that do, continue to uphold their international protection obligations.

Amnesty International:

- Amnesty International calls on all Participating States to honour their commitments under international law and refugee standards to provide asylum-seekers with access to a fair, independent and transparent asylum procedure, and not to return any person to a country or territory where they may face serious human rights violations or place barriers in the way of international protection for those who need it.
- Amnesty International calls on all Participating States to uphold their obligations under international law to protect the best interest of the child and not to detain unaccompanied minors in detention centres.
- Amnesty International urges the authorities to ensure that asylum-seekers are only detained when absolutely necessary in compliance with international standards, and that asylum-seekers and irregular migrants are not detained in cruel, inhuman or degrading conditions.
- Amnesty International urges all Participating States, who have not yet done so, to sign and ratify Protocol 12 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, enshrining the principle of non-discrimination.
- Amnesty International calls on the EU to ensure that respect for human rights is a precondition of any cooperation with countries of transit or origin, and that both short- and long-term strategies on irregular migration are grounded in respect for the basic rights of migrants

European Roma Rights Center:

- The authorities of the OSCE participating states should immediately stop the deportation of Roma, Ashkali and Egyptians to Kosovo, as well as to the rest of Serbia and Montenegro, because these forced expulsions violate our dignity and our fundamental human rights. These states should also cease, without delay, any forms of arbitrary pressure on Roma, Ashkali and Egyptians to go to Kosovo, Serbia or Montenegro.

Helsinki Committee for Human Rights of the Republic of Macedonia

The internally displaced people belonging to all communities in Macedonia have also initiated process through courts for indemnification of the lost in their lives; sadly, 5 years on, some of these proceedings have not commenced and the majority of them have not been concluded.

- We would like to urge and we would like to believe that this particular portion of the population shall be adequately treated and taken care of by the new government.

- We would like to also urge the OSCE, EU and the UN agencies to provide support to the government to resolve this particular problem.

Roma National Congress:

Effective government enforcement is insufficient in some areas, and societal and cultural discrimination based on gender, race, religion, social class, and disability exists. Concrete Plan and Strategy for the Roma refugee and IDP's community should be adopted and implemented as well, developing the following issues:

- Implementation of adopted documents and regulations with international character on a national and local level, because although various conventions, resolutions and agreements are signed, they must be reviewed in practice
- Effective monitoring of human rights issues should be realized and accomplished by the international community, and Roma NGO's, in order to detect violations and mistreatments towards the Roma community.
- Political participation and representation of Roma in decision making bodies and to establish other equality bodies for minorities on Kosovo
- Civil registration and lack of personal documentation among the Roma community must be solved due to the proper statistic database for census or elections on Kosovo, and the fact that personal documentation is condition for performing other civil rights.
- Special programmes for return and reintegration of Roma, Ashkali and Egyptians (RAE) on Kosovo, based upon free will and real opportunity to integrate in the society.
- To assist to IDP's and returnees to repossess their real estate and personal property on Kosovo as pre-condition for normal living or to secure for them normal living standards and housing if needed in other possible areas.

Recommendations to the OSCE:

Migrant workers, the integration of legal migrants

Turkey:

- OSCE and its institutions should focus more on the human dimension of migration and integration. Protection and promotion of the rights of migrants should be one of the priorities.

Thursday, 05 October 2006

WORKING SESSION 6 – 7 – Access to justice

Recommendations to participating States and to the OSCE:

United States of America:

- The Government of Uzbekistan take immediate steps to redress the serious deficiencies identified in the conclusions of the ODIHR trial monitoring report,

European Union:

- The principle of access to court should be guaranteed in all cases concerning the determination of charges or the rights and obligations of individuals, especially in case of an arguable claim that fundamental rights have been infringed and irrespective of the civil, criminal or administrative nature of the matter.
- National-domestic laws of OSCE participating countries should be in conformity with the relevant international standards.
- An important element of the effectiveness of access to justice principle is the need to deliver judgments within a reasonable delay and to ensure that they are fully executed. We should enhance this principle by the simplification and acceleration of the judicial proceedings, while preserving fundamental procedural safeguards.

Participating states should provide their judicial system with appropriate means to reach such objectives.

Amnesty International:

Calls on all Participating States to:

- State publicly that renditions and rendition flights will not be permitted and take effective measures to prevent renditions and rendition flights through your territory and airspace. Such effective measures should include:
 - not transferring anyone to the custody of the agents of another state, or facilitating such transfers, unless the transfer is carried out under judicial supervision and in line with international standards;
 - ensuring that no part of the territory within your state or subject to its control, including all airports and military bases, whether or not leased or used by other states or inter-state organizations, is used to carry out or facilitate renditions;
 - requiring that the operators of any plane or helicopter used to carry out activities of intelligence agencies declare that it is being used for state purposes, even if the aircraft in question is chartered from a private company;
 - requiring that operators of aircraft seeking permission to land in your territory indicate whether any passengers on board are deprived of their liberty;
 - requiring, if the flight is carrying anyone deprived of their liberty, that information is provided as to their status, destination and legal basis for their transfer;

- ensuring that every aircraft carrying anyone deprived of their liberty is inspected by law enforcement agents, who should verify the legality of the detention and that detainees are not being ill-treated; and holding the flight until appropriate law enforcement action is taken if an inspection raises reasonable suspicion that a flight is being used for the unlawful transfer of people or other human rights violations.

- Amnesty International calls on Albania to honour its commitments under international law and urges President Berisha (who was Prime Minister of Albania at the time of Remzi Hoxha's "disappearance") to take every step to ensure that the fate of Remzi Hoxha is clarified and that those responsible for his "disappearance" are brought to justice.

Turkmen Patriotic Youth Organisation "Aidylyk"

We offer the OSCE participating states, the chairman of the OSCE, the OSCE Office for democratic institutions and human rights and the OSCE Center in Ashkhabad:

Мы предлагаем государствам-участникам ОБСЕ, Действующему председателю ОБСЕ, Бюро по демократии и правам человека ОБСЕ и Центру ОБСЕ в Ашхабаде:

- To draw attention of Turkmenistan's government to the issue of unconditional and immediate access of the representatives of the Organization of the International Red Cross to all the prisoners in Turkmen prisons and to consider the problem of possible sanctions regarding Turkmenistan within the frameworks of mechanisms of the United Nations in case if such access will not be given.
- Поставить перед правительством Туркменистана вопрос о безусловном и немедленном доступе представителей Организации Международного Красного Креста ко всем без исключения заключенным туркменских тюрем и рассмотреть вопрос о возможных санкциях в отношении Туркменистана в рамках механизмов ООН в случае, если такой доступ не будет предоставлен.
- To demand from the government of Turkmenistan of renewal of the full-scale cooperation with thematic special mechanisms of the United Nations, including on independence of the judges and attorneys, on issue of torture, on issue of extrajudicial, total or arbitrary executions; concerning the rights of the persons displaced within the country.
- Потребовать от правительства Туркменистана возобновления полноценного сотрудничества с тематическими специальными механизмами ООН, в том числе по вопросу о независимости судей и адвокатов; по вопросу о пытках; по вопросу о внесудебных, суммарных или произвольных казнях; по вопросу о правах лиц, перемещенных внутри страны.
- To listen to requests of relatives of convicts for help in reception of materials of the court cases and to draw attention of the government of Turkmenistan to the issue of granting of necessary documents in full, according to effective standards of the international and domestic Turkmen legislation.
- Выслушать просьбы от родственников осужденных о помощи в получении материалов судебных дел и поставить вопрос перед правительством Туркменистана о предоставлении соответствующих документов в полном объеме согласно действующим нормам международного и внутреннего туркменского законодательства.
- To demand from the government of Turkmenistan of immediate termination of extrajudicial persecution of the relatives of convicted, removal of restrictions on their free travel, and support of their legitimate right for reception of the information on displacement of convicted and about condition of their health. And also, within the frameworks of the current legislation of Turkmenistan to demand observance of the right of convicted to meet relatives and lawyers, to receive letters and packages, especially ones containing medicines and the most necessary items.
- Потребовать от правительства Туркменистана немедленного прекращения внесудебного преследования родственников, осужденных, снятия ограничений на их свободное

перемещение, и обеспечения их законного права на получение информации о перемещениях осужденных и состоянии их здоровья. А также, в рамках действующего законодательства Туркменистана, потребовать соблюдения права осужденных на свидания с родственниками и адвокатами, получение писем и посылок, особенно содержащих медикаменты и предметы первой необходимости.

- To carry out careful monitoring of observance of the current procedural legislation of Turkmenistan by law enforcement bodies and in corrective establishments of the country.
- Осуществлять тщательный мониторинг за соблюдением действующего уголовно-процессуального законодательства Туркменистана правоохранительными органами и в исправительных учреждениях страны.
- The international community has no right to tolerate the infringements of the General declaration of the human rights by the state-member of the United Nations and participant of the OSCE. Otherwise, participation of Turkmenistan in these organizations looks like a shameful misunderstanding and casts a shadow on their authority.
- Международное сообщество не имеет права мириться с нарушениями Всеобщей декларации прав человека государством-членом ООН и участником ОБСЕ. В противном случае, участие Туркменистана в этих организациях выглядит позорным недоразумением и бросает тень на их авторитет.

Friday, 05 October 2006

WORKING SESSION 8 – Rule of Law I, including:

Recommendations to participating States:

Exchange of views on the question of the abolition of capital punishment

European Union:

- The EU urges all OSCE Participating States that have not yet done so to abolish capital punishment in fact and in law.
- The EU urges OSCE Participating States, which regrettably still apply capital punishment, to inform other Participating States and their own civil society about any death sentence, any final judgement imposing or confirming the death penalty and any execution, including dates and names of those convicted or executed, the grounds for their conviction and any other relevant circumstances in full.
- The EU recommends all OSCE Participating States to ensure the implementation of UN Commission on Human Rights resolution 2005/59 on The Question of the Death Penalty.

Amnesty International:

- Calls on the three OSCE Participating States which continue the practice of judicial executions – Belarus, Uzbekistan and the USA – should impose a moratorium on executions; that those which have such a moratorium but continue to pass death sentences – Kazakstan and Kyrgyzstan – should convert their moratoria to full abolition; and that all under sentence of death be held in conditions which meet international standards.

International Federation for Human Rights (FIDH):

- Mettre un terme immédiat aux exécutions en adoptant un moratoire, suivi dans les plus brefs délais d'une loi abolissant la peine de mort;
- Rendre publique des statistiques concernant le nombre de condamnés, détenus et les personnes exécutées;
- Ratifier le deuxième protocole additionnel au Pacte sur les droits civils et politiques et le protocole 13 de la Convention européenne des droits de l'Homme visant l'abolition de la peine de mort;
- Coopérer pleinement avec les mécanismes onusiens et européens des droits de l'Homme;
- Procéder aux réformes nécessaires pour améliorer les conditions de vie des personnes détenues, conformément aux normes internationales et régionales;
- Prendre les mesures nécessaires afin que le droit à un procès équitable, tel que consacré par les instruments internationaux et régionaux, soit pleinement respecté;
- Faciliter l'accès aux avocats à toutes les étapes de la procédure;
- Mener des enquêtes indépendantes sur toute allégation de torture et d'autres traitements inhumains ou dégradants, conformément aux articles 12 et 13 de la Convention de l'ONU contre la torture, et poursuivre les responsables de tels faits;
- Assurer que des éléments recueillis sous la torture ou d'autres traitements inhumains ou dégradants ne sont pas admis comme preuves dans le cadre des procédures judiciaires;
- Permettre aux victimes des tels actes de recevoir une réparation.

International Helsinki Federation for Human Rights:

To the governments of **Kazakhstan**, **Kyrgyzstan**, the **Russian Federation**, and **Tajikistan**, all which have moratoria currently in place:

- Take steps to fully abolish the death penalty as a matter of priority;
- Pending full abolition, the authorities of Kyrgyzstan and Kazakhstan should ensure that legislation allows for the commuting of all death sentences into other prison terms. Also, they should disclose the number of persons currently on death row and improve living conditions for death row prisoners, which often fail to meet international standards.

To the government of **Belarus**:

- While taking steps to completely abolish the death penalty, enact an immediate moratorium to end all executions and death penalty sentences;
- Commute all death sentences to other prison terms;

- Release information relating to the current number of death row prisoners, disaggregated information on the number of executions per year, locations of the graves of executed persons, and dates of future executions, amongst others;
- Take measures to improve prison conditions, especially for death row prisoners so as to meet international standards.

To the government of **Uzbekistan**:

- Enact an immediate moratorium to end all executions and death penalty sentences;
- Commute all death sentences to other prison terms pending full abolition of the death penalty;
- Release information relating to the current number of death row prisoners, disaggregated information on the number of executions per year, locations of the graves of executed persons, and dates of future executions, amongst others;
- Ensure that when individual complaints have been filed to the UN Human Rights Committee relating to the right to life, executions are stayed while awaiting a decision of the Committee;
- Take measures to improve prison conditions, especially of those prisoners who will be serving long prison terms once abolition is enacted.

The authorities of the **United States**:

- While taking steps to completely abolish the death penalty, enact an immediate moratorium to end all executions and death penalty sentences;
- Withdraw its reservation to article 6 of the International Covenant on Civil and Political Rights;
- Reduce the number of crimes which carry the death penalty so that only the most serious crimes are punishable by the death penalty;
- Take measures to improve conditions for death row prisoners;
- Take measures to prevent executions of mentally ill persons.

To the **OSCE and its participating States**:

- Actively seek to ensure that commitments regarding the death penalty are upheld by all participating States, in particular with regard to the public availability of information concerning the death penalty.

Mothers against the Death Penalty and Torture

- Наложить мораторий на исполнение смертной казни в Узбекистане до полной отмены наказания виде смертной казни из законодательства Узбекистана.
- Открыть доступ к информации о статистических данных приговорённых к смертной казни и расстрелянных в Узбекистане.

- Открыть родственникам места захоронения, расстрелянных в Узбекистане.

Penal Reform International:

To the government of the United States

- The United States government should uphold its commitments under international law by reducing, rather than increasing, the number of offenses that can lead to imposition of the federal death penalty, by ending the erosion of habeas corpus rights and by ensuring effective legal representation at all stages of the process.

Prevention of torture

European Union:

- The EU expects all OSCE Participating States to ensure that no one is subjected to torture or cruel, inhuman or degrading treatment or punishment or transferred to a country where there are substantial grounds to believe that he or she would be subjected to torture or ill treatment.
- The EU also expects all OSCE Participating States to cooperate fully and in good faith with international organisations and independent international monitors such as the OSCE, ICRC, the Council of Europe and the UN human rights mechanisms such as the Special Rapporteur on torture and to grant them unconditional and unhindered access.
- The EU recommends that OSCE Participating States sign and ratify the Optional Protocol to the UN Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment at the earliest opportunity and make the declarations provided for in Articles 21 and 22 of the Convention.
- The EU urges Andorra and San Marino to ratify the UN Convention Against Torture and other Cruel, inhuman or Degrading Treatment or Punishment.
- The EU recommends all OSCE Participating States to ensure the implementation of UN General Assembly resolution 60/148 on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Amnesty International:

- Amnesty International calls on OSCE to remind all participating states that human dimension commitments, including those relating to the absolute prohibition of torture and other ill-treatment are not simply matters of internal affairs of the State concerned, but rather are matters of direct and legitimate concern to all OSCE Participating States and (Moscow Document, 1991);
- OSCE Participating States that have not ratified the Optional Protocol to the UN Convention against Torture should ratify it immediately.

Association for the Prevention of Torture:

To make the regular, independent monitoring of places of detention, as foreseen in the OPCAT, a reality in the OSCE region the APT recommends the following measures as a matter of priority:

- OSCE participating States should give serious consideration to the early signature, ratification and, thereafter, should ensure the effective implementation of the OPCAT. The APT believes that ratification of this important human rights instrument will send a strong signal to the international community of the importance which each state attaches to combating torture;
- OSCE participating States are encouraged to initiate a dialogue with other OSCE participating States, which have already signed or ratified the OPCAT, in order to facilitate an exchange of information and best practices on the establishment and effective functioning of national visiting mechanisms;
- OSCE participating States are also urged to initiate a dialogue on the OPCAT at the national level. These discussions should involve a wide range of relevant national actors, including representatives of civil society and any actors already engaged in the monitoring of places of detention;

Freedom House:

To the Government of Uzbekistan:

- International obligations compel Uzbekistan to prosecute individuals for torture.
- Targeting categories of population in a discriminatory manner, can produce a resentment, which can jeopardize the security of the entire country and the region.
- Torture should not be used as an instrument against religious people or against those suspected of extremism because it is wrong, it is illegal, and it is counterproductive.
- Finally, if there is political will to tackle this problem, the Government of Uzbekistan can rest assured that there are enough international governmental and non governmental organizations that can assist any effort to improve legislation and practice with regards to torture.

To the International Community

- The further failure by the Government of Uzbekistan to tackle torture and other grave human rights violations must be accompanied by an appropriate action from the international community, including sanctions.

International Helsinki Federation for Human Rights:

To the government of **Germany**:

- Call on the US authorities to thoroughly investigate the allegations that Murat Kurnaz was subjected to torture and ill-treatment while detained at Guantánamo Bay with a view to bringing to justice those guilty of such abuse and repeat previous calls to the US government to close its detention facility at Guantánamo Bay and promptly release those detained there unless they can be prosecuted with recognizable offences and granted trials consistent with international due process standards;

- Make representations to the Syrian government to treat Mohammed H. Zammar fully in accordance with international standards and charge him with recognizable offences and grant him a prompt and fair trial or, else, release him.

To the government of **Sweden**:

- Call on the Egyptian authorities to protect Ahmed Agiza and Muhammad El-Zary from any further human rights violations, including by granting Agiza a new, fair trial in a civil tribunal or allowing him to be heard by a Swedish court;
- Lift the prohibition on returning to Sweden imposed on the two men and actively press the Egyptian government to allow the men to leave Egypt;
- Grant Ahmed Agiza and Muhammad El-Zary just compensation for the human rights violations they have suffered as a result of the decision by the Swedish government to expel them to Egypt.

To the government of the **United Kingdom**:

- Revoke the so-called memoranda of understanding that have been agreed with the governments of Jordan, Lebanon and Libya and halt any ongoing negotiations about similar agreements with other countries that have well-established records of torture and ill-treatment;
- Refrain from deporting the Algerian terrorist suspect known as “Y” on grounds that he would be at risk of torture and ill-treatment if returned to Algeria.

To the government of the **United States**:

- Ensure that all agencies of government, including the intelligence services, are strictly bound by rules consistent with international standards prohibiting torture and other forms of ill-treatment in the interrogation and treatment of detainees at all locations under US control;
- Make sure that all US officials or other persons acting on behalf of the government can be prosecuted before national courts for any treatment violating the international ban on torture and cruel, inhuman or degrading treatment, irrespective of where such acts have been perpetrated;
- Investigate all allegations that individuals held in US custody have been subjected to treatment proscribed under international law in a prompt, thorough and impartial manner, and ensure that the perpetrators – irrespective of their rank – are brought to justice and punished in accordance with the seriousness of the crimes they have committed;
- Discontinue the program of secret detention facilities operated by the intelligence services and grant everyone apprehended in the “war on terror” prompt access to courts, lawyers and family members as well as the right to visits by independent monitoring bodies.

To the **OSCE participating States**:

- Reaffirm the absolute character of the prohibition on torture and other cruel, inhuman or degrading treatment and recognize that they are strictly bound by this prohibition, as established by international law, in the implementation of all their counter-terrorism activities;

- Ensure that no foreign intelligence information allegedly obtained through torture or ill-treatment is admitted as evidence by courts unless it can be proven beyond reasonable doubt that it was not extracted through coercion;
- Never send anyone to a country where torture and ill-treatment are routinely used, even if they have obtained so-called diplomatic assurances for their safety;
- Refrain from participating in any joint counter-terrorism activities where there are grounds to believe that these activities, in direct or indirect ways, may promote, facilitate, contribute to or serve to condone the use of torture or other forms of ill-treatment prohibited by international law;
- Investigate, in an effective, open and transparent manner, any alleged cases of past counter-terrorism cooperation undermining the prohibition on torture and ill-treatment with a view to holding accountable any officials guilty of complicity or participation in acts of torture or ill-treatment and to preventing such illegal cooperation from re-occurring in future;
- Promptly ratify/accede to the Optional Protocol to the UN Convention against Torture if they have not yet done so.

International Rehabilitation Council for Torture Victims:

- There is an urgent need to expand the Fund's donor base and to increase existing contributions. The IRCT urges all OSCE member States to increase their financial support to the UNVFVT in order to enable the Fund to provide sustainable, long-term funding to rehabilitation centres and programmes worldwide with a special focus on the South.
- Moreover, OSCE member states must ensure the financial viability of rehabilitation centres and programmes within their own borders. States have the responsibility to ensure that the torture survivors receive rehabilitation, an adequate form of reparation and that the perpetrators are brought to justice. Furthermore, we wish to recall EU States the EU 2003/9/EC minimum standards of reception of asylum seekers which establishes that States shall ensure necessary medical treatment for victims of torture and other forms of ill treatment.
- The IRCT calls on all OSCE's member countries' governments to do everything in their power to ensure that all detainees and prisoners are treated humanely according to the standards set out in international law.
- In particular we strongly encourage those members who have not yet done so to ratify the OPCAT so as to ensure that medical and other experts have unhindered access to detainees and prisoners in all places of detention at any time. By signing the Protocol, States demonstrate their commitment to preventing torture and upholding their obligation to respect the inherent dignity of the human person.
- The IRCT encourages the prompt implementation of the OPCAT and the establishment of independent national visit mechanisms.
- The IRCT further encourage States to include medical forensic experts as part of such mechanisms in order to diagnose and document symptoms of torture and ill-treatment. In this connection the IRCT stresses that the Istanbul Principles, which has been recommended by the UN General Assembly (GA Res. 55/89 of 2000), is an essential tool in the investigation and documentation of alleged cases of torture.

Kharkiv Human Rights Group:

The Government of Ukraine should do the following:

- To start the work on creating national preventive mechanisms provided by the Optional Protocol to the UN Convention against Torture;
- To determine in the legislation the starting point of detention and not to tie the determination of that moment with a formal action by an executive authority;
- To provide clear procedure of immediate notification of relative and close friends of a detained person;
- To abolish legislative provisions that limit a circle of people, who can be notified about suspect's detention; refusal in notifying a person, pointed out be a detainee, must be substantiated with reference to the legal grounds;
- To abolish legislative provisions, which stipulate meetings of a detained person with his lawyer for the discretion of the prosecution at access of a lawyer to his or her client must be streamlined as much as possible, while practical issues of lawyer's access to a detainee must be dealt with by an independent person;
- To widen a circle of people eligible for free legal aid and set up clear criteria for determination of indigent status of accused persons;
- To set up fair fees for lawyers, who provide legal aid at the expense of the state finances;
- To allocate sufficient funds for reimbursement of free legal aid;
- To abolish from the legislation any provisions that directly or indirectly allow delays in the bringing to a judge longer than it is prescribed by the Constitution;
- To clearly define in the criminal legislation elements of crime "unlawful taking into custody, detention, or arrest";
- To introduce amendments to the Ukraine's Code of Administrative Offences, which would provide accused in the offences entailing administrative arrest, with the guarantees of fair court procedure;
- To provide in the legislation a possibility for detained person's access to a physician at his or her own choice;
- To introduce in the legislation provisions that validate as evidence conclusions prepared by experts at "detained person's own choice equal as those prepared by experts assigned by the prosecution";
- To clarify in the law a subject matter of consideration at first appearance in court, as well as during the following detention hearings;
- To provide in the legislation the right for a detainee to initiate a periodical judicial review of the legality of his or her detention during the whole period of his or her being in custody;

- To authorize a judge to initiate investigation of detained person's claims about torture, if in the course of any court consideration, the detainee claims about the use of tortures, or other circumstances point to it;
- To carry out training of investigators on methods of effective investigation of tortures;
- The legislation and court practice should not tie the decision on admissibility of confessions with the decision on personal responsibility of persons, involved in the use of tortures; the admissibility of confessions must be decided on the basis of independent criteria and the obligation to prove voluntary nature of confession must be incumbent on prosecution;
- The legislator and higher judicial authorities should develop, and courts should follow a context-sensitive approach to assessment of the credibility of the statements made by accused persons about their being subjected to torture and other forms of unlawful coercion;
- To create legislative provisions, which make it impossible to apply amnesty and parole for people who have committed actions, which have elements of <<torture>> in the understanding of Article 1 of the UN Convention against Torture;
- To create effective mechanisms of public control over investigations into allegations of torture and ill-treatment, which take place in law enforcement agencies and other closed institutions;
- To establish a clear presumption in favor of a person's release and provide that the onus of providing proof about grounds for detention be shifted to the prosecution;
- To introduce provisions which would exclude remand in custody or its extension on the basis of purely hypothetical assumptions that a person could abscond, hamper the establishment of truth in the case, or continue his or her criminal activity;
- To review the legislative framework of forensic examination in order to provide the involvement of non-state experts and expert bureaus;
- To exclude from legislation those provisions which make it impossible or complicated for victims and their legal representatives to obtain documents containing medical information concerning victims, including conclusions by medical experts, regardless of the title and nature of those conclusions;
- To prepare procedure, this would encourage the use of bail instead of detention.

NGOs of Ukraine should do the following:

- To actively participate in the work on creating national preventive mechanisms provided by the Optional Protocol to the UN Convention against Torture and monitoring how the government fulfill its obligations under this Protocol.

Penal Reform International:

To the OSCE and its participating States

- Those states that have already ratified or acceded to the OPCAT should be congratulated for so doing and should be supported in moving as quickly as possible to establish effective national oversight mechanisms to prevent torture and cruel, inhuman and degrading treatment and punishment.
- Those states that have not yet ratified or acceded to the Convention Against Torture should be strongly encouraged to do so without delay and to move onto ratification of the Optional Protocol as soon as feasible.

To the government of Armenia

- The government of Armenia is congratulated upon ratifying the OPCAT, and on having set up independent civil society monitoring commissions for pre and post-trial prisons, and temporary detention isolators (*izoliatory vremennogo sodержania*). In order to provide a more comprehensive protection mechanism for detained persons the government should ensure that the relevant commission also has unimpeded access to police cells (*politseiskie uchastki*).

To the government of Georgia

- The government of Georgia is congratulated upon ratifying the OPCAT, and on having set up independent civil society monitoring commissions for three of its 16 prisons. The government should not delay in setting up such commissions for the remaining 13, and on bringing the working statute of the commissions into line with OPCAT standards. The government should respond positively to the recommendation of the OSCE Ambassador that an independent inquiry be held into the events on 27 March at Tbilisi's central prison during which 7 prisoners died. The results of the inquiry should be made public and include lessons learnt, as well as information on changes to be made in regulations, legislation and practice to avoid such a tragedy occurring in the future.

International humanitarian law

European Union:

- The EU expects that all OSCE Participating States ensure respect for international humanitarian law, including in particular the obligation to distinguish between civilians and combatants and the principle of proportionality.

International Helsinki Federation for Human Rights:

*To the **Russian authorities and the federal side** of the conflict:*

- Immediately put an end to arbitrary detentions, torture, ill-treatment, enforced “disappearances,” and extra-judicial executions, as well as stop targeting civilian dwellings in their operations.

*To the government of the **Russian Federation**:*

- Insist on accountability for all atrocities that have taken and are taking place in Chechnya and the adjacent regions. It should ensure independent and meaningful investigations into all reported crimes allegedly committed by members of security forces against civilians in Chechnya or Ingushetia and publish a detailed list of all current and past investigations into such abuses and indicate their current status. Likewise, it should publish a complete list of all persons who have “disappeared” in the course of the second Chechen war, with a detailed description of what is known about these “disappearances”;
- Desist from coerced returns of internally displaced persons to Chechnya and instead ensure their security and protection in accordance with the Guiding Principles on Internal Displacement⁸ and other relevant international standards;
- Grant a meaningful amnesty for rebel fighters and assist their return to peaceful life. A special representative of either the Russian President or the State Duma should be appointed to oversee the course of the amnesty and ensure the safety of those amnestied;
- Take effective measures to reduce the risk of eruptions of violence and avoid further destabilization in the adjacent regions of Chechnya (Ingushetia, North Ossetia, Dagestan and Kabardino-Balkaria). Such measures should especially focus on the operation of the Interior Ministry and Federal Security Service officials.

*To all groups on the side of the **Chechen rebel fighters**:*

- Refrain from all activities, which endanger the civilian population.

Protection of human rights and fighting terrorism

European Union:

- While the European Union underlines the importance of a comprehensive and vigorous response to terrorism and remains determined to tackle this scourge, the EU expects that all OSCE Participating States fully respect human rights, refugee law and international humanitarian law in their counter terrorism measures.

Switzerland:

- Recalling the 2004 *Sofia Ministerial Statement on Preventing and Combating Terrorism*, the *OSCE Charter on Preventing and Combating Terrorism* of 2002 and *The Bucharest Plan of Action for combating terrorism* of 2001, Switzerland urges all participating States to respect international human rights law, international humanitarian law and international refugee law in their struggle against terrorism.
- Switzerland recommends to participating States to ensure that all detainees, including those detained in relation to terrorists acts, have access to justice and enjoy fair trials.
- Switzerland welcomes the Council of Europe 2002 *Guidelines on Human Rights and the Fight Against Terrorism* as a useful framework for States in their fight against terrorism.

Amnesty International:

- Enforce the prohibition of forcible return or transfer of any person to any place where there are substantial grounds to believe that the person would be at risk of grave human rights violations or the death penalty; and do not seek or accept "diplomatic assurances" or similar bilateral agreements where there are substantial grounds for believing that a person for whom a forcible return or transfer is contemplated would be at risk of torture or other ill-treatment.
- The US government must clarify the fate and whereabouts of all people who have been secretly detained and guarantee fair trials for all people in its custody.

Penal Reform International:

To the OSCE and its participating States

- While recognizing that terrorism itself is a gross violation of human rights, the OSCE and its participating states must be vigilant in their absolute defense of the human rights of all those suspected of, charged with or convicted of terrorism.
- All OSCE participating States must uphold the international standards for the treatment of prisoners established by the United Nations Standard Minimum Rules for the Treatment of Prisoners and the European Prison Rules. The 'war on terror' cannot be used as an excuse to roll back decades of work in the development and implementation of international standards and norms for more humane conditions of incarceration.

Recommendations to the OSCE:

Exchange of views on the question of the abolition of capital punishment

International Helsinki Federation for Human Rights:

To the OSCE and its participating States:

- Actively seek to ensure that commitments regarding the death penalty are upheld by all participating States, in particular with regard to the public availability of information concerning the death penalty.

Prevention of torture**Association for the Prevention of Torture:**

- The APT very much welcomes valuable exchanges of information about torture prevention measures, including the OPCAT, such as the past working sessions on the subject held at OSCE Human Dimension Implementation Meetings. The OSCE-ODIHR is therefore encouraged to keep the issue of torture prevention on its agenda and facilitate further international exchanges of information and best practices in relation to such matters;
- The OSCE-ODIHR is also strongly encouraged to organize or co-organize future side-events at Human Dimension Implementation Meetings on the issue of the OPCAT in the context of torture

prevention. The APT recalls its decision to co-sponsor such an event with the APT and the Governments of Denmark and Switzerland at the 2005 Human Dimension Implementation Meeting and urges it to do so again in future;

- The OSCE-ODIHR could also play an important role facilitating dialogue at the country level. These activities would be particularly relevant in the light of the OSCE-ODIHR's and OSCE field missions' ongoing efforts to promote the monitoring of places of detention in certain OSCE participating States and its production of important information materials on the subject. The APT strongly encourages the OSCE-ODIHR to expand upon its invaluable activities in this respect and advance national discussions on the merits of the OPCAT as an instrument to prevent acts of torture and other forms of ill-treatment. It is relevant to note that OSCE-ODIHR and several OSCE field missions have already done so or are currently doing so in Kazakhstan, Montenegro, Moldova and Ukraine.
- The aforementioned attempts to counter practices of torture and ill-treatment must take place in a climate of genuine political will both on the part of OSCE participating States and the political structures of the OSCE. In this latter respect there exists a clear necessity for the OSCE Chairman-in-Office and the Permanent Council to attach much greater importance to the need to prevent torture in the region and address the issue on a regular, consistent basis. Without genuine political will at this level, overall progress will be difficult.

Kharkiv Human Rights Group:

OSCE is invited [with regard to Ukraine]:

- To contribute to the work on creating national preventive mechanisms provided by the Optional Protocol to the UN Convention against Torture and efforts on the part of human rights organizations to create such mechanisms and monitoring how the government fulfill its obligations under this Protocol;
- To encourage the government to the quickest creation of such preventive mechanisms.

Penal Reform International:

- The OSCE should encourage all participating States to sign and ratify or accede to the Optional Protocol to the Convention Against Torture and to put in place the inspection procedures for all places of detention. Without a thorough independent inspection process, there is no way for state governments or civil society to know what is being done in their name. The only way to prevent abuse and to uphold international standards is to shine a strong light into the dark corners of all places where people deprived of their liberty are held.

International humanitarian law

International Helsinki Federation for Human Rights:

To the OSCE:

- Demand the return of an OSCE Assistance Group with a relevant mandate to Chechnya;

- Insist on accountability for all atrocities that have taken and are taking place in Chechnya and the adjacent regions, as required above (see point one under recommendations to the government of the Russian Federation).

Protection of human rights and fighting terrorism

Russian Federation:

- По нашему мнению, ОБСЕ в целом и БДИПЧ в частности должны активизировать работу по борьбе с новыми угрозами и вызовами.
- Рассчитываем, что Бюро подключится к организации инициированной Россией и США политической конференции высокого уровня по партнерству государств, гражданского общества и бизнеса в борьбе с терроризмом, которая должна состояться в Вене в мае 2007 года.

Council of Europe:

- To encourage states to react promptly and effectively, including through legal measures, to acts of racism and racial discrimination resulting from tensions generated by the fight against terrorism.

WORKING SESSION 9 – Rule of Law II, including:

Right to a fair trial, including follow-up to the 3-4 November 2005 SHDM on Role of Defense Lawyers in Guaranteeing a Fair Trial

Recommendations to participating States:

Amnesty International:

Calls on OSCE Participating States to:

- Ensure that prosecution and defence are treated before the courts in a way that gives them a procedurally equal position during the course of the trial and an equal position to make their case ("equality of arms"). This includes ensuring the right to adequate time and facilities to prepare a defence, and ensuring the defendant's right to call and examine witnesses
- End prolonged pre-trial detention and protracted criminal proceedings, by ensuring the right of all persons charged with a criminal offence to trial without undue delay, and by ensuring in law that detainees awaiting completion of criminal proceedings are tried within a reasonable time or released pending trial if the time deemed reasonable in the circumstances is exceeded.
- Ensure that persons awaiting retrial on criminal charges are not automatically detained, consistent with respect for the right to the presumption of innocence
- To ensure that any allegations of torture or other ill-treatment of a detainee are fully, independently, and impartially investigated, and that any statements made under torture or other ill-treatment are inadmissible as evidence in court proceedings
- To ensure that lawyers can fulfil their professional duties to their clients without state hindrance or interference

- AI calls on Participating States to implement recommendations made by CPT in connection with conduct of interrogations and procedural safeguards

International Helsinki Federation for Human Rights:

*To the government of **Uzbekistan**:*

- Ensure that an independent investigation be conducted into the Andijan massacre;
- Ensure that the cases of all individuals sentenced to prison terms as organizers of the Andijan protests in May 2005 be reviewed opened and the defendants be guaranteed fair trials, as provided by the international treaties to which Uzbekistan is party. These trials should be open to relatives of the defendants, media and international observers;
- Invite the UN High Commissioner for Human Right, the UN Specials Rapporteurs on extrajudicial killings, on the independence of the judiciary and on torture, and the UN Independent Expert on Uzbekistan to visit Uzbekistan, including the Andijan region.

*To the government of **Turkmenistan**:*

- Conduct an independent and thorough investigation into the death in custody of Ogulsapar Muradova;
- Ensure the unconditional release of Annakurban Amanklychev and Sapardurdy Khajiev and, pending their release, to allow them immediate access to the attorney of their choice, to their families, to medical care and food in conformity with international minimum standards of treatment of detainees, and to international monitors and physical integrity;
- Take effective measures to reform the Turkmen judicial system to ensure the independence of the judiciary and fair trials, in accordance with international law, to all defendants.

*The government of **Tajikistan**:*

- Swiftly complete legal reforms in order to guarantee the independent operation of the judiciary, the principle of equality of arms, and to ensure that persons allowed to work as legal counsels are properly trained;
- Organize training for parliament officials and judges to improve the financial oversight of courts and encourage more transparency in the judicial system;
- Introduce effective mechanisms to allow adequate implementation of laws in place – and improve them – to combat corruption.

*The government of **Belarus**:*

- Ensure the immediate and unconditional release of all of the political opponents arrested during the March demonstrations and drop criminal charges against all political opponents;
- Courts to invoke relevant provisions of the Constitution and international human rights treaties in their administration of justice.

*The government of the **Russian Federation**:*

- Make clear to all members of law enforcement and military forces under its authority that “unofficial” or secret places of detention are illegal both under Russian and international law, and that all detainees must be treated according to law and international standards for the treatment of detainees and prisoners, and due process. In this respect, the Russian government should also allow the publication of the reports by the European Committee for the Prevention of Torture (CPT) on its visits to the Chechen Republic, which apparently include references to possible secret places of detention, as noted in the CPT statement of 10 July 2003;
- Introduce internal checks in order to establish wrongdoings in the treatment and interrogation of suspects to ensure that illegal practices are abolished;
- Make clear to all officials involved in the investigation into alleged criminal acts that international standards of due process must always be respected, including the examination of all allegations of torture, exclusion of evidence extracted under duress, and allowing detainees prompt access to a legal counsel and physician of their own choosing.

Exchange of views on Criminal Justice Systems, Including Penal Systems

Penal Reform International:

To the OSCE and its participating States

- State experts and OSCE should discuss the type of research and statistics needed to inform planning of resources for criminal justice systems. This is in order to provide a basis for gauging the extent to which the number of prisoners detained pre and post-trial, and the length of time for which they are detained, are proportionate and appropriate to State’s commitments. In the absence of comprehensive information it is difficult to avoid deadlock between the commitment to ‘*improve the conditions of individuals in detention or imprisonment*’ and the commitment to ‘*pay particular attention to the question of alternatives to imprisonment*’. (Guidance can be found in recommendations by the Committee of Ministers of the Council of Europe, for example Recommendation (2000) 22 on Improving Implementation of the European Rules on Community Sanctions and Measures.)

Recommendations to the OSCE:

United States of America:

- The Government of the Russian Federation ensure that human rights, including the right to a fair trial, are observed in Chechnya.

International Helsinki Federation for Human Rights:

In addition, keeping in mind that the government of **Uzbekistan** has failed to conduct an independent investigation into the Andijan killings; has shown no willingness to bring to justice any law or security officer or public official responsible for the massacre; and has ignored investigation results by intergovernmental organizations, including the OSCE/ODIHR,¹⁵ and NGOs, which have seriously

questioned the fairness of the trials of people allegedly responsible for the Andijan protests and raised concern about the fate of Uzbek refugees in the aftermath of the Andijan event,

- The OSCE should as a matter of priority and within the Permanent Council, continue its efforts to follow up on developments in Uzbekistan with regard to the Andijan event and the treatment of refugees from Uzbekistan in neighboring countries.

Worldrights:

Recommendation on Military Commissions Act of 2006 and compatibility with right to fair trial and effective remedies under OSCE standards:

- WORLDRIGHTS recommends that the OSCE monitor US implementation of the Military Commissions Act and report in a timely manner as to its compatibility in practice with all OSCE protections under the relevant documents, including Moscow 1991, Copenhagen 1990, and Vienna 1989.

Monday, 09 October 2006

WORKING SESSION 10 – Democratic institutions, including:

Recommendations to participating States:

Democratic elections

United States of America:

- Participating States include an item on the agenda of the Permanent Council entitled “Follow-up to ODIHR Election Recommendations.” This could be done six to twelve months following the issuance of a final report on an election, to ensure that attention remains focused on ODIHR’s recommendations in the post-election environment

Canada:

- Strongly supports the idea of election activities training as a way to strengthen existing capacities in participating States and to professionalize observers. This training should be offered to all participating States and be open to officials and representatives of the civil society alike. This would also represent a way for ODIHR to increase technical cooperation with and assistance to participating States, in the lead-up to and following elections, with the objective of supporting democratization and institutional reform programs.
- It is imperative to maintain the autonomy of ODIHR. This is crucial to ensure effective implementation, monitoring and strengthening of our Human Dimension commitments to the benefit of the entire OSCE region.

European Union:

- Urges all participating States to reaffirm, and to demonstrate, that democratic elections are a living OSCE fundamental value.
- Urges all participating states to support ODIHR's work as tasked by Ministers.
- Urges all participating States to fully implement ODIHR recommendations, the considered result of the comprehensive and long-term ODIHR election observation methodology, as well as to reassert their political will to invite OSCE/ODIHR to conduct follow up visits.
- The EU looks forward to the next SHDM on "Democratization: Strengthening Democracy through Effective Representation" in November 2006 in Vienna and notes it as a logical and useful follow-up to the 2004 HD Seminar on "Democratic Institutions and Democratic Governance". The EU recommends all delegations of participating States to send well-briefed representatives and experts to this important meeting.

Kazakhstan:

Мы предлагаем экспертам в области избирательного права и международным организациям, осуществляющим наблюдение за выборами, рассмотреть возможность введения качественной шкалы оценки избирательных процессов. Основой этой оценки мог бы стать сравнительный анализ избирательных кампаний в отдельно взятой стране.

Norway:

The organization of the election observation missions

- ODIHR is an autonomous institution and that must be preserved. In our view autonomy equals impartiality.
- All participating States should make efforts to second observers in order for ODIHR to achieve a broad geographical composition of election missions.
- The selection of Mission Heads could be made more transparent. An open roster could be created from which ODIHR can select.
- Participating States should contribute to the Diversification Fund allowing nationals from more participating States to take part in Election Observation Missions.
- English must remain the working language. However, every effort should be made to second election observers with a good knowledge of Russian for elections in CIS States.
- Training of observers is necessary to secure sufficient professionalism and qualifications. This is also a national obligation.

Some additional commitments (Copenhagen +)

- The Copenhagen commitments of 1990 remain valid and should be implemented by all. We should however consider the need for additional commitments on elections, supplementing existing ones.
- Additional commitments could be adopted. In our view we should revisit the so-called Copenhagen + text which was on the table a year ago.

Better follow-up between elections:

- We need to pay much more attention to participating States political follow-up to observation missions. Norway suggest that there is established a mechanism whereby the country in question provides a plan on how it intends to implement the recommendations in the final report. This plan, together with the ODIHR final report should then be discussed in a framework of peer review, possible in the Preparatory Committee or in a possible Human Dimension Committee, if established.

Russian Federation:

(on elections in Georgia)

- Ожидаем от Действующего председательства ОБСЕ и Директора БДИПЧ принципиальной оценки ситуации в области демократических выборов в Грузии.
- Рассчитываем также, что грузинская сторона предоставит развернутую информацию по упомянутым фактам.

Citizenship and political rights

ENEMO: (doc no 256)

- ENEMO, in its turn, calls on the international organizations and the countries that host ENEMO members to address the Belarusian government with a concern over the state of human rights in Belarus, and a demand to immediately release the public activists.

Athinganoi:

- We call upon the governments to support citizenship education – such as voters’ education, politicians trainings directed both to Roma and non-Roma to ensure higher democratic representation and mutual understanding of all people in OSCE countries.

La voix des Roms

Calls upon the French government:

- to modify the legislation on the “gens du voyage” inscription to the voting lists

- to reform the mechanism of participation of the Roms (of both French and foreign citizenship), by an efficient and equal dialogue with the Rromani organisations.

Macedonian Human Rights Movement International:

- MHRMI calls on the international community to condemn Bulgaria's state-sponsored acts of oppression, and demand that Bulgaria immediately recognize its large Macedonian minority and grant it the human rights that it is guaranteed by all international human rights conventions. Moreover, MHRMI calls on the European Union to enforce the European Court of Human Rights October 20, 2005 decision in favour of OMO Ilinden PIRIN's immediate registration and to make Bulgaria's accession to the EU explicitly conditional on its recognition of its Macedonian minority.
- MHRMI also calls on international media, human rights organizations and other interested parties to attend this event to monitor Bulgaria's compliance with its legal obligations to protect its minority's rights.

Recommendations to the OSCE:

Democratic elections

United States of America:

- ODIHR devote increased attention to working with participating States as far in advance of elections as possible, without diminishing its essential work on election day and after. One way to do this could be to authorize ODIHR to prepare forward looking reports as warranted on the election climate in certain States with upcoming elections, to enable those countries to take advantage of ODIHR's expertise and recommendations before the elections take place.

Armenia:

- EOMs have to be transparent as applied to how they are formed. It is specifically about the composition of missions and their leadership in conjunction with the partiality issue. We all essentially should rethink making those missions the privilege and the prerogative of those participating States, who can afford secondment of observers, especially the long-term ones. A fund from which ODIHR can draw in order to make its mission sustainable in long term, available to all participating States rather than some, will improve the sense of ownership in our Organization.
- All such missions regardless of their scale should be consistent in their practical activities, such as reporting and follow up, as well as comparable on the basis of scale, duration, scope, ratio of observers to population and/or territory covered, etc. Everything our Organization does on this track ought to be reasonably explained and justified. If these criteria are fulfilled it would lead to the perception of our observation practices being more equitable.

Belarus:

В целях устранения субъективного подхода к оценке выборов предлагаем выработать единые критерии оценки выборов в государствах-участниках ОБСЕ, не зависящие от политических предпочтений. В связи с этим полагаем возможным представить наши предложения по совершенствованию деятельности БДИПЧ/ОБСЕ в части наблюдения за выборами:

- Оценка выборов миссией ОБСЕ должна осуществляться на основе выработанных государствами-участниками ОБСЕ единых для всех государств стандартов демократических выборов и критериев оценки избирательных процессов.
- Выводы миссии должны основываться на национальном законодательстве и установленных государствами-участниками ОБСЕ международных стандартах. В противном случае они будут являться частным мнением лиц, подписавших итоговый документ.
- ОБСЕ устанавливает ясные, четкие принципы и процедуры формирования миссий международных наблюдателей и назначения их руководителей.
- Количественный состав миссии должен определяться объективными критериями, возможно, в зависимости от количества избирателей в государстве, проводящем выборы.
- Итоговый отчет миссии должен быть принят большинством ее состава.

European Union:

- The EU proposes to enhance the follow-up of ODIHR's recommendations. To that extent, the EU recommends that the Permanent Council take a more active role in monitoring the implementation of election related commitments.
- In this context, the EU would also welcome the readiness of the ODIHR to begin introducing reports on how participating States are implementing ODIHR recommendations, in line with a suggestion by the Group of Eminent Persons in their report on strengthening the effectiveness of the OSCE.

People's Party "Alga!"

- И хотелось бы, чтобы ОБСЕ и входящие в нее демократические страны, имеющие четкие стандарты и критерии справедливых выборов, объяснили руководству Казахстана, что манипулирование выборами и использование репрессивных технологий не приближает, а отодвигает Казахстан от международных стандартов и свидетельствует о прямом игнорировании своих обязательств в рамках ОБСЕ.
- Хотелось бы также, чтобы ОБСЕ и демократические государства не играли в политические игры вокруг выборов в постсоветских государствах, а ясно и недвусмысленно выражали свою позицию, как в отношении условий выборов, так и их результатов.

Citizenship and political rights

Home of the Macedonian Culture:

- In closing I ask for the assistance of the OSCE to assist in this matter and ensure that Greece is fulfilling its commitments to not discriminate against members of ethnic minorities.

Worldrights:

- WORLDRIGHTS recommends that under the leadership of the OSCE Chairman-in-Office the following draft decision be considered for adoption at the 2006 Ministerial Council:
“That all citizens of every OSCE state be guaranteed the right to enjoy equal political participation in their own national legislature through duly elected representatives.”
- WORLDRIGHTS also recommends that ODIHR issue recommendations in its final report on the 2006 US Congressional Elections, consistent with the 2005 OSCE Parliamentary Assembly’s resolution on DC equal voting rights.

WORKING SESSION 11 – Discussion of human dimension activities (with special emphasis on project work), including:

Activities of the ODIHR and other OSCE institutions, including monitoring the implementation of human dimension commitments and ways of strengthening and furthering them.

Recommendations to participating States and to the OSCE:

Azerbaijan:

- ODIHR should further strengthen its assistance to participating states in human capacity building.
- Trafficking in human beings, gender equality, human rights in the armed forces, tolerance and non-discrimination, placing special emphasis on education respecting tolerance should have a central place in the programme activities of the ODIHR for the years to come. ODIHR should demonstrate its important niche and capacity in lending its assistance for the states to address their shortcomings in respective fields.

Belarus:

- Особый акцент в своей работе институты ОБСЕ должны делать на проектной деятельности.
- Программная и проектная деятельность институтов ОБСЕ должна ориентироваться на реальные потребности государств-участников, отвечать их приоритетам, определенным в решениях СМВД и в рамках бюджетной дискуссии.

European Union:

- All participating States have an interest in and a responsibility to assist in the implementation of such projects and programmes – either through facilitating project implementation on the ground and/or through the contribution of financial, or other, resources.
- Efforts should be made to give priority to programme activities on those topics which are subject to serious, persistent and flagrant breaches of commitments in specific participating States.
- We would like to see an increased focus on the link between security, development, and respect for human rights in OSCE project activities to further enhance the reinforcing link between the three dimensions.
- The OSCE has established a deservedly high reputation for its standards in this field, and participating States should be vigilant against any attempts to retreat from agreed commitments and widely accepted standards.
- The role of Long Term Observers should be looked at to see if it should be enhanced and strengthened. This should be done without diminishing the number and role of Short Term Observers.
- In addition, we would once again encourage more follow-up activity post elections, with a view to improving practices and procedures. Participating States should inform the Permanent Council of the steps they have taken to give effect to the recommendations of Election Observation Missions.
- The further training of election observers might also be looked at.
- Activities to combat anti-semitism, racism and intolerance are now an established part of the OSCE's agenda. We look forward to continuing activity in this regard by ODIHR and would welcome a strengthening of its role.
- The role of the OSCE Secretary General and Heads of Missions is central for the implementation of the [Gender Action] plan, in the organization as such and in the field. We welcome and strongly support the efforts by ODIHR to promote participation in economic and political life of women in the Caucasus and Central Asia.

Kazakhstan:

- All participating States are equally bound to identical commitments. With this in mind, the OSCE/ODIHR should necessarily deploy a full-scale needs assessment and election observation missions in all OSCE member-states.
- We must ensure that ODIHR has adequate and reasonable resources to undertake this responsibility.
- The ODIHR should be empowered to take specific actions to go to participating States to evaluate follow-up on recommendations, and a follow-up mechanism could be developed to this end.

- Participating States should be willing to make an explicit commitment concerning follow-up actions on ODIHR recommendations and to authorize ODIHR to take necessary steps to evaluate such actions in impartial, concrete and non-politicized manner.
- We must envisage that ODIHR's conclusions should not a priori be allocated as an ultimate truth and we should think of the mechanism the host country can use to appeal on the conclusions the Bureau has made on the elections monitoring or to explain its own position.
- Must be elaborated clear criteria concerning composition, format and quantity of members of the election observation and needs assessment missions, depending on the size of territory, number of polling stations, or other characteristics of the host country.
- A new commitments in the framework of Copenhagen Plus Concept also should not be directed exclusively on electoral matters and should not be misinterpreted as a de-emphasis of the broad range of commitments in the Copenhagen Document, as it would be impossible to achieve democratic elections without due respect for the unhindered exercise of human rights and fundamental freedoms.

Russian Federation

- Необходима доработка с участием национальных экспертов нормативной базы проведения мониторинга выборов по линии БДИПЧ, в том числе утверждение коллективными органами ОБСЕ «Руководства по наблюдению» БДИПЧ.
- Предлагаем утверждать на Постоянном совете списки кандидатов на посты глав мониторинговых миссий для последующего их назначения директором БДИПЧ. Прямое участие государств ОБСЕ в подборе глав миссий БДИПЧ/ОБСЕ по наблюдению за выборами придаст им и их оценкам больший международный авторитет, а также повысит ответственность за выполняемую работу и высказываемые рекомендации.
- Считаем, что миссии БДИПЧ по наблюдению за выборами следует направлять во все государства-участники ОБСЕ.
- Будем предлагать добиваться более справедливой представленности в составе мониторинговых миссий БДИПЧ стран-участниц ОБСЕ.
- Полагаем оправданным использование, наряду с английским, русского языка в работе мониторинговых миссий на пространстве СНГ, что позволит улучшить качество наблюдения.
- Большую помощь в обеспечении диверсификации состава миссий оказала бы подготовка унифицированной программы обучения мониторов.
- Необходимо также упорядочение взаимодействия мониторинговых миссий БДИПЧ/ОБСЕ с миссиями наблюдателей других международных организаций.
- В переосмыслении нуждается «разделение труда» в миссиях по наблюдению за выборами между БДИПЧ и Парламентской Ассамблеей ОБСЕ, сотрудничество между которыми в последнее время сталкивается с нарастающими трудностями.

- Российская делегация поддерживает усилия Председательства и БДИПЧ по реализации «дорожной карты ОБСЕ» в части, касающейся реформирования БДИПЧ.

Turkey:

- **Civil society capacity development** particularly in monitoring implementation of human rights and reporting them as well as advocacy campaigns vis-à-vis the decision-makers and the media should be a clear priority in all fields but in particular in the field of tolerance and non-discrimination. Coalition-building among NGOs should be encouraged and facilitated through roundtables on specific topics organized by the ODIHR.
- The **promotion and protection of the rights of migrants**, enshrined in numerous OSCE commitments, is an area where ODIHR could step up its activity, with a clear focus on developments in west of Vienna. Labor exploitation is an area where trafficking and migration units can work together within the human rights context.
- Another area where the ODIHR can and should be more active is **integration**. This is a cross-dimensional area where ODIHR can strengthen cooperation among its own Departments as well as with other institutions, in particular with the High Commissioner on National Minorities (HCNM).
- The establishment of a **new Human Dimension Committee**, envisaged within the reform process, provided that it is furnished with appropriate mandate, would provide us with the opportunity for a regular and more structured review of the implementation of all commitments, not just those whose lack of implementation make the headlines.

Russian Institute of Electoral Law:

Исходя из опыта деятельности нашей неправительственной организации, мы считаем, что сегодня в рамках реформирования института международного наблюдения необходимо осуществить целый комплекс первоочередных мер, в том числе:

- Конкретизировать международные стандарты организации и проведения выборов и выработать четкие критерии и методологию оценки электоральных процедур. Первым шагом в этом направлении могло бы стать принятие Конвенции о стандартах выборов, избирательных прав и свобод, подготовленную АОВЦВЕ.
- Установить понятные принципы выбора государств, в которых проводится наблюдение, критерии определения числа долгосрочных и краткосрочных наблюдателей, и проводить наблюдение не только к востоку от Вены.
- Упорядочить создание совместных международных миссий наблюдения за выборами: либо приглашать к участию в ней все присутствующие в государстве миссии, включая миссии СНГ и неправительственных организаций, либо ограничиваться только миссией БДИПЧ ОБСЕ, без произвольного включения в состав миссии представителей других организаций.
- Создать коллегиальный орган для руководства миссией с участием представителей государств, предоставить ему полномочия по утверждению заявления миссии, решению основных кадровых вопросов и т.п.

- Снизить «автономию» БДИПЧ ОБСЕ от руководящих органов организации. Повысить роль Постоянного совета ОБСЕ в деятельности миссий по наблюдению за выборами (в первую очередь, утверждать главу миссии решением Постоянного совета).
- Организовать более качественный подход к подготовке международных наблюдателей, осуществлять их подбор по профессиональным принципам. Целесообразно приглашать наблюдателей со знанием языка государства, в котором осуществляется наблюдение, активнее использовать этот язык в деятельности миссии.
- Определить методику, процедуру и участников подготовки и обнародования заявления миссии (как предварительного, так и окончательного), порядок участия в нем краткосрочных и долгосрочных наблюдателей, проводить дебрифинги (региональные и общий) до обнародования заявления с таким расчетом, чтобы итоги дебрифингов могли быть отражены в заявлении.
- Внести существенные изменения в вопросы в формах либо в варианты ответов, унифицировав опросную форму. В первую очередь, следует конкретизировать или исключить вопросы, допускающие неоднозначное толкование, либо конкретизировать варианты ответов на них.
- Установить, что формы должны подписываться обоими наблюдателями группы (консенсусально). Не принимать во внимание при подготовке заявления неподписанные (анонимные) формы.
- Установить принцип презумпции легитимности выборов: основывать отрицательное заключение только на конкретных фактах (конкретные нарушения, регионы, участки и т.п.), не позволяющих выявить свободное волеизъявление избирателей. Установить, что полученные сведения о фактах нарушений должны быть в кратчайшие сроки переданы компетентным органам государства для принятия соответствующих мер.

The international association of independent democrats against authoritarian regimes:

Новые проекты

- Проект «Лекции о документах и деятельности ОБСЕ», предполагается прочитать лекции для представителей НПО и госструктур во всех регионах стран Центральной Азии и Беларуси, прежде всего в районных центрах.
- Проект «Комитеты Общественного Самоуправления» для развития демократии на местном уровне. Предполагается помощь в организации КОС, общественных советов улицы, микрорайона, деревни. (более подробно в отдельном приложении)
- Напоминаем о проекте Human Rights Educational Centre (Belarus) « Принятие государствами ОБСЕ Конвенции избирательных принципов», предложение с 2003г.
- Проект о координировании Образования по Правам Человека с Программой Образования по Правам Человека ООН.
- Предлагаем обязательно продолжать проекты по демократизации избирательного процесса.

- Новые инструменты

«Конвенция избирательных принципов», которая унифицирует стандарты и прекратит претензии к критериям наблюдения ОБСЕ, прежде всего со стороны делегаций России и Беларуси.

Tuesday, 10 October 2006

WORKING SESSION 12 – Fundamental freedoms II, including:

Recommendations to participating States:

Freedom of movement

Rainbow - Organization of the Macedonian Minority in Greece:

- I call upon Greece to implement paragraph 9.5 of the Copenhagen document and call upon all OSCE member states to ensure that this occurs.

Republican Party of Turkmenistan:

- Мы призываем государства-участников ОБСЕ рассмотреть вопрос о санкциях в отношении Туркменистана в рамках ЕС и ООН. Хотелось бы чтобы грубые нарушения прав жителей Туркменистана в конце концов стали предметом серьезного международного разбирательства.
(We urge the OSCE-participating states to consider such the issue of using sanctions regarding Turkmenistan in the framework of the European Union and the United Nations. It is absolutely necessary to admit that gross violations of the rights of Turkmenistan's people should become a subject of a serious international trial.)

Freedom of assembly and association, including follow-up to the 30-31 March 2006 Supplementary Human Dimension Meeting on Human Rights Defenders and National Human Rights Institutions: Legislative, State and Non-State Aspects

United States of America:

- The Government of Kazakhstan revise its electoral law banning public demonstrations between the end of voting and the release of the official election results.

European Union:

- The European Union strongly welcomes the work undertaken by OSCE/ODIHR in producing draft Guidelines for Drafting Laws Regulating or Affecting Freedom of Assembly. We encourage participating States to use these guidelines when drafting or amending legislation.

- We urge all participating States to comply with their international obligations and OSCE commitments and to acknowledge the benefits brought about by peaceful freedom of assembly.
- In Russia, NGOs remain concerned about the possible effect of new legislation regulating their activities. We expressed our own concerns about the new NGO law earlier this year. We urge Russia to implement the law in line with their Council of Europe and OSCE commitments.
- We urge the Uzbek authorities to stop the harassment of human rights defenders and NGOs and to work with international NGOs to develop civil society.
- The European Union calls on Turkmenistan to deepen its dialogue with the EU on the human rights situation in the country, including individual human rights cases, and to relax the controls on freedom of assembly and association.
- Participating States should ensure their legislation regulating the activities of NGOs conforms with OSCE and other international commitments. Financial and administrative obstacles, likely to hinder the free operation of human rights defenders, should be removed. Legislation should not be used to restrict or intimidate them.
- Participating States should give full and practical recognition to the positive role played by human rights defenders in finding peaceful solutions to political and social conflicts; and should ensure their protection and support their activities within the framework of the OSCE and the United Nations.
- Participating States, OSCE institutions and NGOs should engage in enhanced dialogue with women human rights defenders, who are often incorrectly perceived as a threat to cultural, religious and social norms, especially when protecting women's human rights.

EUROMIL – European Organisation of Military Associations

- EUROMIL appeals to all OSCE governments to accept EUROMIL as professional NGO and relevant social partner for all professional and social issues of active military personnel and to start discussions about this issue with EUROMIL.

European Pride Organisers Association (EPOA)

- We call upon the OSCE member states to finally put adequate pressure on the countries concerned [Croatia, Latvia, Moldova, Poland, Romania, Serbia and Russia] to force them to not only respect the freedom of assembly of all people but also to guarantee this freedom by protecting them against violent counter demonstrations and hate speech.

Freedom House:

We Urge the Government of Uzbekistan:

- To allow registration and participation in political life of independent political parties and civil society organizations;

- To implement its OSCE commitments and international obligations from ICCPR and Declaration on Human Rights Defenders;

At the same time:

- We encourage members of the OSCE to reach out to all governments, not just Uzbekistan, which are currently not respecting these rights and pressure them to do so and to refrain from passing legislation that further restricts these rights.

Human Rights Without Frontieres Int.

Recommends to the Uzbek authorities

- to revise the 1998 Religion Law which has been considered in violation of international norms by the Advisory Panel of Experts on Religious Freedom of the ODHIR;
- to register peaceful religious organizations such as Pentecostal, Evangelical and Adventist communities as well as Jehovah's Witnesses;
- to decriminalize peaceful activities of unregistered religious organizations;
- to put an end to the de-registration of peaceful religious groups;
- to guarantee freedom of association and of assembly.

Recommends to the Kazakh authorities

- to amend the "Law on countering extremist activity" and the "Law on amendments and additions to certain legal acts of the Republic of Kazakhstan on matters of countering extremist activity";
- to register peaceful religious organizations such as the Jehovah's Witnesses;
- to decriminalize the peaceful activities of the Baptist communities that on religious grounds want to remain unregistered;
- to guarantee full freedom of association and of assembly to religious organizations that do not advocate violence.

International Federation of Human Rights and World Organisation Against Torture:

Urges OSCE Participating States to:

- guarantee in all circumstances the physical and psychological integrity of human rights defenders in the OSCE Members States;
- put an end to the continuous repression of human rights defenders and their organisations;
- fully recognise the vital role of defenders in the advent of democracy and the rule of law;

- review their national legislation to conform with international and regional human rights instruments, in particular regarding freedoms of association and assembly;
- comply with the provisions of the final document of the 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension, of the Conference for Security and Co-operation in Europe (CSCE) and of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the UN General Assembly.
- support and implement all recommendations brought to them from the March 2006 Supplementary Human Dimension Meeting on Human Rights Defenders.

International Helsinki Federation for Human Rights:

*To the government of **Belarus**:*

- Withdraw all legal proceedings that it has initiated to restrict legitimate human rights activities and order all public authorities to refrain from measures to limit such activities. As the first step to this effect, the government should drop all legal cases against the Belarusian Helsinki Committee and its members that it has been launched under legal provisions that violate international standards for the freedom of expression, association and assembly;
- Abrogate the amendments to the Belarusian Criminal Code, the Code of Criminal Procedure, regarding “actions aimed against a person and public security,” and other restrictive legal provisions, and renounce any plans to further reduce the narrow space left for legitimate human rights activities.

*To the government of the **Russian Federation**:*

- Take prompt measures to stop the persecution of human rights NGOs and individual activists – especially those dealing with the crisis in Chechnya – through amending federal legislation affecting NGOs. This includes revoking all provisions that provide for discretionary powers to authorities to restrict the freedom of association and the activities of human rights NGOs, and revoking the law “On Amendments to Some Legal Acts of the Russian Federation”;
- End and publicly condemn arbitrary administrative and legal measures targeting human rights NGOs, as well as physical and verbal harassment and intimidation of their members, and further ensure that all alleged abuses are thoroughly investigated by independent bodies, the results published, and violations adequately remedied;
- Insist that regional and local authorities abide by the federal laws that guarantee the right to peaceful association, and freedom of expression in the media, in line with the Constitution of the Russian Federation and international human rights standards, and take efficient measures against those authorities who prevent others from exercising this right;
- Guarantee the security of witnesses and applicants to the European Court of Human Rights.

*To the government of **Uzbekistan**:*

- Amend legislation and regulations to lift all restrictions limiting freedom of association of human rights defenders and allow for the registration of local human rights groups, without

discrimination, so that they can work freely and without fear of legal and criminal sanctions or reprisals;

- Investigate all reported cases of attacks against human rights defenders, making it publicly clear to law enforcement officials and all other authorities that such attacks will not be tolerated, and warn public officials against making defamatory statements against defenders;
- Immediately release all human rights defenders detained for their legitimate activities and refrain from prosecuting on the basis of spurious or fabricated charges laid against them;
- Put an end to the misuse of forceful confinement to psychiatric institutions and involuntary treatment without sound medical reasons of human defenders and other critics of government policies;
- Allow access to Andijan to an independent international expert group so that they are able to conduct an effective investigation of the events that took place and the ensuing trials;
- Co-operate more closely with the OSCE, in particular with the OSCE office in Tashkent and its human rights activities.

*To the government of **Turkmenistan**:*

- Conduct an independent investigation into the death of human rights defender Ogulsapar Muradova;
- Refrain from all measures to obstruct independent human rights activities and harass families and friends of human rights defenders in exile;
- Release promptly and unconditionally all human rights defenders currently held in custody, including Annakurban Amanklychev and Sapardurdy Khajiev.

*To all governments of the **OSCE participating States**:*

- Address human rights issues in bilateral and multilateral contacts with the Turkmen and Uzbek authorities and make clear to the Turkmen government that its human rights record affects the countries relations with other states;
- Release all human rights defenders currently held in custody, including Annakurban Amanklychev and Sapardurdy Khajiev.

Metropolitan Community Church:

- I call upon the OSCE participating states to specifically include the right of freedom of assembly and the freedom of religion and belief for the lesbian, gay, bisexual and transgender communities.

Ombudsperson and national human rights institutions

Western Thrace Minority University Graduates Association

- We recommend Greece to ratify the Council of Europe's Framework Convention for the Protection of National Minorities that has signed in 1997.
- We recommend Greece to respect the collective usage of individual rights of the Turkish minority.

Recommendations to the OSCE:

Freedom of movement

Radio Free Europe / Radio Liberty:

- Radio Free Europe/Radio Liberty is hereby asking the OSCE to raise the awareness of the international community of restrictions of freedom of movement in Turkmenistan.

Freedom of assembly and association, including follow-up to the 30-31 March 2006 Supplementary Human Dimension Meeting on Human Rights Defenders and National Human Rights Institutions: Legislative, State and Non-State Aspects

European Union:

- OSCE institutions and field missions should increase their monitoring of participating States' compliance with their commitments on freedom of assembly and association; publicise their findings; and provide assistance to participating States to address any shortcomings.
- OSCE institutions and field missions should increase their work to develop and assist civil society, human rights defenders and national human rights institutions within the OSCE region.

International Federation of Human Rights and World Organisation Against Torture:

- [In addition,] the Observatory reiterates its complete support for the work of the Office for Democratic Institutions and Human Rights (ODIHR) on freedoms of association and peaceful assembly and recommends its development and extension.
- In view of the seriousness of the violations perpetrated against human rights defenders in the OSCE zone and the increase in attacks against freedoms of expression, association and peaceful assembly in some countries of this zone, the Observatory reiterates its call upon the OSCE to create a special mechanism (such as a Special Rapporteur or a Special Representative), which would be authorised to approach and question the States on this issue, to reply to them, to report publicly and permanently on cases - both individual and collective -, and which would work in cooperation with the Special Representative of the UN Secretary General on Human Rights Defenders.

- The Observatory also calls the ODIHR to develop focal points on human rights defenders in all its offices and representations.

International Helsinki Federation for Human Rights:

To the OSCE:

- Establish a mechanism – in the Office for Democratic Institutions and Human Rights (ODIHR) for example – that takes responsibility for early warnings and rapid response in emergency cases concerning persecution of human rights defenders;
- Avoid the isolation of Belarus, give it a high priority on the OSCE human rights agenda and develop programs aimed towards providing moral and financial support to civil society in Belarus and opportunities for international cooperation in the field of human rights. Strengthen the presence of the OSCE delegation in Belarus, make its work more visible and meaningful for the society as a whole, and take a more active stand on the human rights situation in Belarus;
- Encourage the Uzbek government to issue invitations to visit the country to the following UN special procedures representatives: Special Representative of the Secretary-General on the situation of human rights defenders; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and Special Rapporteur on the promotion and protection of human rights while countering terrorism;
- Remind the Russian Federation of the need to re-establish the OSCE Advisory Group to Chechnya with a strengthened mandate concerning the monitoring of the human rights situation, including cooperation with, and protection of, the local human rights defenders.

People’s Party “Alga!”

- Each OSCE member-country has made commitments with regard to human dimension including commitments to ensure the right to peaceful assembly. There is an international interpretation of this right and international practice of its implementation.
- OSCE, in the status of an organization, and democratic countries, as well as its members must not allow manipulation with these notions and blatantly ignore their commitments.

Ombudsperson and national human rights institutions

Western Thrace Minority University Graduates Association

- We recommend OSCE to re-consider whether Greece fully implements the provisions of the 1990 CSCE / OSCE Copenhagen Document that has signed and ratified

WORKING SESSION 13 – Fundamental freedoms II (continued), including:

Recommendations to participating States:

Freedom of thought, conscience, religion or belief

Azerbaijan:

- In conclusion, I would like to once again reiterate that Azerbaijan is committed to closely contribute to the work of the OSCE, particularly ODIHR in realizing the principle of “unity in diversity”. We believe ODIHR can play a significant role in promoting inter-religious dialogue and encourage the states to back ODIHR in its endeavors.

United States of America:

- The Government of Uzbekistan bring its laws and policies into line with OSCE commitments and adopt the recommendations issued in 2003 by the OSCE Panel of Experts on Freedom of Religion or Belief
- The Government of Turkmenistan resume reforms and invite the UN Rapporteur on Religious Freedom to visit Turkmenistan in the near future
- The Government of Kazakhstan fully respect the right of all individuals to practice their religion or belief regardless of registration status
- The Governments of Kyrgyzstan and Tajikistan work with the OSCE Missions and the OSCE Panel of Experts and consult with their local religious communities and human rights organizations as they develop new drafts of their religion laws, to ensure they comply with OSCE standards
- The Government of Turkey remove impediments to the free exercise of religion for majority and minority communities alike. In addition, Turkey should remove the powers of expropriation and end the practice of expropriating religious properties in neighborhoods with few citizens. The U.S. also urges return to the Ecumenical Patriarchate full control of the Theological School at Halki
- The Government of Belarus undertake major reform of that country’s highly restrictive law on religion
- Participating States consult with the Panel of Experts on Freedom of Religion or Belief when developing new legislation in this field.

Church of Scientology International:

- **Our first recommendation** is to widen the mandate of the Panel of Experts so that it can determine its own priorities and make public (or private) pronouncements on activities of religious intolerance or discrimination that is brought to its attention.

- **Our second recommendation** concerns the Special Assistants to the Chairman-in-Office and the initiation of a complaint procedure. A clear and simple complaint procedure should be initiated so that religious groups and NGOs could raise such complaints against states for investigation and remediation. Special Assistants should receive additional staff support in order that they can be better facilitated to carry out their activities. They should also be responsible for providing a report of their activities and issues that have been taken up. All activities and issues should be oriented towards creating, developing and improving conditions where parties are able to dialogue or, when dialogue is refused, then this is pointed out.
- **Our third recommendation**, is that a High Commissioner for Religious Freedom be established in a similar way that there is a High Commissioner for Minorities. As religious minorities do not fall under the mandate of this Commissioner either a new one position can be created or else the mandate of the High Commissioner for Minorities could be extended.

European Association of Jehovah's Christian Witnesses:

- We appeal to the Russian authorities as well as to the governments represented here today by the OSCE to take appropriate measures to correct the abuses of religious freedom that we have reported [Russia].
- We appeal to the Uzbekistan authorities, as well as the relevant representatives of the OSCE present here today, to take appropriate steps to correct the ongoing abuses of religious freedom that occur within Uzbekistan.

The six million Jehovah's Witnesses worldwide and all supporters of religious freedom appeal to the Uzbek authorities to

- Register the religious communities of Jehovah's Witnesses;
- Halt police interference with peaceful worship services; and
- Dialogue with the representatives of Jehovah's Witnesses in order to eliminate misunderstandings.
- We appeal to the relevant authorities to open a free and constructive dialogue with representatives of Jehovah's Witnesses in order to ensure their freedom of worship in Transnistria.

European Raelian Movement:

We ask with insistance again, to belgium french and swiss governments:

- to end the interference of public powers in religious organisations and to renouce all political discrimination
- abolish the subsidies and other financial support given to anti-sect associations. The money comes from tax-payers and among them are membres of religious minorities so their own money is used to fight against their own beliefs! This is against the constitution which clearly stipulates a total separation between state and religion.
- the law must be the same for everybody no matter what religion they have .

We ask to the Belgium government:

- to stop the exception law creating the Center of informations and advices on bad sect's organisations and the coordination cell to fight against the bad sect's organisations.
- to look backwards on the constitution to include the total separation between the state and religions/ philosophies by creating a system of financement allowing every belge people to choose and to give to one or another philosophical/ religious of his choice (netherlands system).
- to order to its political deciders and to the all justice system to stop discriminating religious minorities and on the contrary to spread a true objective information based on facts and universities studies.

We ask to the French government:

- the dissolvation of the UNADFI, association supposed to fight against « bad sect's behaviors » compromissing the freedom of conscience and subventionned by our own taxes.
- the immediat stop of the new commission of parlement's enquiries on the "risk and bad effects on the awaking of the children" voted on the 27th of June 2006.

International Helsinki Federation for Human Rights:

*To the governments of **Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan:***

- Publicly recognize that international human rights standards, by which they are bound, guarantee the right of everyone to profess their convictions, alone or in community with others, in public or private, irrespective of their faith;
- Make necessary amendments to existing national legislation pertaining to the practice of religion as well as to any pending draft legislation on this issue to ensure that it is in conformity with international human rights standards. In particular, it must not prohibit or establish sanctions for unregistered religious activity, proselytism, missionary activities or private religious education or impose undue restrictions on the conduct of worship, construction of worship places or the production, import and distribution of religious literature;
- Ensure that all religious communities in their countries have the opportunity to obtain legal status, and the rights tied to such a status, through an uncomplicated, transparent, non-arbitrary and speedy process;
- Make clear to authorities at all levels that state registration is not a requirement for the peaceful practice of any religion and that all residents of their countries, irrespective of their faith or the legal status of the religious communities to which they belong, have the right to engage in peaceful religious activities without interference;
- Acknowledge and respect the existence of differences in the practice of Islam and refrain from all attempts to control the peaceful exercise of Islam in their countries in either direct or indirect ways;

- Ensure that no one is arrested, prosecuted or imprisoned in their countries solely for the peaceful exercise of their religious beliefs and immediately release anyone who has been imprisoned on such grounds.

Montenegrin Helsinki Committee for Human Rights:

- The Republic of Montenegro should include international standards concerning freedom of religion or belief in its new Constitution and the laws that will be passed. It should also include solutions that provide that international ratified law is directly applied and has priority over national law;
- Montenegro should sign or ratify (i.e. accede) relevant international documents on human rights that refer to the right to freedom of religion or belief and documents that refer to the protection of cultural heritage (first of all, Convention concerning the Protection of the World Cultural and Natural Heritage of 1972, Convention of Safeguarding of the Intangible Cultural Heritage, UNESCO Declaration Concerning the Intentional Destruction of Cultural Heritage etc.);
- The authorities of Montenegro at different levels should meet their obligations regarding solving the pending cases as well as initiate procedure for those cases that have not been initiated, so that all the cases are solved in accordance with international standards; and
- The government of Montenegro is invited to meet the obligations from the conclusions that it adopted in October 2006 regarding destruction of cultural heritage.

Organization of Woman’s Right Against Discrimination “AKDER”:

- [At that point,] we request that Turkey must respect our fundamental rights for education and religion and abolish this ban soon in order to prevent women from more suffering. People should not be prevented to practice their basic rights on the basis of hypothetical threats. The freedom of belief and conscious is main principles of democracy and laicism. In the absence of these freedoms is quite hard to talk about democratic society.

Western Thrace Minority University Graduates Association:

- We recommend Greece to respect minority’s right to elect its own religious leaders.
- We recommend Greece to apply the provisions of Copenhagen Document and the other international human and minority rights documents.
- We, also, recommend Greece to ratify the Council of Europe’s Framework Convention for the Protection of National Minorities.

Recommendations to the OSCE:

Freedom of thought, conscience, religion or belief

European Humanist Federation:

HUMAN RIGHTS, DEMOCRACY AND RELIGION

The struggle for human rights is a vital contribution to the development of democracy, but human rights are threatened by governments that give a privileged position to religious bodies and base legislation on religious morality and rules.

- We therefore call on OSCE ODIHR to report on the extent to which these practices are found in member states.

European Raelian Movement:

We ask the OSCE:

- To advice to members states to stop using the term « sect and to replace it as « religious minority.
- To promote the dialogue between states and religious and philosophical organisations in their own countries.
- To create a body in charge of censoring the world's religious writings to rid them of the incitement to hatred and violence as well as expurgate all that disrespects the basic principles of Human Rights. The violence contained in some religious books make these books more dangerous than fire arms.
- The Council of Europe has condemned the 3 major religions catholic jewish islamic for not respecting women in their texts and practice.

Human Rights Without Frontiers Int.

Recommends to the OSCE/ODIHR

- To open a debate with all the OSCE member states about the various forms of discrimination caused by the system of hierarchy of religions;
- To give some concrete content to the “base level entity status” proposed in the OSCE/ODIHR brochure “Freedom of Religion or Belief: Laws Affecting the Structuring of Religious Communities” by listing a number of basic rights that religious and belief communities have not been able to enjoy up to now;
- To put in place mechanisms of evaluation of the progress of the implementation of the basic religious rights that any OSCE member state should grant to its religious and belief communities.

Institute for Human Rights and Public Policy:

The Institute applauds the vital work of the OSCE Office of Democratic Institutions and Human Rights that strive to ensure religious freedom throughout the region.

- We recommend that the OSCE Religious Expert Panel be empowered with the agreement from OSCE states to review and provide guidance on all pending legislation regarding religion and that the Panel be provided the financial capability to perform such review, and that an effective OSCE complaint mechanism be established to allow religious groups and NGOs on their behalf to file complaints against member states that systematically engage in religious discrimination.

Order of St. Andrew:

- The OSCE should strongly urge Turkey to reopen Halki Seminary and permit students to enroll from both within and outside Turkey.
- The OSCE should affirm the right of the Ecumenical Patriarch to invite, when he so chooses, any religious leaders, including the Pope, to visit the Ecumenical Patriarchate without obtaining permission from the Turkish government.

Western Thrace Minority University Graduates Association:

- We recommend OSCE to appoint an observer for the elections of new Mufti of Ksanthi.
- We recommend OSCE to question these aforementioned city- plans and we recommend Greece to make the necessary changes on these plans for the sake of the protection of our mosques.

Wednesday, 11 October 2006

WORKING SESSION 14 – Tolerance and non-discrimination II, including:

Recommendations to participating States:

National Minorities

Germany – the autochthonous national minorities

- The Minority Council of the four autochthonous national minorities in Germany is emphatic on the concern of the Central Council for German Sinti and Romanies to step-up international efforts against the dissemination of hatred and racism on the Internet and to define new cross-national fight measures. The Federal Government is therefore asked to hold an international conference in Berlin against rightist extremist hate propaganda with participation of the media and provider industry in order to promote appropriate measures and clear-up unsolved questions of principle.
- **Involvement of the Federal Government concerning costs of the minority school system** In order to ensure their cultural reproduction, national minorities - like the majority of the population, too - must rely on the supporting mediation of knowledge and values that is provided by elementary educational institutions (schools etc.).

- The implementation of the European guidelines for protection against discrimination into national law has finally occurred in the middle of 2006 in the shape of the Equal Treatment Act. However, the adopted law does not grant any right to sue on behalf of the victims to acknowledged representations of national minorities (as anti-discrimination organisations) as required by guideline 2000/43/EG of June 29, 2000 (19). For an actual realisation of anti-discrimination measures the Minority Council regards it as necessary to allow organisations the right to sue in order to provide effective aid to victims of discrimination.

United States of America:

- The Kosovo authorities reach out to minorities, including by facilitating the return of refugees and displaced persons. We also call upon the leaders of the minority communities to respond and engage, including through participation in the provisional institutions of self-government
- The Government of Greece implement a comprehensive view of ethnicity and human rights incorporating customary international law and OSCE commitments, including the right of individuals to identify their nationality without disadvantage
- The Government of Turkey respect the rights of all its citizens by expanding the rights of minorities
- The Government of Turkmenistan ensure that its policies and practices related to minorities are brought into conformity with relevant OSCE commitments
- Participating States hold those accountable who commit racially or ethnically-motivated criminal acts.

Russian Federation:

- Полагаем, что БДИПЧ и Верховному Комиссару по делам национальных меньшинств важно активизировать работу по устранению таких явлений, как "негражданство", неправомерное лишение избирательных прав и ущемление возможности получения образования на родном языке. Исходим из того, что ОБСЕ будет более плотно сотрудничать в этой сфере с Советом Европы. Считаем оправданным проведение совместного мероприятия с этой организацией по проблематике соблюдения прав национальных меньшинств.

Council of Europe:

- To encourage States that have not yet signed or ratified the Framework Convention for the Protection of National Minorities or the European Charter for Regional or Minority Languages, to do so.
- To stress the need to raise awareness about minority issues and about regional identity issues not only in Central and Eastern Europe, but also in Western Europe.

- To Stress the importance for States to fully implement the results of the monitoring under the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, including through the adoption of relevant legislation and its implementation in practice.
- To encourage States to ensure that there is no arbitrary exclusion of persons potentially concerned by the protection offered by the Framework Convention.
- To stress the importance of dialogue with minorities as a necessary pre-condition for further realising the rights of persons belonging to national minorities.
- To Underline the importance of the successful co-operation that has taken place between the OSCE HCNM and the relevant sectors of the Council of Europe dealing with minority issues, and encouraging the further use of the results of the monitoring under the Framework Convention and the Language Charter by the OSCE and by the field offices of the OSCE in their assessments and their actions.

AKDER - Women's Rights Organization Against Discrimination

- We request the responsible authorities to make an urgent solution to the immense disruption to career, personal and family life which overseas doctors are facing as a result of these new rules. Many of these doctors have been working hard in the NHS and serving the British public as an important component for several years.

Civil Rights Project – Vukovar:

We recommend to the government of Croatia to:

- Give a high priority to the provision of adequate housing and implement in a forceful and affirmative way without delay the programmes for former occupancy/tenancy right holders.
- Also, we recommend to the European Union and the OSCE Mission to Croatia to: continue providing assistance to the Government of Croatia so that it can successfully carry out this process.

Constantinopolitan Society:

Since Turkey has decided to make its relation with Europe more concrete and finally become a member of the European family, it has to abide by values such as rule of law and democracy. Unfortunately, until this very moment Turkey impeded the minorities from exercising their internationally recognized rights.

- Turkey should align itself with European standards and its policies should change in order to meet the spirit and the letter of article 9 of the European Convention on Human Rights.

Foundation of Regional Initiatives:

- Особенности статуса коренных народов Украины должны закрепляться предоставлением указанным этносам именно определенных характерных коллективных прав, которые предлагается назвать этническими; а также особых индивидуальных прав представителям коренных народов, для случаев предотвращения возможности исчезновения малочисленных народов Крыма и устранения последствий депортации крымских татар.
- Решение вопроса об объеме национальной автономии и коллективных прав коренных народов и национальных меньшинств Украины без принятия нового законодательства, следует считать невозможным. Особенности статуса коренных народов Украины должны закрепляться предоставлением указанным этносам именно определенных характерных коллективных прав, которые предлагается назвать этническими; а также особых индивидуальных прав представителям коренных народов, для случаев предотвращения возможности исчезновения малочисленных народов Крыма и устранения последствий депортации крымских татар.

International Helsinki Federation for Human Rights:

*To the government of **Bulgaria**:*

- React promptly to hate speech in the media and any statements that incite ethnically motivated hatred against minority groups, thereby making it clear that such acts will not be tolerated, and encourage prosecutors to take legal steps in such cases;
- Enhance its efforts against discrimination against Roma and their social exclusion, particularly in the spheres of education, housing, employment, and healthcare, and ensure that demolition of Roma houses takes place only after consultation with the families and when alternative accommodation for them is found;
- Recognize identity, stop harassment and discrimination and ensure freedom of assembly and association of ethnic Macedonians. This includes putting an end to secret police monitoring of their activities.

*To the government of **Croatia**:*

- Continue to make it clear in public statements that discrimination, hate-speech and violence against national and ethnic minorities shall not be tolerated, and encourage prosecutors to take legal steps in cases that amount to violations under international standards on minority rights and protection, and under Croatian legislation;
- Take practical steps to ensure the full implementation of regulations against ethnic discrimination: control the local outlets of public (state) administration lest they commit or tolerate any kind of discrimination;
- Take measures to enforce the acts on rights of ethnic minorities and on local elections, which oblige the local authorities to update the regional and municipal statutes to the effect of guaranteeing proportional minority representation in local bodies. It should also consider introducing repercussions for those regions/municipalities, which refuse to follow the standards set by national legislation;

- Pass appropriate legislation (notably the Act on Free Legal Aid) to provide possibilities for human rights NGOs to take an active part in the protection against discrimination.

*To the government of **Turkey**:*

- As the first steps toward adequate minority policy, promptly reform its official minority policy so as to reflect the actual existence of minorities in Turkey, and to officially recognize all national, ethnic and religious minorities and provide them the support and protection guaranteed by the international human rights instruments Turkey is party to;
- In the meantime, actively promote the education, language, property and other rights of the three now formally recognized minority groups.

Take steps to revoke laws that can be used to restrict the legitimate rights of minorities, and open discussion on minorities, including articles 216 and 301 and of the Penal Code, and articles 6 and 7 of the recently amended Law on the Fight against Terrorism, as well as several articles of the Law of Political Parties which restrict the minorities' freedom of association.

Macedonian Human Rights Movement International:

- Calls on the international community, and specifically the European Union, to apply pressure on Bulgaria to immediately recognize its large Macedonian minority and grant it the human rights that it is guaranteed by all international human rights conventions.
- Calls on the European Union to make Bulgaria's accession to the European Union explicitly conditional on its recognition of its Macedonian minority.
- Calls on the international community to demand that Greece ends its racist and xenophobic policy of discriminating against individuals of Macedonian ethnicity.
- Calls on Greece to address immediately the issue of the thousands of Macedonian refugees from the Greek Civil War who were specifically excluded from the general amnesty of 1982 because they were not "Greek by genus".
- Asks that the EU ends its hypocrisy in demanding that new member states respect human rights standards while ignoring human rights violations within the EU.

Rainbow - Organization of the Macedonian Minority in Greece

- The most democratic and accurate way to measure the number of persons belonging to a linguistic or national minority is not through elections but through the national census. Unfortunately the right to express one's linguistic or national identity is not possible through the Greek census. We strongly encourage the Greek government to make this possible at the next census in 2011.

Western Thrace Minority University Graduates Association

- We recommend Greece fully implement the provisions of the 1990 OSCE Copenhagen Document.
- We recommend Greece to ratify the Council of Europe's Framework Convention for the Protection of National Minorities that has signed 1997.
- Furthermore, we recommend Greece to fully implement all the regional and international instruments, which has signed and ratified, for the protection of minority rights.

Prevention of aggressive nationalism, chauvinism and ethnic cleansing

International Helsinki Federation for Human Rights:

To the Russian authorities:

- Publicly acknowledge the seriousness of the problem of racism and intolerance in the country and speak out firmly against any forms of racism or xenophobia. Make clear that racist behavior will not be tolerated by any actors, including government officials and political leaders;
- With active participation of civil society, elaborate and adopt a comprehensive strategy for preventing and combating racism and intolerance in different areas of society and make available sufficient resources to facilitate adequate implementation of this strategy at the federal, regional and local levels;
- Establish a country-wide system for monitoring and documenting the occurrence of racist attacks and engage in efforts to encourage the victims of such attacks to report their experiences to police, including by ensuring that all complaints of discrimination at the hands of law enforcement authorities are effectively dealt with and that officials guilty of discrimination are held accountable;
- Ensure that all reported cases of racist and xenophobic violence are promptly, thoroughly and effectively investigated and prosecuted with due consideration given to the motivations of the perpetrators. With a view to facilitating the full and active application of Criminal Code provisions allowing for the prosecution of crimes with racial hatred as an aggravating circumstance, guidelines should be adopted and trainings organized for law enforcement and judicial authorities;
- Take effective measures to promote understanding and appreciation of ethnic, cultural and religious diversity. Such efforts could include campaigns to raise awareness among the public of the positive contribution of migrants and minority members to Russian society, economy and culture; tolerance education for students; and trainings for journalists on how to exercise responsibility and avoid perpetuating prejudice when reporting on issues related to migrants and minority members.

Recommendations to the OSCE:

National Minorities

Russian Federation:

- Положение национальных меньшинств в Латвии и Эстонии нуждается в постоянном мониторинге со стороны институтов ОБСЕ. Особо хотелось бы подчеркнуть необходимость наращивания усилий Верховного комиссара ОБСЕ по защите и поощрению прав и свобод нетитульного населения этих стран в рамках традиционно присущего ему конструктивного и сбалансированного подхода.
- Ожидаем от Действующего председательства и Верховного комиссара ОБСЕ принципиальной оценки ситуации с правами национальных меньшинств в Грузии.

Serbia:

There are certainly few things that OSCE could do to improve gloomy and grim situation for Kosovo Serbs.

- Since 2003 there is no monitoring of human rights by the OSCE. Revitalizing this monitoring would be more than helpful.
- [In accordance with that], Ombudsperson, an international one that would deal only with human rights of non-Albanians and Serbs would be a great help for those communities and their survival.
- OSCE could be a helping hand in the process of establishing mechanisms that would prevent outvoting of Serbs during future participation in the Assembly of Pristina.

International Helsinki Federation for Human Rights:

To the OSCE, the Council of Europe, and the European Union:

- Continue close monitoring of the implementation of all relevant regulations on minority protection and against discrimination in all the above-mentioned countries, recognising that their implementation, as well as public awareness, are now more critical than formal reforms on legal and institutional levels;
- Ensure the continuation of such monitoring also after the possible closure of their own networks of local offices, utilising the networks of local NGOs.

Prevention of aggressive nationalism, chauvinism and ethnic cleansing

Russian Federation:

- Мы призываем ОБСЕ, Верховного комиссара ОБСЕ по делам нацменьшинств Р.Экеуса, а также Евросоюз активизировать усилия по обеспечению в полном объеме прав русскоязычного населения в Латвии и Эстонии.

Order of St. Andrew:

- The OSCE should undertake a thorough examination of the Turkish judiciary, which Cengiz Candar, a prominent columnist for the Turkish newspaper *Bugun*, has called “one of the most reactionary and backward institutions in Turkey.”
- The OSCE should undertake a thorough examination of the “properties” issue, and seek to expose how the Turkish judiciary is conspiring with government officials in the confiscation of property belonging to the Ecumenical Patriarchate and its affiliated institutions, such as hospitals, monasteries, community schools, and seminaries.

WORKING SESSION 15 – Tolerance and non-discrimination II (continued), including:

Recommendations to participating States:

Roma/Sinti; Implementation of the OSCE Action Plan on Roma and Sinti Issues

United States of America:

- Participating States consider giving greater attention to the subject of arbitrary eviction of Roma and Sinti, perhaps in the form of a specialized meeting
- The participating States address the problem of a lack of personal identity documents that often impede Roma from exercising their rights fully, including the right to vote
- The Government of the Russian Federation aggressively investigate and prosecute violent crimes against minorities
- The Government of the Czech Republic implement the Public Defender’s recommendations on the matter of sterilization of Romani women without informed consent.

European Union:

- The Decade of Roma Inclusion and the OSCE Action Plan for the Improvement of the Situation of Roma and Sinti in the OSCE Area represent a good policy framework. However, they should be fully used in order to increase co-operation between International Organisations, Governments, as well as between Governments and NGOs. Cooperation is essential for trust building and better mutual understanding.
- It is important to ensure Roma and Sinti the opportunity to participate fully in the economic, social and political life. As a first step, we need to work together to overcome centuries of biased, prejudiced discrimination and social exclusion. Participation requires real involvement;
- The problems Roma and Sinti face could only be solved with the will and support of the Roma and Sinti communities themselves. An assistance-oriented approach to their problems should be discouraged and the initiatives stemming from within the respective ethnic communities be supported. An inclusive Romani grassroots movement that would focus on equal opportunities should replace the existing project-based approach.

- Roma and Sinti should be given the means to decide for themselves. Alongside with the support of the Central or regional Government or of local authorities, Roma and Sinti communities must participate and be fully associated with their own inclusion and development. This task would require a coordinated action in a number of fields, in particular those of education, employment, housing, health and social services. The responsibility for finding a solution to these issues will mainly lie with national bodies and with regional and local authorities, as the latter are the places where the Roma are most likely to participate and be represented.
- Acknowledgement, respect and support for Roma and Sinti culture and languages should be prerequisites to adopting and implementing national policies for the inclusion of Roma and Sinti.
- We welcome the recommendations made by the above-mentioned international conferences on the implementation of Roma, Sinti and Travellers-related policies held in Warsaw, Poland, in October 2005 and in Bucharest, Romania, in May, 2006 outlining the need to set up task forces, with national and international representation and resources, to fight against racism and discrimination, in particular in policy areas relevant for Roma and Sinti (e.g. defining the legal status of the settlements and housing facilities inhabited by Roma families, curbing the practices of segregated classes and schools for Roma and Travellers children and youth, combating racist attitudes of the general public towards Roma and Sinti).

“AMALIPE” Center for Interethnic Dialogue and Tolerance

- A straightforward policy should be developed at the national and international level taking into consideration the cultural and social profile of the most vulnerable groups subject to trafficking. This means de-segregating data to show who is most vulnerable to trafficking.
- A set of measures should be developed at the national level to foster the adequate re-integration of children and women victims to trafficking. Social services in countries of origin, like Bulgaria, need to become more inclusive towards Roma communities.
- Programs and projects should include Roma experts as equal partners with organizations working in the field.
- Tougher measures (including legislation) should be developed at the national level in both countries of origin and destination. In addition, those responsible in countries of destination for fueling the demand for trafficking of babies should face criminal prosecution.

Several immediate steps are necessary for ensuring the process of Roma educational integration and SEI implementation:

- **Mainstreaming the Roma educational integration and SEI implementation.** MES should raise the issues of Roma integration as integral part and mean for modernization of Bulgarian education. This includes usage of main programs managed by MES (the component for providing bus transportation from the National Program for Better Inclusion of Students Compulsory to Education, the program for computerization and others) for the needs of SEI implementation. Significant changes in the National Program for Development of School and Pre-school Education (2006-2015) directed to incorporation of the main SEI points as well as to avoiding those points from the Program that would deteriorate the educational level of Roma community are necessary.

- ***Establishing proper administrative infrastructure for SEI implementation.*** This includes strengthening the infrastructure at national level (within MES) and establishing regional one.
- Special experts whose main responsibilities would be Roma educational integration and SEI implementation should be appointed. Their Roma origin would be an asset.
- ***Connecting SEI implementation with EU structural funds.*** SEI implementation as a whole and the work of the Center for Educational Integration should be connected with the process of Structural funds absorption. It is a subject of urgent activities to include important points connected with Roma educational integration in the Operational Program for Human Recourse Development.
- ***Establishing proper forms for cooperation between Roma NGOs and MES.*** The Consultative Council for Education of Children and Students from the Ethnic Minorities 17 Important disadvantage of all programs for training of teacher assistants until now is that they do not provide employment after the training should be re-established. It is important for it to provide opportunities for proper Roma representation and not to limit it. Clear and democratic procedures for defining the Roma representatives in the Council are necessary. The same is valid for selecting Roma representatives in the Board of the Center for Educational Integration.

NATIONAL PROGRAM FOR IMPROVING THE LIVING CONDITIONS OF ROMA (2005 – 2015)

- The Ministry of Regional Development and Public Works in cooperation with the National Council for Cooperation on Ethnic and Demographic Issues and approved by the Council of Ministers should develop a concept for the establishment of a special “Directorate” for implementation of the National Program for improving the living conditions of Roma in Bulgaria, involving Roma professionals;
- The Ministry of Regional Development and Public Works should establish a Steering Committee composed of representatives of all concerned ministries and state institutions involved in the Program implementation, as well as representatives of local Roma communities and leading Roma NGOs with proven record of activities in addressing housing issues in order to bring transparency and build credibility of the Program;
- The Ministry of Regional Development and Public Works should implement a wide information campaign amongst the public society and the Roma community about the Program and its implementation on ongoing basis;
- The government should develop in joint collaboration with local NGOs and respective institutions a stronger policy framework and sustainable settlement of legal and property issues that also corresponds to the understanding and respect of the ethnic diversity;
- The government should provide the availability of financing instruments and cease the wrongful practice of delegating the responsibility and stay put only to the EU funds;
- Action and indicators should be envisaged in the Operational programs that would support the implementation of the Program for Improving of the Living Condition of Roma

- The government should cease the discrimination practice of evicting Roma slums and instead develop concrete housing projects with the support of technical expertise and monitoring mechanisms of EU Commission, World Bank, EBRD, UNDP Bulgaria, Roma NGOs, etc.
- Solving the housing problem of Roma living in rural areas should become an object of special concern and actions;
- Solving the housing issues of Roma in Bulgaria has to be set as priority and urgent need to be addressed, however other problems have to be also tackled and solutions provided – provision of employment, improvement of access to quality education and health care services.

SOCIAL POLICES FOR THE ROMA COMMUNITY IN BULGARIA

- The Government needs to collect official data about the ethnic origin of the recipients of different programs. This will help the relevant bodies to apply more effective programs in the social inclusion process.
- Systematic research is needed on the situation of the Roma communities in relation to their access to public services and their relations with the bigger society, which could feed in the process of policy design.
- There is a need for better targeted social programs involving the stakeholders from the Roma communities. Such programs should address the specific needs of different target groups like children, unemployed people, elderly people and other vulnerable groups in the Roma community.
- There is a need to upgrade the skills of people in helping professions to work in a modern, flexible and client friendly way. This should produce even better results than the efforts on improving the targeting of social programs.
- Working in the field of social inclusion all programs addressing Roma need to include Roma people in the managing bodies. This approach will help the better implementation of the projects.
- There is a need to create good monitoring mechanisms under all mainstream employment and social programs especially under the programs targeting vulnerable minority groups because the general public is very sensitive to such public spending. The new generation of such programs include The National Roma Literacy and Training Program and the Program “Integration on the Labor Market of Vulnerable Ethnic Minority Groups. These programs are an indication that the Ministry of labor and Social Policy is seeking a balance between access of Roma to mainstream actions and special targeted programs. It is still to be evaluated whether such a balance will be successfully achieved.
- There is a need to continue the trend to promoting more active attitudes on the labor market and creating the right incentives, which encourage activity and discourage dependence. In this process it is crucial however to keep in mind the special situation of some groups of Roma where long-term dependence on social benefits has already reached high levels. The quick and straightforward enforcement of the new rules can create social tensions and exacerbate the existing problems of such groups.
- Significant changes in the draft of Operational Program for Human Resource Development both inside and outside the “Roma part”. The Program should include nonformal tangible specific activities directed to Roma in most of its operations as well as relevant indicators. Roma should be

defined as one of the target groups. As a whole the Program should define the future framework for actions for Roma integration and to establish guarantee for their implementation.

Association of Christian Churches in Russia

I would like to introduce following proposals for the OSCE:

- To propose to the State-members of the OSCE to spread among the officials and judges of their countries information about international agreements in the field of religious freedoms, about the judicial opinion of the European Court of Human Rights;
- To recommend to the European Council to shorten the terms of examination of the cases about the violation of the rights of the believers in the former Soviet Union countries in the European Court of Human Rights.

Athinganoi

- Member States should request from the OSCE institutions and field operations to assist them in implementation of measures related to Police.

Belarusian Roma Lawyers Group

- I want to ask more attention from international community for national minorities right in Belarus. Without yours attention nothing can happens.

Circle of Youth:

THE RECONSTRUCTION OF THE RROMANI MAHALA IN MITROVICA

Analysis and proposal for a durable solution

Travels and conferences

- A budget for travels between Kosovo and Diaspora sites is needed during all the period of elaboration of this project. It included 4 to 6 travels yearly for 2 persons of the steering committee in Paris and 1 to 2 travels for the heads of families who will be consulted in order to make the project acceptable by the families.

Summer schools and other extra school activities

- At least 3 or 4 weeks of summer schools every year during the 5 first years of the program will be necessary, preferably on the spot, in order to familiarize the young potential returnees with the conditions of life in Mitrovica, while providing them with useful knowledge in Rromani and active citizenship especially.
- Similarly, excursions to other Rromani settlements in the Balkan can be of great effect for the children's self-esteem, as well as correspondence (including through web-cam) with other young Rroms in the world.

Media lobby

- This part of the program is momentous since it will accompany and mirror for the wide readership in Kosovo all the positive steps taken by the negotiations and reconstruction itself; it will include a well devised strategy of inter-ethnic reconciliation and a small group of 2 to 4 persons, speaking as well Rromani as Albanian, Serbian and English will be needed on a regular basis for this purpose. A specific training will be probably needed for them at the beginning of their action.

Publications

- It will be very important to start the publication of educational material in Rromani for the future curriculum and extra school programs. Printing will be trust afterwards to Kosovo implants after approbation by the Ministry of Education and Science. Material about the Ashkali/Egyptian minority will also be developed in Albanian and Serbian languages.
- Standing consultation with this Ministry and with the school book expert group at INALCO (acting for dozens of minority languages all over the world, under prof. Genevève Zaraté's headship) will be granted to the preparatory team of the school and extra school publications.

Political support to achieve recognition of Rromani as a European language and the Rroms as a European Minority with no compact territory

- Not only funds are necessary, but also political support at all the levels where it can be of some profit for the restoration of intercultural life, including the European (CoE, OSCE, EU etc...) and world wide (UNO and similar) levels. Special attention will be drawn to exchanges with governments of countries where important Rromani communities live, including countries where a very positive pilot action has resulted very benefic during the last decade in this field.

Aid for the involvement of elder Rroms with a good command of Rromani

- Many activities can be done with elder Rroms, for example research of collective memory and local history through Rromani language exchanges with them.

Health aid for the Rroms settled in the polluted areas of Trepça

- The sanitary conditions of many Rroms living in Trepça of scavenging lead are quite appalling and a specific aid for them is very much needed. The recent evacuation does not seem to address the problem, since the new location is also polluted. This topic, as well as the concrete steps to be taken for ensuring an appropriate health aid could be discussed in the meetings of the commission.

European Roma Rights Centre

- The authorities of the OSCE participating states should immediately stop the deportation of Roma, Ashkali and Egyptians to Kosovo, as well as to the rest of Serbia and Montenegro, because these forced expulsions violate our dignity and our fundamental human rights. These states should also cease, without delay, any forms of arbitrary pressure on Roma, Ashkali and Egyptians to go to Kosovo, Serbia or Montenegro.

National Roma Centrum

Roma, Ashkali and Egyptians after the war conflicts in the Balkan region are still refugees, IDP's, failed asylum seekers, or are facing with deportation from countries of Western Europe. Although their free and safe return to Kosovo is guaranteed with various measures and standards. About 100.000 Roma are still refugees from Kosovo.

- All efforts therefore must be made to remove existing obstacles with regard to the return to the places of origin, and refugees and internally displaced persons have the fundamental human right to return to their homes, irrespective of their ethnicity, in either a spontaneous or an organized and assisted manner.
- The issue of Roma, Ashkali and Egyptian returnees from Western Europe should be discussed in the status talks in the framework of decentralization.
- All efforts therefore must be made to remove existing obstacles with regard to the return to the places of origin,

IDPs/refugees within and outside Kosovo live in unstable and often unacceptable conditions in locations other than their place of origin, facing with many difficulties and problems that are endangering their existence and future.

- Concrete Plan and Strategy for the Roma refugee and IDP's community should be adopted and implemented.
- Civil registration and lack of personal documentation among the Roma community must be solved due to the proper statistic database for census or elections on Kosovo, and the fact that personal documentation is condition for performing other civil rights.
- Special programmes for return and reintegration of Roma, Ashkali and Egyptians (RAE) on Kosovo, based upon free will and real opportunity to integrate in the society.
- To assist to IDP's and returnees to repossess their real estate and personal property on Kosovo as pre-condition for normal living or to secure for them normal living standards and housing if needed in other possible areas.

OSI Joint Roma Women Initiative:

Taking in consideration the increased awareness on the situation of Romani women in OSCE Area and that this group reflect the intersectional discrimination and multiple discrimination; the OSI Joint Roma Women initiative is signaling its coalition with the other groups in Europe facing multiple discrimination and calls :

- Participating states to support the organization of an OSCE conference on multiple discrimination.

Roma Participation Program, Open Society Institute Budapest

- Housing policies of governments past and present in Central and Eastern Europe have led to regional and geographic isolation and segregation of Roma settlements. [...] These settlements need to be incorporated into urban plans, public services must be available so that living conditions for Roma meet WHO concept of adequate housing. In the short term we strongly urge that the governments in both Romania and Bulgaria to seek recourse to more humane resolutions than forced evictions.

Romani CRISS:

- Most European countries have still to set up, make functional or extend the following minimum mechanisms:
 - Publicly and unequivocally condemn racism against national minorities, including Roma
 - Design and implement police intervention plans taking into account the minimum use of force
 - Put in place an independent structure to adequately investigate law enforcement officials' misbehavior.
- This is not just a question of misbehavior, but also a question of taking concrete measures, *ab initio* and *post factum* to avoid such conduct. It is therefore of utmost necessity to work on preventive measures, to ensure to the highest degree possible that misbehavior does not appear in practice. To this end, it should be made use of OSCE expertise and institutions and make the OSCE Action Plan on Roma and Sinti work, to actually implement it and in the same time to contribute to OSCE institutions to fulfill their mandate.
- On a concrete manner, member countries should invite OSCE institutions, particularly the ODIHR and the Strategic Police Matters Unit to assist on the measure/mechanisms mentioned above, as well as on others, based on para. 10, 11, 16, 17, 22, 27 and 35 of the Action Plan.
- We are kindly asking the Romanian Government to provide information about the involvement of the state representatives, especially the representatives of the Ministry of Administration and Interior in raising awareness at all levels about the illegality of police forces interventions in Roma communities, from criminal and administrative point of view.
- We are kindly asking the Romania Government to provide information about the penalties imposed on local government officials who engage in discriminatory practices against Roma in the area of housing.

To governments of Romania, Macedonia and Bulgaria:

- Kindly provide information if Romanian, Macedonian and Bulgarian Governments consider inviting the OSCE relevant institution (Strategic Police Matters Unit, HCNM and CPRSI) to assist them undertaking effective analyses and investigation for most recent cases of police abuse in mentioned countries.

To the Bulgarian Parliament:

Considering the article 40 of the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE and the articles no. 9, 19, 96 and 98 of the OSCE Action Plan on improving the Situation of Roma and Sinti in the OSCE area and the article IV.41 of the OSCE Action Plan for promoting gender equality in participating States.

- Kindly provide information about concrete cases of penalties imposed on officials who engage in discriminatory practices and hate speeches against Roma in the OSCE Area.

Romani NGOs registered to the ODIHR Human Dimension Implementation Meeting:

We are concerned about the lack of international response to the plans to demolish the Sulukule settlement in Turkey.

- We would like the meeting to also address the other Romani neighborhoods being demolished in Istanbul. Without proper consideration being made to the inhabitants they are as a result being made homeless.
- Moreover we are recommending implementing our recommendation to renovate the neighborhoods and complying with the article 43 of the Action Plan for Roma and Sinti Issues.

The participants of Workshop in Durres (Albania, July 2006) for Developing the Strategy for Integration of Roma, Ashkali and Egyptian communities:

- We hereby urge the Kosovo Negotiation Group to commits itself in the Cambridge Document and the document on the final status of Kosovo to develop and implement, in close cooperation with the communities, a Strategy for the Improvement of the Situation of Roma, Ashkali and Egyptians. Therefore, we suggest, that the following paragraph be included in the Cambridge Document: “The government of Kosovo will develop, in close cooperation and coordination with the Roma, Ashkali and Egyptian communities, and implement a Strategy for the Improvement of the Situation of Roma, Ashkali and Egyptians in Kosovo.”

The voice of the Rroms:

Recommendations to Participating States:

- Adopting mechanisms of participation drawing upon the recommendations of the Romani working group, and especially on the proximity principle.
- Adopting concrete measures to make full use of the existing human resources among Roma and Sinti, while financing educational programs to expand the Romani elite, able to act as a full partner in the implementation of the policies.
- Making reasonable use of specially targeting Roma and Sinti in social policies, so as to respond to specific problems faced by this population while avoiding raise of hostility among the majority population belonging to the same economically and socially excluded segment

Particular recommendations to France:

- Withdraw the provision of the Finance law year 2006, setting up a habitation tax for caravans, which is both contestable in its principle (the caravan is not recognized as a habitation in terms of social advantages) and exorbitant in its amount (it is 3 times higher than the tax applied to built habitations in the heart of Paris).
- Recognizing the presence on French soil of Roma and Sinti population as a component of the French society diversity and national identity.
- Taking a clear political position and concrete measures to stop useless police violence on Roma and Sinti, both French and foreign citizens.
- Reforming the functioning of the “*Commission consultative des gens du voyage*” so as to achieve effective participation and legitimacy of this body.

- Putting in place the necessary caravans' sites as provided for by the French law, taking into account the legitimate request of those concerned to have access to family sites.
- Financing scholarships for French and foreign candidates to Romani studies in Paris, as a means of long-term solution to a series of problems recurrently identified in France and more largely in Europe.
- Ensure equality through a balanced financial support of the NGOs called "*amis des tsiganes*" and the Romani NGOs, based on expertise and potential of these organisations.

Recommendations to the OSCE:

Roma/Sinti; Implementation of the OSCE Action Plan on Roma and Sinti Issues

European Union:

- Education should be a priority in all policies regarding Roma and Sinti. The OSCE must, therefore, pursue its work in this field.
- Roma-related policies should be elaborated and implemented by the relevant authorities "for Roma, with Roma", as explicitly underlined in the OSCE Plan for Improving the Situation of Roma and Sinti in the OSCE Area.

Athinganoi

- OSCE should promote priorities of the Action Plan and support the Member States toward their implementation.
- OSCE should establish a fund to support initiatives on Roma and police

Here, I would have some specific questions:

1. In Skopje CPRSI, HCNM and SPMU promised to establish a fund for Roma NGOs in order to address the issue on police and Roma. Is there any development regarding this commitment?
2. As general approach of the OSCE is to assist the Member States upon the request - Which state is ready to invite HCNM, SPMU, and CPRSI for undertaking the action regarding police and Roma in the framework of the OSCE Action Plan on Roma?

To conclude all questions are delivered to respected delegations also in written form, therefore we ask you to answer them in written form to ODHIR Contact Point For Roma and Sinti.

- Therefore we call upon the Contact point to collect all the answers for the questions in written form, and we ask them to distribute to the registered Romani organization for the HDIM 2006

OSI Joint Roma Women Initiative:

Taking in consideration the increased awareness on the situation of Romani women in OSCE Area and that this group reflect the intersectional discrimination and multiple discrimination; the OSI Joint Roma

Women initiative is signaling its coalition with the other groups in Europe facing multiple discrimination and calls :

- OSCE to explore spaces of interlinks in implementing provisions of different Action Plans, such as the ones on Roma and Sinti, for promotion of gender Equality, on Anti –trafficking and the OSCE decisions on Tolerance and non discrimination;

The voice of the Rroms:

Recommendations to the OSCE and its institutions:

- Recognizing the Romani people according to its own identity, avoiding social stigmatisation, by modifying the paragraph 72 of the Action Plan as follows: “*consider measures to ensure the respect, protection and promotion of the Romani language and its teaching, and of a Roma culture as an integral part of the Roma and Sinti cultural heritage as and integral part of the European cultural heritage*”. This formulation was the one proposed by the Romani working group and reiterated in Cordoba conference on Anti-Semitism and other forms of Intolerance.
- Associating, as a consequence, the working group on the Action Plan in the implementation, assessment and review. Mandating and budgeting ODIHR-CPRSI to set up the “Group 2018” drawing upon the experience and the expertise of the Romani working group on Action Plan.
- Mainstreaming social problems faced by Roma and Sinti in all relevant OSCE activities.

Addition:

Recommendations submitted by Roma representatives during the HDIM’s Side Events organized by the OSCE ODIHR Contact Point for Roma and Sinti Issues:

Recommendations to participating States and to the OSCE:

- International Organizations and in particular national governments shall move from pilot projects to a comprehensive, administrative approach on local level to effectively address the Roma housing issue.
- National governments should take the main responsibility in resolving the housing issue.
- National governments should undertake a top-down approach to complement the bottom-up approach.
- National governments should allocate a budget for the improvement of informal settlement in a transparent manner.
- To the international community and the PiSG to include RAE representatives in the negotiation process on the future status of Kosovo
- To the OSCE to ensure that the interest of minorities is taken into account in the future status of Kosovo.

- To the international community to involve Roma women in project/policy implementation aiming to improve the situation of women in Kosovo
- To ODIHR to co-operate with the OSCE field missions on the implementation of the OSCE Roma and Sinti AP to integrate Roma into the labor market
- To ODIHR to raise awareness of the OSCE Roma and Sinti AP among the OSCE field missions and the OSCE staff
- To ODIHR and national governments to interlink Chap. IV (Addressing socio-economic issues) with Chap. VII. (Roma and Sinti in crises and post-crisis situations) of the OSCE Roma and Sinti AP.
- To ODIHR and national governments to ensure that Chap. IV (Addressing socio-economic issues) with Chap. VII. (Roma and Sinti in crises and post-crisis situations) of the OSCE Roma and Sinti AP are incorporated into the national strategies for Roma.
- To governments to report regularly on progress of the implementation of the relevant articles outlined in the OSCE Roma and Sinti Action Plan.
- To include concrete benchmarks (clear measures, time-frame, budget) into the OSCE Roma and Sinti AP as well as into national strategies to improve the situation of Roma
- To IOs and national governments to include Romani expertise in all Roma policy related bodies.
- To IOs and national governments to ensure Roma participation in all Roma related policies/programs/projects
- To IOs to establish a set of indicators to be applied by all IOs throughout their Roma related work
- To IOs and governments to undertake long term planning with regard to human resources and build on the capacity of Roma (employ Roma)
- To IOs and national governments to staff Roma related bodies with the adequate number of employees to ensure that these bodies can fulfill their mandate properly.
- To ODIHR to interlink the CPRSI projects on police and Roma with the anti-hate crime program of the ODIHR tolerance and non-discrimination unit
- To national governments to replicate best practice models building on the improvement of the relationship between police and vulnerable communities
- To national governments to abolish ethnic statistics on criminal offences

Thursday, 12 October 2006

WORKING SESSION 16-17 – Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments:

Recommendations to Participating States:

United States of America:

- Participating States continue to vigorously combat anti-Semitism and related violence
- The Government of Moldova give serious reconsideration to its policies and practices regarding the Muslim community in Moldova in light of OSCE tolerance commitments
- Government leaders in Turkey redouble their efforts to prevent violence, including by speaking publicly about the importance of inter-religious tolerance
- The Government of Romania ensure that the planned changes to its religion law conform to OSCE norms.
- Participating States pass anti-discrimination laws, and seek the assistance of the legal advisor in the ODIHR Tolerance Program, the Panel of Experts on Freedom of Religion or Belief, or the ODIHR's Rule of Law unit in doing so
- Participating States support a decision on a high level conference next year in Romania, based on the Cordoba format that specifically addresses established areas of concern, including issues of anti-Semitism
- Participating States support ODIHR's plans to upgrade the Tolerance Program to a department, while maintaining the current distinct topical structure

Azerbaijan:

- Promoting tolerance and mutual understanding should remain in priority list of the OSCE in general and ODIHR particularly. We hope that this issue will find its proper place in the agenda of the OSCE Spanish Chairmanship for the next year.
- We think that a special role in promoting tolerance and understanding belongs to Personal Representatives of the OSCE Chairman-in-Office who raise the profile of our common sense against intolerance and discrimination and monitor situation in the Participating States. We fully support the mandate of the Personal Representatives.
- In that respect, the role of the laws and the state is very important to open the door of enlightenment. The ideology of the state should rise on the principles of freedom of thought and freedom of belief. State should give the opportunity to the other beliefs and ideologies to teach and diffuse their principles.

Canada:

Both nationally and internationally, we are fully committed to the fight against all forms of intolerance and hate.

- We encourage all participating States to honour their OSCE commitments.
- We also encourage participating States to foster and continue the debate within their countries on individual and collective responsibilities to combat hatred.

European Union:

- We [States] must ensure that diversity contributes to integrated, confident and tolerant societies, rather than leading to segregation, intolerance and distrust.
- We must encourage contact between individuals and communities, and between generations.
- We call upon States to take the necessary measures to promote education programmes aimed at reducing prejudices and negative stereotyping.
- We in Europe have a particular responsibility to ensure that the Holocaust is never forgotten.

The active engagement of young people is key to ensuring a tolerant and cohesive society in the future. Much work is already being done with and by youth groups to increase awareness of tolerance issues.

- This should be encouraged and supported by all participating States.
- We urge all participating States to work with ODIHR and the Personal Representatives to raise awareness of this important issue and to spread best practice within the OSCE region. To do this, we must all concentrate on implementation of existing commitments. Hate crime and discrimination do not just harm the individual. They damage the whole of society. Between us, let us ensure they have no place in the OSCE region.

Netherlands:

- The Netherlands is very much aware of the need for attention to tolerance, in view of recent national and international developments. Therefore we would like to stress especially the importance of the enforcement of the legal rules and the engagement of all parties involved, including police, public prosecutor and the judicial system in taking the fight against hate crime seriously. At the same time, we would like to underline the importance of education in creating better awareness of the issues concerned.
- The Netherlands – and some like-minded States – adhere to the commitments found in the Sofia Ministerial Decision 12/04. We encourage all participating States to take time to become aware of its merits, such as supporting national NGOs that monitor and fight online hate content (cyber hate).

- The Netherlands would like to call for a strong stand against homophobia. It is our firm belief that in a diverse world governments and civil societies should ensure the inclusion and acceptance of all members of society. Gay and lesbian rights are human rights, and it is therefore that the Netherlands calls upon all participating States to safeguard and protect all basic rights, and thus preventing discrimination on the basis of sexual orientation.

Council of Europe:

The Council of Europe is deeply committed to close co-operation with the OSCE in the field of Tolerance and Non-discrimination, and presents the following specific recommendations in this respect:

- Member States of the Council of Europe are encouraged to sign and ratify Protocol N° 12 to the European Convention on Human Rights.
- 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.
- OSCE participating States are encouraged to enact legislation against racism and racial discrimination, if such legislation does not already exist or is incomplete and to ensure that the key components set out in ECRI's General Policy Recommendation No7 are provided in such legislation.
- Member States of the Council of Europe are encouraged to implement ECRI's recommendations contained in its country-specific monitoring reports as well as ECRI's General Policy Recommendations.

Anti-Defamation League:

Concrete Action to Implement Commitments

While OSCE commitments and programs are firm foundations on which to build, in the end, it falls to Participating States to demonstrate the political will to institutionalize practices and programs that make the most critical difference. Participating States have taken the first important step in committing to take action. While there have been improvements, successive reports and conferences have pointed to a decided lack of implementation. Below are ten recommendations for concrete action to close this gap.

- Improve data collection. As part of meeting commitments, states should take steps to more comprehensively collect hate crime data on the basis of their race, religion, gender, sexual orientation, disability, or ethnicity. Data collection efforts should include information on both the age of both the victim and the suspected offender. This information would be especially useful in efforts to learn more about juvenile hate crime offenders and victims. States should publicize this data and share it with ODIHR. When police implement data collection efforts in partnership with community-based groups, the effort should enhance police-community relations.
- Establish a focal point for Information and Resource. States that have not yet done so should designate a special representative and an office to coordinate and strengthen government interagency efforts to confront hate violence. This office can become both the repository for information and the central address for community-based organizations that work with youth in targeted communities.

- Make anti-prejudice skills a foundation of education. Anti-prejudice lessons should be directly integrated into the curriculum and into after-school program activities. In order to make such efforts effective, the curricula cannot exist as an add-on or extra part of the day, but rather must be incorporated as part of the educational experience for all children. Educators and students must see that diversity skills are an essential component of their teaching and learning.
- Programs which universalize messages without focusing on distinct problems will be ineffective. While diversity education imparts skills that are applicable in confronting different forms of bias, the most effective programs provide tools for youth to confront problems they are facing with specificity. More Participating States should implement the ODIHR curriculum on anti-Semitism and other available resources which address specific forms of bias.
- Education efforts should target the community of providers who impact youth. Providing anti-prejudice training and hate crime prevention training for education authorities, administrators and school personnel, as well as students can develop awareness and build skills among youth.
- Education Ministries should establish anti-prejudice teaching standards and model policies to protect students from school-based hate crime and harassment. Schools should adopt formal written policies governing how teachers, administrators and security professionals identify and respond effectively to bias-motivated bullying, violence, and harassment. The policy should include formal reporting and complaint procedures and facilitate cooperation between educators and law enforcement officials.
- Police officials should be especially mindful of special circumstances involved with youthful hate crime offenders. States should establish a framework for dealing with first-time and non-violent juvenile hate crime offenders. Where appropriate the law should provide an opportunity for alternative sentencing, such as community service, for a range of non-violent bias crimes. In addition, the murder of Ilan Halimi, demonstrates that gang-based violence can be directed at individuals on the basis of race, religion, and ethnicity. States should take steps to recognize that fact and tailor anti-gang initiatives appropriately.
- Empower youth as agents of change. The men and women who will be the leaders of tomorrow, now walk the hallways of our schools. They need opportunities to develop their leadership skills. Many school systems already use peer education models to engage students on health awareness issues like HIV/AIDS and substance abuse. Peer-to-peer programs give students both understanding of particular forms of bias and the skills to intervene and interrupt bias related behavior and to support victims.
- Harness the power of technology and the Internet to reach students. We encourage exposure of online bigots – coupled with tools to empower parents, teachers, and librarians to help young people refine their critical thinking skills in responsible use of the Internet. In addition, however, more must be done to leverage the interactive potential of the Internet to provide young people interested in reducing prejudice, bigotry, and hate with the information, resources, and skills development necessary to combat effectively the irrational fears and prejudices that can lead to acts of violence.
- Promote Holocaust education. Effective programs must also address contemporary anti-Semitism as a subject on its own. States should utilize the teaching tools ODIHR has developed on anti-Semitism, the ODIHR guidelines on Holocaust commemoration and other program resources.

B'nai B'rith International:

- We must continue to make discussions of anti-Semitism more than just an infrequent event – and, for that matter, more than mere discussions. The OSCE should convene another Cordoba-style, high-level conference on anti-Semitism and other forms of intolerance in 2007, such as the government of Romania has offered to host. Furthermore, the Ministerial Council should formalize the scheduling of such gatherings at regular intervals.
- [Moreover,] we must broadly advance the spirit of zero-tolerance for anti-Semitism cultivated at these OSCE gatherings, by steadfastly implementing relevant programs of action – in education, legislation, and law enforcement.
- We must bolster the funding of ODIHR and the staffing of its anti-Semitism-related programs, so that it can further expand its critical work and, in that vein, OSCE member states must fulfill their reporting requirements with regard to combating anti-Semitism.
- We must extend, for the foreseeable future, the terms of the OSCE Chair-in-Office's personal representatives on intolerance, who direct sustained attention, at the highest level, to the problems of anti-Semitism and other forms of intolerance. We must also support conditions that would facilitate rather than hinder the work of the personal representatives and enable them to perform their functions to the best of their respective abilities.
- We should further promote the European Monitoring Centre on Racism and Xenophobia's working definition of anti-Semitism and must maintain our commitment to the specialized treatment of the roots and manifestations of anti-Semitism, even as we fittingly deplore and take firm steps to address intolerance in its many forms.
- [Finally,] we must strongly reiterate and proactively reinforce the crucial principle declared at the 2004 Berlin conference and reiterated at last year's Cordoba conference: that no political position, cause or grievance can ever justify anti-Semitism. We must further make clear, once and for all, that the de-legitimization and demonization of Israel that goes far beyond responsible criticism of government policies is often none other than anti-Semitism in a different guise. In Europe or anywhere, let us not apologize for hatred, and let us not turn a blind eye to criminality.

Human Rights First:

- We [therefore] urge the incoming Spanish chairmanship to renew the mandates of the three Personal Representatives, at the same time working with them to maximize the added value they bring to the organization.
- We encourage support for an initiative of the Romanian government to organize a high level conference in 2007 along the lines of the Cordoba conference that will review the implementation of OSCE commitments to combat the distinct problems of racism, antisemitism, Islamophobia and related intolerance.
- We urge the OSCE participating States to ensure that there be sufficient funding designated for the Personal Representatives, and for the ODIHR's tolerance work, including core funding for ODIHR staff positions in the Tolerance and Non-discrimination Program.

Institute on Religion and Public Policy:

- We urge governments and religious leaders to implement educational programs on teachings of peace and mutual respect to effectively address the issue of Islamophobia- as well as anti-Semitism and Christianophobia.

International Helsinki Federation for Human Rights:

To political actors and political parties in the OSCE participating States:

- Demonstrate ethical and responsible leadership and openly reject all forms of racism, xenophobia and intolerance;
- Ensure that their platforms, programs and actions reflect the principles of non-discrimination, tolerance and respect and refrain from making statements or, in other ways, endorsing views and positions that encourage or reinforce prejudices and hostility against immigrants, refugees and minority members;
- Refuse to cooperate with political parties that subscribe to racist and xenophobic objectives, including in particular by forming government coalitions or parliamentary alliances with such parties.

To the governments of the OSCE participating States:

- Ensure that effective measures are adopted and implemented to prevent and punish the promotion of racism and xenophobia in political life. Such measures should correspond to and be proportionate to the gravity, nature and circumstances of each case and may, where appropriate in more serious cases, include withholding public funding of political parties, denying political parties access to state-controlled media and suspending or dismissing politicians from holding public office;
- Ensure that ordinary criminal law is consistent with relevant international human rights law and includes an appropriate range of offences and sanctions concerning the promotion of racism, xenophobia and intolerance. Such provisions should be fully and effectively implemented against politicians and political parties that encourage hatred, discrimination and violence against foreigners and minority members.

To media and civil society in the OSCE region:

- Remain vigilant and alert the public about incidents and patterns of political exploitation of racism, xenophobia and intolerance, including in particular the penetration of such ideas into the agendas and programs of mainstream political parties;
- Hold their governments accountable to their ethical, political and legal obligations with respect to fostering tolerance, solidarity and respect for diversity and to promoting a society without discrimination.

SOVA Center for Information and Analysis:

To OSCE Member States:

- Participate in the elaboration of a uniform OSCE hate crime monitoring programme.
- To improve the system of hate crime and hate speech monitoring through better cooperation between Governments and NGOs. For this end:
 - ⇒ to charge some Government body to collect and arrange all the Information on hate crime;
 - ⇒ to oblige law enforcement bodies to produce detailed answers to NGOs' inquiries on the matter;
 - ⇒ to oblige this body to consider the information produced by NGOs;
 - ⇒ to prepare yearly detailed statistical reports based on the OSCE proposed standards adjusting it with the NGOs actually contributing to data collection.

The Canadian Council of Muslim Women:

- It is urgent that the OSCE member states find solutions to improve the socio-economic conditions of Muslims. Deteriorating socio-economic conditions and overt hostility towards Muslims are at the heart of societal dysfunction which may sometimes lead to radicalization and anti-social behaviour.
- We recommend that legislation to prevent discrimination and harassment on the basis of faith, race and ethnicity be strengthened in OSCE member states to protect all members of society similar to human rights legislation in Canada. This must be accompanied by education to counter discrimination, which is often based on ignorance, stereotypes and prejudice. An ongoing focus on media and public discourse will also go a long way to address these issues as the public takes its cue from political leaders and the media in how they interact with Muslims and other minorities in their communities.
- We recommend that the OSCE also focus on socio-economic inequities facing Muslims to ensure full participation and engagement in all aspects of society. In closing, we hope that the OSCE will intensify its efforts to address the issues.

The international association of independent democrats against authoritarian regimes:

- Предлагаем создать антикризисную группу постоянного мониторинга ситуации в странах с жестким авторитарным режимом или диктатурой, а это: Туркменистан, Узбекистан, Беларусь, Таджикистан.

Recommendations to the OSCE:

United States of America:

- ODIHR Tolerance Program projects on education for Holocaust Remembrance, on police hate crimes training, and on combating anti-Semitism should be expanded, and ODIHR and the Panel

of Experts on Religious Freedom should follow them up with educational programs to combat intolerance against Muslims, Christians and other religious communities

Holy See:

To the OSCE:

- The OSCE should continue to promote responsibility and sensitivity in dealing with religious and cross-cultural issues and therefore this Organization should emphasize that the mockery of the sacred is not a right of freedom;
- The OSCE should continue to work to ensure that educational system and the media avoid stereotypes, distortions, attitudes of intolerance and the frequent belittling of religion and culture.
- The Holy See would welcome further suggestions and practical ideas of the CiO Representative on Discrimination and Intolerance, with a special focus on Discrimination and Intolerance against Christians and members of other Religions, on how to address intolerance and discrimination against Christians.

To ODIHR

- The Tolerance and non-Discrimination programme of ODIHR should pay more effective attention to the implementation of the specific OSCE commitment to fight against prejudice, intolerance and discrimination against Christians and members of other religions; this applies too in the context of education as a means to promote respect and understanding and in the work of ODIHR related to Challenges and Responses to Hate –Motivated Incidents.
- In the fight against discrimination and intolerance, the ODIHR action should stay within the agreed language of the Organization and therefore avoid to extend that action to issues where there is no consensus between participating States.

European Union:

In compiling this report [on Challenges and Responses to Hate Motivated Incidents in the OSCE Region], we are pleased that ODIHR was able to draw on information provided by the EUMC, the Council of Europe's European Commission against Racism and Intolerance, and the UN Committee on the Elimination of Racial Discrimination. The work that these bodies undertake is invaluable.

- We, as States, should respond positively to requests to provide necessary data to assist in documenting the hideous crimes outlined in the report. We urge ODIHR to continue its close cooperation with other intergovernmental agencies working in the same field, to ensure that its work adds value to the fight against discrimination and intolerance and that duplication is avoided. We should also pool our national experiences and knowledge to tackle them, not least in view of their trans-border nature.

Netherlands:

- We [also] recommend to ODIHR that homophobia will be addressed at the Dubrovnik meeting (October 2006), the Bucharest Conference (2007) and any other relevant TND and Human Rights events.

Turkey:

- Efforts should be redoubled to enhance the capability of civil society to monitor the implementation of these commitments by the States and report their findings to the OSCE. We believe that an Action Plan would be a significant instrument to achieve these goals as they have proved to be effective tools in other fields of the OSCE commitments and have helped in the process of accelerating implementation.
- The OSCE, an Organization which prides itself for its role in early warning, conflict prevention and crisis management, and given its competence and expertise, should be expected to define a niche for itself to deal with such crises stemming from acts of intolerance and discrimination. *We recommend that early warning functions of the OSCE and its institutions should be strengthened in this field.*

Russian Federation:

- Стоит уделить особое внимание развитию межэтнического, межрелигиозного и межкультурного диалога для преодоления вражды и нетерпимости, а также утверждению в деятельности СМИ моральных норм, исключающих возможность оказания через них прямого или косвенного содействия террористам.

Council of Europe

- OSCE institutions are encouraged to continue their co-operation in the fight against racism, racial discrimination and all forms of intolerance with the Council of Europe by further strengthening mechanisms enabling the free flow of and exchange of information and data.

Organization of Islamic Conference (OIC)

- We are attaching very special importance to and supporting the Alliance of Civilizations project and looking forward to receive concrete initiatives of the OSCE Chairmanship in 2007 for joint projects in the framework of the implementation of the recommendations of the High Panel.
- The OSCE and OIC can play an important role in the implementation of this project. We would welcome and are ready to cooperate at least in one joint project in 2007.
- In addition to this, we propose the establishment of informal or formal contacts between the Chairmanships of our two organizations.

- We also propose that due consideration should be given to the idea of creation of an alliance or informal consultation mechanism among regional organizations such as OSCE, EU, Council of Europe and OIC in the framework of dialogue and tolerance issues.
- We are also highlighting the importance of the Working Group on the Alliance of Civilizations within the UN-Regional Organizations High Level Meetings mechanism. This working group will be reactivated in the UN following the presentation of the Action Plan of the Alliance of Civilizations High Panel to the UN Secretary General. The OSCE and OIC can jointly contribute to this important process.
- Lastly, OIC General Secretariat would like to develop technical cooperation with the OSCE Conflict Prevention Center as well as with the Democratization and Tolerance Units of ODIHR.

Anti-Defamation League:

Next Steps for OSCE to Confront Intolerance

The tolerance promotion efforts of the OSCE Permanent Council and by the ODIHR have been vital in shining a spotlight on the problem of anti-Semitism, intolerance and hate violence across this region, and have also reinforced civil society efforts.

There are further steps OSCE institutions can take to build on these efforts:

- Extend the Mandate of Three Personal Representatives. The Ministerial Council should endorse and the incoming Chair in Office should reappoint the three Personal Representatives on Anti-Semitism; Racism, Xenophobia and Discrimination; and Intolerance and Discrimination against Muslims. The Personal Representatives should focus on the impact of hate on youth in their monitoring and reporting and seek ways to engage youth, and youth organizations as part of their outreach.
- Conduct High-Level Follow Up in 2007. The Permanent Council and Ministers Council should authorize a high level conference on anti-Semitism and intolerance in 2007. This event is to follow up on the conferences in Berlin and Brussels in 2004, and in Cordoba in 2005 and should focus on implementation efforts in 2006.
- Sustain ODIHR Efforts. The problem of anti-Semitism and intolerance is not a fleeting one and the work to address it must be sustained. The ODIHR tolerance work should be institutionalized and funded as part of its core budget. In addition, more Participating States should take advantage of the ready tools prepared by the ODIHR which, with very minimal assistance can reach educators and youth service professionals in more countries. These programs are supported by voluntary contributions from far too few States and more governments should step forward.
- Provide Participating States with Model Guidelines. ODIHR should craft model guidelines for a comprehensive national approach to combating hate crime that could be used to develop and implement new laws where none exist, and strengthen existing laws, to improve the response of the criminal justice system to hate violence.
- OSCE should pilot an anti-hate programming for use in the public school systems in Participating States. Schools and NGOs in various Participating States have been involved in the development and implementation of anti-prejudice and diversity curricula, both in selected schools and in peer-led organizations. We urge the OSCE to examine these resources, and to adapt them for use in all schools in OSCE states.

Human Rights Without Frontiers Int.

Recommends to the OSCE/ ODIHR:

- to organize a structured dialogue with the highest leaders of religious denominations or their legitimized representatives about the most fundamental individual and collective rights related to freedom of religion and belief with the assistance of its Advisory Board and NGOs having some expertise in these issues;
- to elaborate a Declaration of Interreligious Tolerance and Respect listing a number of priority rights and open to signature by religious leaders, such as the individual right to have a religion or not, to change one's religion or beliefs, to manifest one's faith publicly, to express one's religious beliefs publicly, to try to share them with other people and to engage in faith persuasion without harassment; the right for a religious community to exist and have access to legal personality, to worship, to enjoy freedom of assembly and all the rights entailed by the freedom of associations; to solve any interreligious or interdenominational conflict peacefully and to sanction the rebellious clerics;
- to put in place mechanisms of evaluation of the progress of the implementation of the Declaration of Interreligious Tolerance and Respect by the signatories and monitoring mechanisms of the religious communities which have not adhered to the Declaration.

Forum 18 News Service:

- The concrete implementation of OSCE and other human rights commitments must be insisted on.
- Specific religious freedom and other human rights violations must be publicly named.
- Make it clear through concrete actions – for example visa bans on officials - that policy towards OSCE states which violate religious freedom will be strongly influenced by the practical actions those states take in relation to all religious communities, not just state-favoured ones, and that paper improvements alone will not be viewed as improvements.

Institute on Religion and Public Policy:

Recommendations in regard to practical measures to address the issues of intolerance and discrimination:

- That the mandate of the Special Representative of the Chairman-in-Office on Combating Racism, Xenophobia, and Discrimination, also focusing on Intolerance against Christians and members of other religions should be modified. The mandate of this Special Representative is extremely broad, making it difficult for one person to effectively and timely address all the issues that are currently assigned to the Special Representative. In order to guarantee the greater protection and promotion of fundamental rights, the Institute strongly recommends that the mandate for Intolerance against Christians and members of other religions be carved out of the current position and established as a separate and independent mandate;
- That more resources be allocated to the Tolerance and non-Discrimination Program at the Office for Democratic Institutions and Human Rights (ODIHR) to progressively implement educational

programs and promote respect, understanding and combat prejudice, intolerance, and discrimination against religions;

- To promote awareness among OSCE participating states regarding the increasing prejudice and hostility against Christians, Muslims, and Jews. Discrimination or intolerance directed at any religion carries the danger to trigger hostility and bigotry towards all others. Stereotyping or prejudice against any religion should be neither encouraged, tolerated nor promoted by countries of the OSCE region;

Furthermore, the Chairman in Office, ODHIR, and each of the Special Representatives are encouraged to undertake the following in order to advance the fight against religious discrimination within the OSCE region:

- Identify OSCE countries that systematically engage in serious discrimination;
- Write on-site country reports on specific executive and legislation improvements necessary to comply with OSCE standards;
- Arrange for an annual conference with religious groups and NGOs to discuss countries of concern and approaches to solve problems of Xenophobia and religious discrimination;
- Arrange for a bi-annual ministerial-level conference on religious intolerance and discrimination in all three areas;
- Expand positions to establish full-time, permanent 4-year mandates, subject to renewal;
- Publication of annual thematic reports on Media, Education, Legislation for countries' fulfillment of OSCE standards on religious discrimination and xenophobia;
- Establish close cooperation with an external group of experts on religious freedom to promote OSCE standards and find new approaches and practical steps to compliance in order to combat religious discrimination;
- Hire full time aides on the religious discrimination issues to meet with religious groups, interfaith groups, governments, NGOs and draft reports, to be paid by interested participating States and interested NGOs;
- Hold a Cordoba-style conference on religious freedom;
- Encourage participating states to appoint a high level official at Ministerial level or in the office of the Head of Government to dialogue and cooperate with religious groups and NGOs in an attempt to mediate concerns or disputes, with the Special representative facilitating such dialogue.

NCSJ: Advocates on Behalf of Jews in Russia, Ukraine, the Baltic States & Eurasia:

- We urge the continuation of the OSCE Personal Representative of the Chair-in-Office for Combating Anti-Semitism and that a follow-up Conference on Anti-Semitism take place in 2007.

SOVA Center for Information and Analysis:

- Decide that OSCE member states must provide annual reports on hate crime and measures for counteracting it.
- Develop a single minimum standard for hate crime monitoring and, accordingly, universal and comparable requirements for OSCE member countries' annual reporting on hate crime counteraction.
- The OSCE Special Representatives on discrimination and xenophobia, anti-Semitism, and Islamophobia must play an active role in developing these standards and in promoting such monitoring in OSCE member countries.
- Introduce a training programme for press officers of law enforcement and other government agencies to prevent their use of language derogatory towards certain ethnic and religious groups, or setting these groups against one another (similar to the ongoing training for police officers, a programme described above should be proactively developed as well).
- Conduct expert consultations to develop minimum general principles of defining extremism and general approaches to counteracting extremism (taking into account that a legal definition of extremism already exists in some OSCE member countries).

The Becket Fund for Religious Liberty:

- Encourages the ODIHR to consider the necessity of preserving the dialogue about truth – and the right to be wrong – in work on tolerance.

The Forum Against Islamophobia & Racism:

- We strongly recommend the OSCE to follow up on the following issues in relation to Islamophobia:
 - Policy Discourse
 - Islamophobia and Education
 - Islamophobia in the Media
- That Member States Intensify Dialogue with Muslim Communities in their Respective States.

Closing Reinforced Plenary Session / Other recommendations:

Russian Federation:

- Хотелось бы также вновь солидаризироваться с предложением «Группы мудрецов» о сокращении продолжительности проведения Совещания по рассмотрению обязательств в области человеческого измерения. Надеемся, что уже в следующем году это можно будет сделать без ущерба для дела.
- Также считаем, что перемещение институтов ОБСЕ, включая БДИПЧ, в Вену существенно повысило бы координацию деятельности Организации на гуманитарном треке.

Turkmenistan Helsinki Foundation:

- Для того, чтобы приостановить деградацию в сфере образования мы предлагаем Вам провести серьезный анализ системы туркменского образования и на его основе, для начала, открыть при всех посольствах зарубежных стран, аккредитованных в Туркменистане, школы с обучением детей на уровне международного стандарта.

V. ANNEXES

KEY-NOTE ADDRESS AND OPENING SPEECHES

Opening Statement by Ambassador Christian Strohal, Director of the OSCE ODIHR

Excellencies,
Ladies and Gentlemen,

Let me welcome you all very warmly here to Warsaw, to the 11th OSCE Human Dimension Implementation Meeting, Europe's largest annual human rights conference. Allow me to extend a special welcome to our guests of this opening session: Secretary of State Didier Donfut of Belgium, representing our Chairman-in-Office, as well as Secretary of State Janusz Stanczyk of Poland, our host country, the OSCE Secretary General, Ambassador Marc Perrin de Brichambaut, as well as the Heads of the other OSCE Institutions, Ambassador Rolf Ekeus, the High Commissioner on National Minorities, and the Representative on the Freedom of the Media, Miklos Haraszti and, most importantly, our keynote speaker, Thomas Hammarberg, Human Rights Commissioner of the Council of Europe.

Before giving them the floor, allow me to briefly situate this meeting in its broader context. I would like to share five points with you.

First, this meeting has a clear task. It is to collectively review the implementation of commitments in the human dimension by the participating States.

More than 30 years after the Helsinki Final Act, the human dimension arguably remains the most crucial aspect of the Organization. It expresses its comprehensive security concept, and its direct link to all inhabitants of the region, its relevance to them. This has, however, occasionally invited the charge of contributing to a perceived 'imbalance' within the Organization's activities. These charges should not dishearten us, to the contrary: this meeting, undoubtedly, will justify the importance of our work in the human dimension, and its direct relevance to the other dimensions. The meeting will document why our determination must be further strengthened in order to fulfill the promises OSCE participating States have made in their commitments.

Second, this meeting is also about presenting concrete recommendations as a consequence of the implementation review.

As you know, the ODIHR has been tasked to produce a report for this year's Ministerial Council in Brussels in December. The report will cover four main issues: the implementation of commitments, possible new commitments, ways of strengthening election-related activities and improving ODIHR's assistance to States. It is in particular on the issue of implementation that I look to the HDIM for concrete ideas and input.

Third, this meeting is about a responsibility shared.

Already in the Helsinki Final Act, participating States agreed that commitments should be implemented in good faith, bilaterally or through other international fora or instruments. Over the

years, a large number of commitments have been adopted, including the commitment to implement. It is the shared responsibility of the OSCE family to ensure the necessary political will for this purpose.

Sharing responsibility is about holding each other accountable. It is also about taking stock of what has been achieved and about sharing good practice. For this, civil society is crucial. We are glad for the high interest and participation from NGOs from across the region, who I invite to take an active and constructive part in discussions. Many of you participated in the SHDM in Vienna this spring on the topic of Human Rights Defenders - you will remember the many voices calling for an enhanced role of civil society in activities and meetings of the OSCE outside our traditional Human Dimension meetings. We at ODIHR are certainly ready to assist in this regard. Side events are an important tool to present experiences in more detail. We will be seeing more than 60 of such events in the coming two weeks.

The meeting's modalities have been adapted to keep related issues closely together. We will therefore start with Freedom of Media this afternoon and have our first special day on "trafficking in human beings" tomorrow. The second special day will be on Thursday and cover "Access to Justice" leading to the working session on rule of law. The third special topic "Promotion of Tolerance, non-discrimination and mutual respect and understanding" will be discussed on Thursday next week.

My fourth point is, that this meeting is also about following up on previous ones, and document who has done what in this regard. This includes, of course, the activities of us here at ODIHR, undertaken with a broad range of partners within the OSCE family and beyond, at the national and international level, many of whom participate in this meeting. I want to especially welcome the OSCE field operations present, who are so crucial in bringing our activities to the ground, and our partners from other international organizations. We will examine the concrete follow up from the most recent Supplementary Human Dimension Meetings since last year, including the SHDM we held last year in Tbilisi on the role of defense lawyers, as well as the Seminar we held in Warsaw in May on Rule of Law in Criminal Justice Systems. I take this opportunity to thank the Belgian Chairmanship for the importance they attached to the Rule of Law this year.

I have already mentioned the SHDM on Human Rights Defenders and National Human Rights Institutions held in Vienna this spring. Following the many calls for ODIHR to increase its capacity to support human rights defenders, we are now creating a focal point to work together even more closely with them. We have also submitted, in our budget proposal for next year, our plan to enhance our capacity to systematically work with NHRIs. We will provide more information on our plans during working session 12 next Tuesday.

We will also use the opportunity to present our new Tolerance and Non-Discrimination Information System. This website will give public access to collected information about tolerance and non-discrimination issues. It will contain links to hate crime legislation, statistics, reports, specialized institutions and initiatives. Equally, our first hate crime report will be published for that day, as will be a number of other papers for the different working sessions.

*

You may have noted the wagon in front of the Hotel's entrance, brought here by the Roma Museum of Tarnow. It serves to remind us of the diversity in which communities in OSCE participating States express the right to choose their life style and residence. Some do so as Travellers or, in France, as Gens du Voyage. The UN World Habitat Day, every first Monday in October, is their day, too. I would therefore like to invite you, together with our Contact Point, to an exhibition which will be inaugurated this afternoon, "Prospects for equal access of Roma and Sinti to Legal Housing".

*

Ladies and Gentlemen,

I come to the conclusion. We have now for a considerable period of time been going through a series of discussions on reform in our organization, discussions I welcome. We are always ready to further adapt and improve our work in order to enhance the sense of ownership for our activities with participating States, both among authorities and among civil society.

But we must not let discussions of how we go about our work become a distraction from the very reason why institutions like the ODIHR were created. If we want the OSCE to remain as relevant today as it was 30 years ago as CSCE, we must show that we are ready to tackle the many burning issues and problems we face in our region.

Above all, therefore, and this is my fifth and last point, this meeting is about concrete human dimension challenges.

We will be addressing many of them in the coming two weeks, and let me just mention a few examples:

- torture and the reappearance of arguments seeking excuses under heading 'fight against terrorism';
- inequality and discrimination, and an increase in racist and hate motivated violence;
- the stifling of media by authorities;
- continued trafficking in human beings, and inadequate protection of its victims;
- widespread suppression of human rights and harassment of human rights defenders;
- election fraud.

Given the long list of phenomena which continue to affect human security 30 years after the Helsinki Final Act, many will argue that we are witnessing an implementation crisis which could be indicative of a corroding political will in the face of new challenges. We must not allow such corrosion to set in.

Our organization is tasked to deal with these real problems. This meeting provides an extraordinary opportunity for a "reality check".

This reality check should help us to focus our work. Only two weeks ago, at a meeting in Vienna, a State representative explained that the HDIM is chaotic and lacks sufficient "control". I cannot agree with this view; I have found discussions here to be focused on real issues. I challenge us all to make sure this HDIM is not only an opportunity for an open exchange of views, so that we can take concrete results and recommendations for decisions forward to this year's Ministerial Meeting in Brussels, and to every man, woman, and child throughout the OSCE region.

Thank you.

Opening Statement by H.E. Didier Donfut, State Secretary for European Affairs, Belgium

Excellences,
Mesdames et Messieurs,

C'est un plaisir et un honneur pour moi de pouvoir ouvrir la réunion d'Examen de la Dimension Humaine au nom de la Présidence belge. La plus grande conférence annuelle organisée en Europe sur les droits de l'homme est, en effet, un moment fort dans l'agenda de l'OSCE et de la Présidence. Son importance se manifeste probablement de la manière la plus évidente dans les centaines de représentants de pays participants, d'institutions, d'ONG et d'organisations internationales à qui je souhaite la bienvenue ici. Je remercie nos hôtes polonais pour leur accueil à Varsovie. Mes remerciements vont également au Bureau des Institutions démocratiques et des droits de l'homme, les organisateurs de cette réunion. Je voudrais également accueillir tout particulièrement le Commissaire aux droits de l'homme du Conseil de l'Europe, M. Thomas Hammarberg.

Excellences,
Mesdames et Messieurs,

La paix, la sécurité et la coopération constituent, comme chacun le sait, les priorités élémentaires de l'OSCE. Mais l'OSCE, c'est aussi une vision à long terme. Il ne s'agit pas tellement de bâtir un avenir commun au sens strict du terme que de développer une conception partagée d'une grande Europe dans laquelle ce qu'on appelle, en langage OSCE, la Dimension Humaine est au cœur de l'organisation politique de la société.

Lorsque vous achetez une maison, les agents immobiliers vous expliquent que seuls trois critères sont importants en la matière : la localisation, la localisation et la localisation. Il existe une analogie avec les normes en matière de droits de l'homme et de libertés fondamentales : ce qui compte vraiment c'est la mise en oeuvre, la mise en oeuvre et la mise en oeuvre. C'est la seule façon de réaliser notre vision commune, notre avenir commun. D'où l'intérêt primordial de cette réunion annuelle, qui a pour objet l'évaluation des progrès concrets de nos engagements dans la dimension humaine.

Si la mise en oeuvre est importante, le futur l'est aussi : notre réunion porte en deuxième lieu sur le lancement de nouvelles idées et propositions et constitue donc une occasion de nous tourner vers l'avenir.

En troisième lieu, le moment est bien choisi de faire le bilan du travail effectué cette année. Au début de l'année 2006, les délégations se sont mises d'accord sur les thèmes auxquels nous accorderions une attention toute particulière cette année. Nous avons délibérément opté pour une approche de "retour aux valeurs fondamentales", centrée sur la progression de l'Etat de droit, sur la construction d'institutions démocratiques, la tolérance, le trafic des êtres humains, la liberté des médias et les défenseurs des droits de l'homme. J'ose affirmer que les activités relatives à ces thèmes pendant les réunions régulières organisées cette année sur la dimension humaine ont

rencontré un succès. En pensant à Bruxelles, la Réunion Ministérielle sera l'occasion de donner une expression politique à un certain nombre de ces questions que la Présidence a voulu mettre en lumière tout au long de l'année.

L'avancement de l'Etat de droit, avec une attention particulière aux systèmes de justice criminelle, fut une priorité, car un système de justice criminelle efficace est le véhicule par lequel les droits et obligations des citoyens sont matérialisés. L'Etat de droit est un élément clé de la bonne gouvernance et d'un environnement national et international pacifique. C'est la raison pour laquelle nous avons consacré le séminaire de cette année sur la dimension humaine à ce sujet. Ce séminaire a passé en revue les principales institutions de la chaîne qui compose la justice criminelle : la police, le rôle des procureurs, les avocats de la défense et le pouvoir judiciaire. Ce vendredi, nous évoquerons aussi les systèmes pénaux et pénitentiaires afin de clôturer notre examen stratégique des liens interdépendants de la chaîne de la justice criminelle. Le thème de "l'accès à la justice", qui sera l'un des sujets spéciaux de jeudi prochain, est un complément nécessaire à ce leitmotiv : en effet, la prééminence du droit reste un concept creux si les citoyens n'ont pas la possibilité de revendiquer leurs droits. Chacun doit pouvoir trouver sa voie dans les labyrinthes que peuvent être les systèmes judiciaires. Chacun doit aussi pouvoir compter sur un conseiller légal, indépendamment de sa position dans la société : l'égalité d'accès à la justice est une composante cruciale de de l'Etat de droit.

En matière de construction d'institutions démocratiques, nos objectifs doivent être de préserver et de diffuser l'impressionnante expertise accumulée au fil des ans par l'OSCE en matière de construction d'institutions démocratiques. Rassembler les "leçons apprises" favorise la mémoire institutionnelle, assure la promotion des succès, permet d'éviter les erreurs et d'économiser des ressources précieuses. Il s'agit d'un objectif à long terme. La 3ème Réunion de la Dimension humaine supplémentaire de cette année consacrée à la "Représentation parlementaire effective" constituera le lancement de cet exercice. J'ai cru comprendre que la Présidence espagnole qui succédera à la Présidence belge a également conscience des bénéfices de cet exercice aussi ambitieux que précieux.

Si les structures sont importantes, les personnes le sont bien plus encore. Les Défenseurs des droits de l'homme, parmi lesquels évidemment les institutions nationales de défense des droits de l'homme, jouent un rôle crucial. La première Réunion de la Dimension humaine supplémentaire de 2006 a évoqué en détail les défis auxquels sont confrontés les défenseurs des droits de l'homme. C'est avec plaisir que j'accueille et que je soutiens la proposition du BIDDH d'établir, en guise de suivi à la réunion en avril, un Point focal pour les défenseurs des droits de l'homme et d'en appeler aux Etats participants pour qu'ils contribuent à cette initiative. Le rôle des défenseurs des droits de l'homme est aussi le sujet de la réunion des Directeurs droits de l'homme des Etats participants à l'OSCE, qui est organisée par la Présidence belge ce 13 octobre. Je profite de cette occasion pour transmettre un message d'accueil et de soutien aux nombreux défenseurs des droits de l'homme et ONG qui sont présents ici : leur présence contribue à rendre cette réunion unique. Leur travail quotidien sur le terrain est un bien précieux pour la mise en œuvre des engagements.

Excellences,
Mesdames, Messieurs

Le trafic des êtres humains reste une des causes les plus pernicieuses d'injustice sociale et d'entraves à l'exercice des libertés et à l'épanouissement individuel au sens le plus élémentaire

du terme. La Présidence est convaincue que l'on peut et que l'on doit en faire plus encore pour mettre en œuvre le plan d'action de l'OSCE. Nous pouvons donner un coup d'accélérateur à nos efforts afin de lutter contre le trafic des êtres humains en adoptant une démarche plus intégrale et proactive. Les discussions de demain sur notre approche vis-à-vis les facteurs qui contribuent à la traite (Addressing Factors Contributing to the Cycle of Trafficking) seront certainement une source d'inspiration. Nous attendons également avec ardeur de participer à la conférence de l'Alliance contre la traite prévue les 16-17 novembre à Vienne. La Présidence organisera à cette occasion un événement parallèle sur le Partenariat public privé dans la lutte contre le trafic des êtres humains.

Dans cette note, j'aimerais souligner un point qui mérite plus d'attention au sein de l'OSCE : l'exploitation sexuelle des enfants. L'exploitation sexuelle des enfants est un problème grave et à grande échelle dans toute la région de l'OSCE et au-delà. Elle présente des aspects multiples et liés, entre autres la prostitution, la pornographie, le trafic et le tourisme sexuel. La Présidence belge de l'OSCE co-organise un événement parallèle sur le sujet avec la France et les États-Unis afin d'attirer l'attention sur ce problème et de lancer un appel à plus d'action. J'aimerais vous encourager tous à participer à cet événement, demain à l'heure du déjeuner.

Le débat sur le thème du trafic ne serait pas complet sans une référence à la décision prise par le Conseil permanent, au début de l'année, d'améliorer la coordination entre les acteurs respectifs de l'OSCE impliqués, notamment par une réforme du mécanisme de lutte contre le trafic mis en place par notre organisation. L'apogée de cette modification institutionnelle sera la nomination prochaine d'un Représentant spécial.

Un autre thème qui a retenu notre attention particulière cette année, la liberté des médias reste un point important à notre ordre du jour. Je tiens à remercier M. Miklos Haraszti, le Représentant de l'OSCE pour la liberté des médias, et son équipe d'avoir organisé avec succès la deuxième Réunion d'examen de la Dimension humaine supplémentaire de cette année sur l'accès à l'information et protection des journalistes. La reconnaissance des médias en tant que force démocratique positive nous a également inspiré dans la promotion des "jumelages médiatiques" : la création d'un lien entre des médias comparables afin d'encourager la construction de nouvelles potentialités par le biais d'échanges de particulier à particulier. En gardant cela à l'esprit, nous accueillons une visite de professionnels des médias provenant de 15 pays OSCE en Belgique en octobre.

Sur le sujet de la tolérance, la Réunion du Conseil ministériel de Ljubljana en 2005 nous a donné la tâche clairement définie de nous concentrer sur la mise en œuvre des engagements existants. C'est exactement ce que nous avons fait : nous avons organisé une réunion de haut niveau à Almaty sur le dialogue interreligieux, interculturel et interethnique, et une autre réunion de mise en œuvre de la tolérance sur l'éducation à la tolérance et à l'Holocauste sera organisée à Dubrovnik en octobre. Je tiens à remercier les gouvernements du Kazakhstan et de la Croatie de nous avoir accueilli et d'avoir co-organisé ces événements. De plus, je tiens à souligner la contribution de l'OSCE à l'initiative des Nations Unies "Alliance des civilisations", que le Président en fonction, M. De Gucht, et le Secrétaire Général de Brichambaut ont présenté à Kofi Annan en juin. Ce point occupe également une place prépondérante dans notre agenda des deux prochaines semaines. Et pour cause, car des incidents liés à la tolérance, parfois violents, restent courants dans la région de l'OSCE. Nous devons tous être conscients que la tolérance n'est pas un

concept passif : elle requiert une composante active qui consiste à faire un pas en avant, à manifester respect et compréhension.

Les droits de l'homme et les libertés fondamentales sont le point de départ du débat sur une question apparentée à laquelle nous nous sommes consacrés au début de l'année. Il s'agit de "l'affaire des caricatures" qui a déclenché un débat sur la liberté d'opinion et des médias et sur l'exercice de ces droits fondamentaux qui impliquent des responsabilités telles que le respect des religions ou des croyances. En tant que Président, nous avons fait tout ce que nous pouvions pour identifier et mettre en œuvre un ordre du jour positif sur ces questions.

Excellences,
Mesdames et Messieurs,

Ce qui compte réellement, c'est ce qui se produit sur le terrain, en dehors des salles de réunion de Vienne, Varsovie ou Bruxelles. Les déclarations du CiO Karel De Gucht depuis janvier ont fait appel à plusieurs pays à respecter leurs engagements dans des cas spécifiques. Je pense, entre autres, aux déclarations sur le sort des réfugiés d'Ouzbékistan et à notre préoccupation quant au décès récent en prison de la journaliste de Radio Free Europe et activiste des droits de l'homme, Mme Ogulsapar Muradova, au Turkménistan. La Présidence a également exprimé ses préoccupations quant aux violents incidents qui ont vu le jour dans la prison de Tblisi n° 5, en Géorgie, et quant au processus électoral en Biélorussie et aux événements qui ont suivi, tels que la sentence prononcée à l'encontre du leader de l'opposition Kozulin.

Excellences,
Mesdames et Messieurs,

Le compte-rendu que j'ai donné de nos intentions, réalisations et attentes démontre l'engagement de la Présidence belge à l'égard de la dimension humaine. Nous avons pour ambition de restaurer l'équilibre entre le travail dans les différentes dimensions. Nous avons fait cela, j'en suis convaincu, sans affecter les acquis ou le niveau d'activité dans la dimension humaine.

S'agissant de Bruxelles, la Réunion Ministérielle sera l'occasion de donner une expression politique à un certain nombre de dossiers thématiques que la Présidence a voulu mettre en lumière tout au long de l'année.

Nous entendons également mener à terme, à Bruxelles, avec l'aide des Etats Participants, le mandat qui nous a été confié à Ljubljana de "rendre l'OSCE plus efficace". Nous avons commencé à travailler sur la décision de Ljubljana. Le BIDDH présentera son rapport début novembre, tout comme le Conseil permanent en ce qui concerne la réforme interne. Le Conseil permanent débutera alors en novembre son travail de préparation des décisions pour les ministres. Ces décisions, je l'espère, seront motivées par un sens aigu de la vision et de la responsabilité. Par cela, j'entends une responsabilité vis-à-vis des acquis de l'OSCE et de ses principes et engagements, que nous nous sommes librement imposés en tant que membres de l'organisation et, individuellement, en tant que pays.

Un autre mot sur ce sujet essentiel qu'est l'avenir de l'OSCE : je n'ai pas besoin de souligner encore combien la question de l'Observation des Elections revêt une importance cruciale pour nous tous et pour une organisation qui a bâti sa réputation et, en réalité, sa raison d'être, sur les

fondements des institutions démocratiques. La surveillance internationale des élections est la clef de la crédibilité et de la légitimité d'un processus qui est la base de toute forme de régime démocratique. La surveillance des élections est non seulement une tâche commune, mais aussi une responsabilité commune de l'OSCE, du BIDDH qui a acquis au fil des ans et, à la demande du Conseil, une expérience dûment reconnue et respectée, de l'Assemblée parlementaire de l'OSCE, de même que d'autres Organisations parlementaires. Bien sûr, il ne faudra pas oublier le rôle crucial des gouvernements eux-mêmes, dont la responsabilité première est de veiller à la régularité du processus électoral sur leur territoire.

Excellences,
Mesdames et Messieurs,

Mon discours d'introduction vous a donné un aperçu de l'agenda de la Présidence pour le restant de l'année. Nous attendons avec impatience vos réactions pendant les discussions qui seront menées au HDIM. La réception organisée par la Présidence le 12 octobre, à laquelle vous êtes tous cordialement invités, constituera une autre occasion de procéder à des échanges fructueux d'idées dans un cadre moins formel. Je vous encourage tous à profiter des diverses opportunités que la Réunion d'examen de la dimension humaine vous offre de mieux mettre en œuvre et, plus important encore, de vivre selon cette autre dimension humaine de l'OSCE à travers vos interactions personnelles.

Je vous remercie.

Opening statement by H.E. Dr Janusz Stańczyk, Undersecretary of State, Ministry of Foreign Affairs of Poland

Mister Chairman,
Excellencies,
Ladies and Gentlemen,

Poland is proud and honored to be the host country of the Human Dimension Implementation Meeting, which has been held in Warsaw since 1993.

Over the years the Meeting has come to be recognized as one of the most significant forums devoted to human rights. We are gratified that the OSCE participating states consider the Meeting results a major component of their efforts to consolidate international security and peaceful coexistence.

I particularly wish to thank Ambassador Strohal and his dedicated staff for their consistent work over many years and the preparation of this event.

I am confident that the next two weeks of debate on the fulfillment by states of their OSCE human dimension commitments will provide valuable guidance for our future actions in this field. Furthermore, this Meeting offers us an excellent opportunity to affirm our dedication to the principles of democracy, observance of human rights and fundamental freedoms, the rule of law and other profound issues at the heart of the OSCE mission.

The Meeting is an important manifestation of the culture of dialog within the OSCE area. And it is not dialog conducted only between governments; the civil society - whose representatives are in this room – is also actively involved.

I welcome the presence here of so many persons representing governments, NGOs and academic communities. Engagement in dialog implies a willingness not only to present ones own ideas, but also to be open to the arguments and opinions of others. Debate and dialog are the basic principles of the Organization for Security and Cooperation in Europe, they constitute the cornerstone of democracy. Cooperation would not be viable without them.

Ladies and Gentlemen,

Different forms of intolerance, trafficking in human beings, corruption, organized crime and terrorism are relatively new topics at the HDIM. The list of challenges and threats we have to confront today – along with traditional problems – is indeed long. It is our duty to keep reminding the international community that the countering of these threats, especially terrorism, must not be achieved at the expense of human rights and individual freedoms. The human dimension acquis of the OSCE must not be questioned, while the commitments we have assumed must be fully implemented.

The Meeting has the primary task of reviewing the implementation of commitments with regard to electoral freedoms. After all, the Office for Democratic Institutions and Human Rights was originally called the Office for Free Elections. Since its establishment in 1990, the ODIHR has developed unique, widely recognized methods of election monitoring. Poland highly commends the activity of the ODIHR and its achievements. Still, we should reflect at this meeting on ways of enhancing both the effectiveness of election monitoring and the support for it of the participating states.

Ladies and Gentlemen,

Sadly, violence and aggression are practically a daily occurrence across the world. We witness people who fall victim to unresolved conflicts – whether political, religious, ethnic or other. In many instances, past war atrocities breed fear and prejudice, undermining confidence between and within different groups and communities. That is why the promotion of tolerance is so crucial and should be highlighted among the priority areas of the OSCE.

Trafficking in persons is a topic that stands out in the agenda of this year’s Meeting. It is unacceptable that in the 21st century, people – particularly women and children – still fall victim to this abominable crime. Allow me to quote at this point the OSCE Secretary-General, Marc Perrin de Brichambaut.-At the High-Level Conference on Combating Trafficking in Human Beings, held in Vienna last March, he said – I quote: “Fighting this horrendous crime of child trafficking, while ensuring the safety and well-being of this most vulnerable group in our society, should remain our common goal if we want to promote human development, prosperity and security at regional, national and international levels” – end of quote.

Trafficking in persons should not be perceived merely as a problem of abuse and exploitation since it also demonstrates an upsurge of organized crime in Europe and beyond. As the international community, we must intensify our endeavors to eradicate this scourge with all

means at our disposal. I hope the Warsaw Meeting will significantly contribute to progress in this regard.

Ladies and Gentlemen,

The OSCE Human Dimension Implementation Meeting is not a simple and easy conference. We have two weeks of packed agendas and numerous side events ahead of us – and that's a challenging proposition. But first, I'd like to invite you to a reception given tonight by the Polish Foreign Ministry at Foksal Street, where the atmosphere promises to be more informal.

I wish you fruitful work during the Meeting. As every year, it should advance confidence through dialog and produce tangible results in the form of concrete projects. This is expected of us.

Thank you for your attention.

Opening Statement by OSCE Secretary General Marc Perrin de Brichambaut

Mr. Chairman,
Ministers,
Colleagues,
Ladies and Gentlemen,

The HDIM is a key moment in the OSCE calendar, and I look forward to the discussions that will take place here.

This event is thought of as the largest and most substantive conference across the OSCE area covering the whole range of human rights issues, and this is right.

Nowhere else is this panoply of questions relating to fundamental freedoms and their implementation discussed in such a manner. Discussion in detail on this range of topics with such varied participants is a luxury that is necessity.

Allow me also to congratulate Ambassador Strohal for his vision and the leadership that he brought to this Meeting and to all ODIHR activities.

Much has happened since we gathered in Warsaw last September.

We welcome the Republic of Montenegro as a new member of the Organization. All of us can and should take pride – ODIHR most especially -- from the role that the OSCE played in the peaceful process that led to Montenegro taking a seat in the Permanent Council on June 22.

The lesson is clear: When fundamental individual rights are respected, even the most momentous decisions can be taken peacefully and legitimately.

This last year reminds us also of the difficulties that we face – the difficulties of building greater tolerance and non-discrimination, the difficulties that remain for crafting democratic institutions and processes across the whole of the OSCE area.

The so-called ‘cartoons crisis’ that erupted in January over the publication by numerous media outlets of caricatures of the Prophet Muhammed compelled each of us to consider the nature of our responsibilities to the commitments that that we have entered into, and to the principles that stand behind these.

Ladies and Gentleman,

The context of our work in the OSCE is not always easy. As is their right, participating States enjoin us continually to work with limited resources, and they remind us of the realities of ‘zero growth’ of the budget of the Organization and its Institutions.

This reality places a premium on co-ordination *within* the Organization and with key partners *outside*.

A major challenge that we face is to strengthen coherence within the OSCE. Managing such a de-centralized organization as ours, with our comprehensive approach to security and our unique role in the Human Dimension is a tall order. In order to improve our effectiveness in a restrained budgetary environment, more co-ordination is vital.

More and more OSCE activities are cross-dimensional. As the Chair of the Organization just reminded us we must consider such issues as dealing with transnational crime and improving criminal justice systems, and the need for deeper co-ordination becomes crystal clear.

We have the expertise, but we need to join our thinking and actions between units and Institutions, in order to pool our resources in a more targeted manner.

Current realities also call for greater OSCE co-ordination with external partners.

It is my task, as the Secretary General, to be active in ensuring effective and continuous working contacts with other international organizations. These relations should be pragmatic and action-oriented. In 2005, we set the framework for deepening co-operation with the Council of Europe; we can do more to take this further.

It is time also to take further our relations with the United Nations and its agencies, in line with our special role as a regional arrangement of the UN under Chapter VIII. There is scope for enhanced co-operation in, for example, human rights (including national minorities issues), early warning and conflict prevention.

The OSCE has a lot of experience and expertise it can share with the UN and others in areas of capacity-building, particularly in the Human Dimension. We have almost unparalleled standards, instruments and institutions on national minorities, freedom of the media, democratization and the rule of law. Our experience stands to be shared.

Greater co-ordination with NGOs is also vitally important.

Civil society has always been a privileged partner of the OSCE. NGOs are the founding pillars of a healthy civil society and the foundations for a healthy international society. At my count, some sixty NGOs are represented at this Meeting, highlighting the importance of NGOs in assisting the implementation of commitments by participating States. I look forward to listening to your views and suggestions, and, not least, thoughtful criticism.

Ladies and Gentlemen,

Intolerance, hate crimes, and terrorism are creating fear and distrust in our multi-cultural cities and our societies. We can not let this lead to divisions, to social, religious or ethnic polarization. Tackling these challenges should be among our highest priorities, certainly within the Human Dimension.

In June of this year, the Chairman in Office and myself presented a Report to the UN Secretary General on the OSCE Contribution to the *Alliance of Civilizations Initiative*. This initiative, may I remind you, was launched by two participating States, Spain and Turkey.

The thesis of this Report is clear. As an organization of common commitments and values among equals, that spans three continents encompassing major world religions and cultures, the OSCE is itself already an alliance of civilizations in action.

This means we have an important contribution to make. Hard work remains before us to make the potential of this Organization a reality.

Anti-trafficking is at the top of this year's HDIM agenda. This is in line with the OSCE's commitment to end this offence to human dignity. There is no quick fix. Combating this problem should be seen in the context of globalization, social and economic inequalities, discrimination and corruption -- which all contribute to the so-called "demand" for trafficked persons.

The Report, *From Policy to Practice: Combating trafficking in Human Beings in the OSCE Region*, just released by the Anti-Trafficking Assistance Unit of the OSCE, documents the numerous activities undertaken by the Organization, its structures, Institutions and field operations to assist the participating States in the implementation of their anti-trafficking commitments. These efforts include *inter alia* trial monitoring of trafficking cases, promoting and protecting victim's rights and access to justice, as well as assisting in legal reform to counter trafficking.

We need to do more to break the cycle of trafficking and to address the factors that contribute to all forms of trafficking. More can be done to identify, protect and assist the individual victims of this crime and to bring the perpetrators to justice. To this end, the Special Day on Trafficking will contribute to the further implementation of the OSCE Action Plan

The OSCE is not a military alliance or an economic union. It is a community of values, spanning the entire northern hemisphere. We need to ensure that the commitments designed to uphold those values remain in force. This Meeting helps to maintain vigilance and to encourage participating States to keep the promises they have made.

Thank you for your attention.

Opening Statement by Ambassador Rolf Ekeus, the OSCE High Commissioner on National Minorities

Mr. Chairman, Ladies and Gentlemen,

It is a pleasure for me to be given the opportunity to address you today at the opening plenary session of this year's Human Dimension Implementation Meeting (HDIM). I wish to thank Ambassador Strohal and his team for organizing this annual event and for having put together such an impressive programme for the two weeks to come. By bringing together representatives of governments, civil society and international organizations, the HDIM has become and will continue to be an important arena for debate and discussion aimed at ensuring respect and fulfilment of the commitments made by the OSCE participating States in the field of the human dimension.

Recently, I was asked to address an audience attending a seminar entitled "Operational Conflict Prevention" at the UN Headquarters in New York. The event coincided with the presentation of Secretary-General Kofi Annan's second report on the prevention of armed conflict. In his report the UN Secretary-General drew attention to the Organization for Security and Co-operation in Europe (OSCE) and the High Commissioner on National Minorities (HCNM) as instruments for conflict prevention. There is now, I believe, a growing international recognition of the importance of operational conflict prevention – as difficult as it may be to implement. We are slowly progressing from just talking about the virtue of conflict prevention to actually carrying it out.

The OSCE has done pioneering work in this field, and as the institution of the OSCE High Commissioner on National Minorities was set up to be an instrument of conflict prevention, I would like to focus on this subject today. While doing so, I will draw special attention to two issues that are highlighted in the UN Secretary-General's report as being indispensable means of conflict prevention. Issues that are, I believe, especially evident and relevant here today, namely the relationship between human rights and conflict prevention and the pivotal role of a vibrant civil society in preventing conflict.

When the HCNM was established in 1992, this was concrete recognition of the fact that violent conflicts in today's world are often fuelled and exacerbated by inter-ethnic tension and tensions between majority and minorities. Tensions that can originate from a sense of exclusion and alienation from society at large, or a sense of threat to one's identity – ethnic, cultural, linguistic and religious. Such tensions can flare into conflict in a situation where state borders are redrawn, where there is economic instability, social and political upheaval or where States seek to re-establish a national identity in the wake of newly achieved independence, sometimes at the cost of the identity of the minorities living within their borders. Such tensions within a state can have

complex repercussions on security in regional and international contexts, not least through their impact on kin-states or neighbouring communities. In creating the institution of the HCNM, the OSCE participating States were not merely reacting to the then ongoing crises, but were seeking to establish a mechanism to prevent future conflicts.

In his recently released report, the UN Secretary-General says that "*there is a reciprocal relationship between human rights and conflict prevention. Violations of human rights are a root cause of conflict; they are also a common consequence of it. It is therefore imperative that resilient national human rights institutions and protection systems be established to safeguard those rights.*"

Safeguarding respect for human rights is one of the most fundamental and effective means of preventing conflict. It is not only the right thing to do; it is the wise thing to do. Governments intent on preserving peace, stability and harmonious relationships within the state and with its neighbours, should make every effort to establish a political, institutional and practical framework that ensures respect for the human dignity and rights of all persons. Human rights form an integral part of the comprehensive security architecture shaped by the OSCE already thirty years ago. This meeting today is one building block in that architecture.

The overarching term "universal human rights" includes the rights of persons belonging to national minorities. Next week, one of the working sessions will be devoted to this theme. Human rights standards, including minority rights, are one of my most important tools as the High Commissioner tasked with conflict prevention. Everyone has a right to their own identity, which encompasses language, culture and religion, as well as the right to freely participate in the political, economic, social and cultural life of the state in which they reside. In essence, minority rights can be described as the right to be different without being discriminated because of those differences. Non-discrimination is therefore the starting-point of minority protection. If however, persons belonging to national minorities are discriminated and threatened because of their ethnic origin, the language they speak or the faith they practice, then the perceived threat to one's own identity and the sense of alienation and exclusion from society at large are factors that pose a risk of stirring up tensions and may – if not addressed properly – lead to violent conflict within and between States.

This is not to say that a legal framework which protects these rights is all that is needed. It is but the first essential step. The notion of an inclusive society in which all feel valued and accepted involves not only setting out the legal framework but actually getting it implemented through policies promoting equality and combating discrimination. It is in this area of developing policies to promote integration with respect for diversity that my work coincides with the wider debate on integration and migration. Something that will be further discussed during the course of next week. Today, it is enough to remind you of the areas of activity where the HCNM is developing effective methods and broadening expertise, such as policies and practices related to education, language and participation in public life, and more specific fields like media broadcasting and policing.

The second issue highlighted in Secretary-General Annan's report, which I would like to draw attention to is the role of civil society. The Secretary-General writes: "*Another important characteristic of societies that peacefully manage conflict is a vibrant civil society, including non-governmental organizations, free media and active religious leaders.*"

I could not agree more. Throughout the years I have held the post of High Commissioner, I have drawn on the knowledge, experience, resourcefulness and creativity of individuals and organizations that constitute civil society in the countries where I am engaged. A strong and vibrant civil society is an invaluable foundation on which to build democracy, peace, security and economic development. Again, the HDIM demonstrates the strength of civil society in the OSCE region, and as such provides an important opportunity for civil society organizations to meet, share experiences, voice their concerns and hold their governments accountable to the commitments they have made. Governments should welcome an engaged and dedicated civil society, as it ultimately eases the task of governing.

The OSCE has been, and I dare to say, continues to be at the forefront in many respects as a regional security organization. Right from the start, the Helsinki Final Act recognized the interwoven relationship between the human, politico-military, economic and environmental dimensions which are all essential in securing peace, stability and friendly relations between and within States. Accordingly, this 11th HDIM continues that recognition by providing an annual platform for civil society. As early as 1990, some time before the Council of Europe Framework Convention on the Protection of National Minorities was ready for signature and the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities was adopted, the OSCE participating States reaffirmed – as part of universally recognized human rights – respect for the rights of persons belonging to national minorities as being an essential factor for peace, justice, stability and democracy in the participating States and committed to "*protect the ethnic, cultural, linguistic and religious identity of national minorities on their territory and create conditions for the promotion of that identity*". And in 1992, the OSCE participating States took the step of establishing the HCNM to serve as an instrument of conflict prevention, acting independently and in confidence.

Today, as a culture of conflict prevention seems to be gaining momentum in the United Nations, the OSCE is looked upon as an organization from which to draw expertise and experience. I firmly believe that the OSCE can contribute valuable insights and provide effective tools with regard to policies and practices of prevention; and can – and should – continue to be at the forefront of finding ways and means to tackle current and future challenges to our common security. The meeting here in Warsaw is a forum in which we can share knowledge and experience and make efforts to improve the implementation of the commitments made in the human dimension.

I thank you.

Opening statement by the OSCE Representative on Freedom of the Media, Mr. Miklós Haraszti

Thank you Mr. Chairman,

Ladies and Gentlemen,

I am honored to be here today.

I would like to express my gratitude to the CIO for giving such a high visibility to media freedom issues this year.

I would like to start by thanking ODIHR for organizing this very important tri-partite meeting. Tri-partite because it brings together NGOs, international organizations and governments to discuss a very broad scope of human rights issues over the next two weeks.

For the media to be free, it needs to be democratized. This means that the custody of the media needs to be handed from the state to the civil society, and that the monopoly of the state over the media has to end.

In 2012 the transition to digital broadcasting in Europe will be completed, overcoming the scarce resource of broadcast frequencies. The new amount of channels for commercial and public service broadcasting will help to build media democracies.

Journalists should be able to do their duty without fear of reprisals. My office has been calling for the decriminalization of libel in the past, and will continue to do so in the future.

Keeping confidential governmental information secret is the responsibility of government officials; therefore journalists should not be liable for receiving and publishing secret government information. Access to information is essential to the journalistic task of informing the public.

My Office is currently compiling a database on Access to Information legislation in the OSCE region. I would therefore kindly remind the participating States to return the questionnaire distributed on this issue by my Office (FOM.GAL/4/06) at their earliest convenience.

The recent “cartoon controversy” has also compelled some states to call for more media regulation. However, only a free media can be a responsible media, therefore, state regulation of the media should remain at a minimum and self-regulatory mechanisms are the preferred option.

The above mentioned issues will be discussed in depth in this afternoon Working Session 1, as well as the follow up from the SHDM on Freedom of the Media, which took place in Vienna on 13 and 14 July 2006.

My Office is holding a side event today during lunch break on “Self-Regulation in the OSCE Region”, in room 2. I hope to see you there.

Ladies and Gentlemen, my Office will continue to support participating States, publishers, journalists and NGOs as they are the builders of media democracy.

Thank you Mr. Chairman.

Keynote speech by the Council of Europe Commissioner for Human Rights, Mr. Thomas Hammarberg

Ladies and gentlemen, distinguished participants,

It is a great pleasure to be here today in the Opening of this important meeting, the purpose of which is to look at the implementation of a broad range of OSCE human dimension commitments by the participating States.

As you know, the Commissioner for Human Rights is an independent body of the Council of Europe, and is mandated to promote effective protection of human rights, among other tasks. In addition to the Commissioner for Human Rights, there is in the Council of Europe a number of important bodies conducting thematic human rights monitoring, usually based on a treaty. I should mention here the activities carried out by CPT, ECRI, ESC, FCNM and of course the Court of Human Rights. The Commissioner for Human Rights closely co-operates with all of these bodies.

The co-operation between the Council of Europe and the OSCE is also very important and is already well established. We – and here I speak for the whole Council of Europe - work together on a number of areas, including terrorism, racism and protection of minorities. The main partners within the OSCE family are the ODIHR, HCNM and the OSCE Representative on the Freedom of Media. We share information with each other and co-operate and co-ordinate activities. Sometimes our activities do overlap, which may even be necessary, but it should not be unintentional.

The two organisations share a common goal, which is to promote democracy, rule of law and the protection of human rights in Europe.

Standard setting has tended to dominate international meetings on human rights. While there still exist some gaps in the human rights standards, most of the areas are by now covered. The gaps, such as the protection of persons with disabilities, need to be filled, but generally, the standard setting has gone a long way. Also, the agreed standards are increasingly being ratified. For example ECHR is now law in all the member states of the Council of Europe, which also opens the door for jurisdiction of the Court in Strasbourg. But there are also some gaps in the ratification of agreed standards. Some member states of the Council of Europe have still not ratified Protocol No 12 to the ECHR on the prohibition of discrimination or the Revised Social Charter. Outside the Council of Europe (but within the broader OSCE region), the USA has yet to ratify the Convention on the Rights of the Child.

The major problem is, however, the lack of implementation of agreed standards. Governments are not living up to their obligations. There can be many reasons behind this, including the lack of ability – in conflict situations, in weak or failed states for example. But the real reason in many

cases is the lack of political determination to genuinely implement human rights standards. If there is political will, there is a way forward, although sometimes it can take some time.

What concrete measures can be taken at the national level to make reality of human rights?

- Review legislation for compliance with international human rights standards
- Secure independence of judiciary
- Educate and train personnel (judiciary, police, doctors, teachers, social workers etc)
- Provide human rights education to the public at large
- Establish proper co-ordination between governmental agencies, ministries, different levels of administration.
- Budget for the implementation of human rights – human rights cost money.

It is important that governments should set clear objectives and benchmarks for the protection of human rights. This can best be achieved by developing National Action Plans. This was one of the recommendations of the 1993 Vienna World Conference on Human Rights, 13 years ago. Few have done so. But where National Action Plans for human rights have been elaborated seriously and in co-operation with all the stakeholders, it has paid off. Experience has shown that it is hard work, even a difficult process, but worth undertaking as it gives an overview of where problems lie.

How can we ensure that human rights are implemented in reality?

What is needed is monitoring of human rights – at national level, by Ombudsmen, by NGOs and by media.

The ability of NGOs to work free from harassment, legislative restrictions and administrative obstacles is extremely important. They work close to the ground, with victims of human rights violations. Laws should not restrict their work on behalf of human rights. Open and critical media are also needed as watchdogs. All voices must be heard freely. Self-regulation is better than state intervention. There should not be atmosphere of censorship. Media policy should be human rights based.

Supporting and protecting the rights of human rights defenders to carry out their activities is crucially important. This is one of my priorities and I also welcome the efforts of the ODIHR to establish the focal point for human rights defenders and the increasing attention paid to their protection.

There is also an important role for international monitoring (treaty bodies, special procedures, rapporteurs) by the CoE, UN and the OSCE. An interesting development is taking place parallel to this OSCE implementation review meeting. The new UN Human Rights Council is meeting in Geneva and the modalities for the Universal Periodic Review are being discussed.

What should be the principles for monitoring human rights?

First of all, it must be recognised and accepted that human rights are an international concern. The purpose of monitoring is not to hurt, but to protect human rights. The culture of dialogue is

important. Treaties are not only between the State party and the monitoring committee, it is between the States.

Secondly, the performance of all the countries should be monitored. This is very important and one of the principles behind the new Universal Periodic Review. Nobody should be above scrutiny.

Thirdly, monitoring should be conducted by experts on human rights and it should be separated from political discussions. There has to be a clear distinction between setting the facts and the political discussions and consequences that follow. Monitoring has to be objective and no double standards should be allowed. Politization should be avoided. This does not mean that human rights should not be subject to political discussions, on the contrary.

What are the lessons for the Governments? Co-operation is necessary, monitoring systems have to be supported. The quality of monitoring can improve by nominating independent experts to monitoring bodies.

The human rights treaties should be seen as contracts between the State Parties. The governments that have ratified the conventions have pledged to respect its norms. If one government violate the treaty, the others have an obligation to react. If they do not, this might be seen as a signal that the standards are less important.

There are several current examples of inadequate reactions by the international community. In some cases the reason seems to be economic interests. I should mention here Darfur and Xinjian in Western China.

There has also been relative passivity in relation to the US methods in its war on terrorism. Other governments ought to react against the decisions in Washington that undo important principles of “presumption of innocence”, habeas corpus and the total prohibition of torture.

The legal provisions adopted recently by the US Congress allow for

- indefinite detention with judicial process of the vaguely defined category of “unlawful enemy combatants”,
- continued secret detention in secret places,
- for proceedings in military commissions that do not meet international standards of fair trial,
- less restrictions on CIA agents undertaking interrogation than prescribed by new Pentagon instructions,
- immunity of such interrogators from future prosecution, and
- the President to make his own interpretation of what is meant by torture in Common Article 3 of the Geneva Conventions.

These decisions are NOT in line with the recent recommendations of the UN Committee against Torture (CAT). Would we accept such methods by other governments? If not, how do we justify the use of double standards?

We need to combat terrorism effectively – terrorist acts are heinous crimes. But we must protect the very values that build our societies. There are some principles that must always be upheld. Presumption of innocence. Habeas Corpus. Total prohibition of torture in all situations and for all people.

If there are misunderstandings on these issues, these must be discussed openly. We must use the same standards for all.

Thank you.

Link to the TIMETABLE

Please refer to the following link:

http://www.osce.org/documents/odihr/2006/09/20791_en.pdf

Link to MODALITIES FOR OSCE MEETING ON HUMAN DIMENSION ISSUES

Please refer to the OSCE Permanent Council Decision No. 476, 23 May 2002 (Relevant Provisions).

Link to the ANNOTATED AGENDA

Please refer to the OSCE document with reference number CIO.GAL/ or check the following link:

http://www.osce.org/documents/odihr/2006/07/20031_en.pdf

Link to the OVERVIEW OF SIDE EVENTS

Please refer to the following link:

http://www.osce.org/documents/odihr/2006/10/20815_en.pdf

INDEX OF DOCUMENTS

All documents distributed during the HDIM are available at:

http://www.osce.org/conferences/hdim_2006.html?page=documents

OSCE Participating States	
Albania	<p>56. Information on "Objectives for the prevention and fight against traffic in humans for the second half of 2006 and some achievements from the first half of 2006"., Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>57. Report on the implementation of Albanian National Strategy for Combatting Trafficking in Human Beings, January - June 2006, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p>
Germany	<p>68. Statement on "trafficking in human beings during the football World Cup", Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>186. Written contribution on "Victim protection in Germany", Working Session 6: Access to Justice.</p> <p>467. Statement on National minorities/Romanies and Sinti - for an international conference against the "Dissemination of Hatred on the Internet", Working Session 13: Fundamental Freedoms II.</p> <p>426. Statement of the autochthonous national minorities in Germany, Working Session 14: Tolerance and non-discrimination II.</p> <p>449. Statement on national minorities / Romanies and Sinti, Working Session 14: Tolerance and non-discrimination II.</p> <p>450. Response of the Government of Germany to the proposal of the Central Council of German Sinti and Roma "Calling for an international conference on >>Disseminating hate via the Internet<<""", Working Session 14: Tolerance and non-discrimination II.</p>
United States of America	<p>7. Statement delivered by Ambassador Steven Pifer, Opening Plenary.</p> <p>32. Statement on Freedom of Expression, Free Media and Information delivered by Michael Stevens, Working Session 1: Fundamental Freedoms I.</p> <p>107. Statement on trafficking in persons as prepared for delivery by Luran Bethell, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>108. Statement on Trafficking in Persons as delivered by Dorothy Douglas Taft, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>179. Statement on Equality of Opportunity for Women and Men as prepared for delivery by Ambassador Clifford Bond, Working Session 4: Tolerance and non-discrimination I.</p> <p>180. Statement on Migration, Refugees and Displaced Persons as prepared for delivery by Ambassador Steven Pifer, Working Session 5: Humanitarian issues and other commitments.</p> <p>218. Statement on Accessible Legal Assistance and Timely Court Decisions as prepared for delivery by Kyle Parker, Working Session 6: Access to Justice.</p> <p>262. Statement on the Rule of Law as prepared for delivery by Ambassador Steven Pifer,</p>

	<p>Working Session 8: Rule of Law I.</p> <p>263. Statement on Legislative Transparency, Independence of the Judiciary and Fair Trial as prepared for delivery by Frank Gaffney, Working Session 9: Rule of Law II.</p> <p>445. Statement on Democratic Institutions and Elections as prepared for delivery by Paul De Gregorio, Working Session 10: Democratic institutions.</p> <p>446. Statement on Freedom of Assembly and Association, Working Session 12: Fundamental freedoms II.</p> <p>447. Statement on Freedom of Thought, Conscience, Religion or Belief as prepared for delivery by Felice Gaer, Working Session 13: Fundamental Freedoms II.</p> <p>529. Statement on aggressive nationalism, Working Session 14: Tolerance and non-discrimination II.</p> <p>612. Statement on National Minorities as prepared for delivery by Ambassador Clifford Bond, Working Session 14: Tolerance and non-discrimination II.</p> <p>597. Statement on Roma and Sinti as prepared for delivery by Erika Schlager, Working Session 15: Tolerance and non-discrimination II.</p> <p>613. Statement on Implementation of OSCE Commitments as prepared for delivery by Special Envoy to Monitor and Combat Anti-Semitism, Gregg Rickman, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p> <p>614. Statement on promotion of tolerance and non-discrimination - Forward-Looking Discussions as prepared for delivery by Shaarik Zafar, Senior Policy Adviser, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).</p> <p>619. Statement concerning the human rights situation in Turkmenistan, Closing Reinforced Plenary Session.</p> <p>620. Remarks of Barry F. Lowenkron, Assistant Secretary of State for Democracy, Human Rights and Labor, Closing Reinforced Plenary Session.</p> <p>575. Written contribution "2006 Annual Report Europe and Eurasia Chapters. Belarus, Georgia, OSCE, Russia, Turkmenistan, Uzbekistan", Written contributions.</p> <p>625. Written recommendations, Written contributions.</p>
Armenia	<p>188. Opening statement, Opening Plenary.</p> <p>189. Statement on freedom of the media + response to the statement of the OSCE Representative on Freedom of the Media, Working Session 1: Fundamental Freedoms I.</p> <p>190. Statement on trafficking in human beings, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>605. Statement on democratic institutions, Working Session 10: Democratic institutions.</p>
Austria	<p>177. Presentation on "Austrian Equal Treatment Law and the Role of the Ombud for Equal Employment Opportunities", Working Session 4: Tolerance and non-discrimination I.</p> <p>178. Information on the new law on equal treatment in Austria, Working Session 4: Tolerance and non-discrimination I.</p>
Azerbaijan	<p>15. Statement on freedom of media, Working Session 1: Fundamental Freedoms I.</p> <p>141. Right of reply, Working Session 1: Fundamental Freedoms I.</p> <p>58. Statement on trafficking in human beings, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>111. Statement, Working Session 4: Tolerance and non-discrimination I.</p> <p>187. Statement on the reform of the legal system in the Republic of Azerbaijan, Working Session 7: Access to Justice.</p> <p>457. Right of Reply, Working Session 9: Rule of Law II.</p>

	<p>299. Statement on human dimension activities, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>379. Statement on the ombudsman institution in Azerbaijan, Working Session 12: Fundamental freedoms II.</p> <p>389. Right of Reply, Working Session 12: Fundamental freedoms II.</p> <p>425. Statement on freedom of thought, conscience, religion or belief, Working Session 13: Fundamental Freedoms II.</p> <p>466. Information on rights of national minorities in Azerbaijan, Working Session 14: Tolerance and non-discrimination II.</p> <p>548. Statement on promotion of tolerance and non-discrimination, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p>
Belarus	<p>47. Overview of Belarusian CT legislation, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>48. Regulation No. 1636 of the Council of Ministers of the Republic of Belarus on the "State Program of Comprehensive Measures for Combating Trafficking in Persons and Spread of Prostitution for 2002 - 2007", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>49. Decree of the President of the Republic of Belarus on "Certain Measure Aimed to Combat Trafficking in Persons", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>50. Law of the Republic of Belarus No. 15-3 on "Amending Certain Codes of the Republic of Belarus to Increase Liability for Human Trafficking and Other Related Offences", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>51. Decree No 352 of August 8, 2005 on "Prevention of the Consequences of Trafficking in Human Beings", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>52. Selected articles of the law on combating trafficking in human beings, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>53. Information on the results of work of relevant authorities regarding stay of citizens of other countries on the Belarussian territory without a valid permit. (8 months of the 2006), Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>54. Information on the situation related to trafficking in persons in the Republic of Belarus, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>76. Information on the Belarus Initiative on Global Partnership against Slavery & Trafficking in Human Beings, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>355. Comments of the Central Election Commission with regard to the OSCE ODIHR's EOM report, Working Session 10: Democratic institutions.</p> <p>356. Statement by Mr. Denis Sidorenko, Head of OSCE/Council of Europe Office, MFA, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p>
Belgium	<p>8. Statement delivered by M. Dider Donfut, Opening Plenary.</p> <p>448. Statement on freedom of religion in Belgium, Working Session 13: Fundamental Freedoms II.</p>
Bulgaria	<p>359. Right of reply, Working Session 10: Democratic institutions.</p> <p>522. Right of Reply, Working Session 15: Tolerance and non-discrimination II.</p>

Canada	<p>79. Statement on Canada's efforts to combat human trafficking, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>116. Statement on gender equality and women's human rights, Working Session 4: Tolerance and non-discrimination I.</p> <p>184. Statement on refugees and asylum-seekers, Working Session 5: Humanitarian issues and other commitments.</p> <p>558. Statement on democratic elections, Working Session 10: Democratic institutions.</p> <p>576. Statement on promoting tolerance and non-discrimination, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).</p>
Croatia	<p>44. Statement on trafficking in human beings, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>371. Right of Reply, Working Session 5: Humanitarian issues and other commitments.</p> <p>432. Statement on respect for minority rights in Croatia, Working Session 14: Tolerance and non-discrimination II.</p>
Finland	<p>38. Opening statement, Opening Plenary.</p> <p>39. Statement on the freedom of expression, free media and information, Working Session 1: Fundamental Freedoms I.</p> <p>133. Statement on trafficking in human beings, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>148. Statement on tolerance and non-discrimination - gender equality, the role of women in conflict prevention and crisis management and the prevention of violence against women, Working Session 4: Tolerance and non-discrimination I.</p> <p>149. Statement on migration, Working Session 5: Humanitarian issues and other commitments.</p> <p>209. Statement on access to justice, Working Session 6: Access to Justice.</p> <p>244. Statement on the Rule of Law I - capital punishment, prevention of torture, international humanitarian law and protection of human rights and fighting terrorism, Working Session 8: Rule of Law I.</p> <p>245. Statement on the Rule of Law II, Working Session 9: Rule of Law II.</p> <p>305. Statement on democratic institutions, Working Session 10: Democratic institutions.</p> <p>306. Statement on the OSCE's human dimension activities, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>411. EU statement on the right to freedom of peaceful assembly, Working Session 12: Fundamental freedoms II.</p> <p>412. EU statement on the freedom of religion and belief, Working Session 13: Fundamental Freedoms II.</p> <p>512. Statement on national minorities, Working Session 14: Tolerance and non-discrimination II.</p> <p>513. Statement on Roma and Sinti issues, Working Session 15: Tolerance and non-discrimination II.</p> <p>581. Statement on promotion of tolerance and non-discrimination, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p> <p>617. European Union Closing Statement, Closing Reinforced Plenary Session.</p>
France	<p>601. Written contribution on "the impact of small arms and light weapons on development and human security", Written contributions.</p>
Georgia	<p>292. Right of reply, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p>

	<p>167. Information on "Achievements in the Penitentiary System of the Ministry of Justice of Georgia (2004-2006), Working Session 6: Access to Justice.</p> <p>293. Right of reply, Working Session 6: Access to Justice.</p> <p>294. Statement on the right to fair trial and accessibility to court, Working Session 6: Access to Justice.</p> <p>295. Right of reply, Working Session 9: Rule of Law II.</p> <p>415. Statement by Mr. Ozar Subari the Public Defender (Ombudsman) of Georgia on "the current politics of intolerance towards Georgians in Russian Federation", Working Session 14: Tolerance and non-discrimination II.</p> <p>455. Statement on the Russia-Georgia relations, Working Session 14: Tolerance and non-discrimination II.</p> <p>611. Right of Reply, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).</p> <p>166. Statement of the MFA of Georgia on the detention of the officers of Russia's special services in Georgia, Written contributions.</p>
United Kingdom	<p>217. Statement announcing the launch of a new, national anti-trafficking centre, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>369. Right of reply on deportations with assurances, Working Session 9: Rule of Law II.</p> <p>370. Statement on legislative reform enabling access of election observers to the UK electoral process, Working Session 10: Democratic institutions.</p> <p>563. Statement on ODIHR's activities including in the field of election observation: speaking points, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p>
Greece	<p>105. Statement on the trafficking in human beings, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>147. Statement on illegal migration, Working Session 5: Humanitarian issues and other commitments.</p> <p>321. Statement on democratic institutions and elections, Working Session 10: Democratic institutions.</p> <p>323. Right of reply, Working Session 10: Democratic institutions.</p> <p>310. Statement on human dimension activities - the ODIHR's work, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>322. Statement on human dimension activities, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>409. Right of Reply, Working Session 12: Fundamental freedoms II.</p> <p>500. Written contribution "Greek Ombudsman as a Specialized Body for Equal Treatment", Working Session 12: Fundamental freedoms II.</p> <p>579. Right of Reply, Working Session 13: Fundamental Freedoms II.</p> <p>583. Right of Reply, Working Session 14: Tolerance and non-discrimination II.</p> <p>582. Statement on Roma and Sinti, Working Session 15: Tolerance and non-discrimination II.</p> <p>552. Statement on promotion of tolerance and non-discrimination, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p>
Italy	<p>43. Written contribution on "Il sistema italiano di contrasto alla tratta degli esseri umani ed alla identificazione e protezione delle vittime" by Mr. Mario Palazzi, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p>
Kazakhstan	<p>164. Opening Statement by National Ombudsman of Kazakhstan Mr. Bolat Baikadamov,</p>

	<p>Opening Plenary.</p> <p>21. Statement by Mr. Bolat Baikadamov, Commissioner for Human Rights, Working Session 1: Fundamental Freedoms I.</p> <p>77. Statement by Mr. Erzhan Babakumarov, Vice-Minister of Culture and Information, Working Session 1: Fundamental Freedoms I.</p> <p>78. Right of Reply, Working Session 1: Fundamental Freedoms I.</p> <p>45. Statement on the fight against human trafficking in Kazakhstan, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>142. Statement by Mr. Bolat Baikadamov, Working Session 5: Humanitarian issues and other commitments.</p> <p>165. Information on justice system in Kazakhstan, Working Session 6: Access to Justice.</p> <p>243. Statement on independence of the judiciary in Kazakhstan, Working Session 9: Rule of Law II.</p> <p>259. Statement by the representative of the Central Election Commission, Working Session 10: Democratic institutions.</p> <p>298. Statement on the implementation of part 2 of decision 17/05 of Ljubljana Ministerial and on principal topics of future OSCE/ODIHR report, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>319. Statement on ombudsperson and national human rights institutions, Working Session 12: Fundamental freedoms II.</p> <p>393. Statement on ombudsman and national human rights institutions, Working Session 12: Fundamental freedoms II.</p> <p>603. Closing statement by Mr. Bolat Baikadamov, Closing Reinforced Plenary Session.</p>
Kyrgyzstan	<p>196. Opening statement by Mr. Tursunbek Akun, Commission of Human Rights under the President of Kyrgyzstan, Opening Plenary.</p> <p>197. Statement on gender equality by Mr. Tursunbek Akun, Working Session 4: Tolerance and non-discrimination I.</p> <p>157. Statement by Mr. Tursunbay Bakir Uulu, Ombudsman of the Kyrgyz Republic, Working Session 6: Access to Justice.</p> <p>198. Statement on the Rule of Law by Mr. Tursunbek Akun, Working Session 6: Access to Justice.</p>
Latvia	<p>622. Statement on combating discrimination and intolerance, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p>
the former Yugoslav Republic of Macedonia	<p>607. Right of Reply, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>608. Right of Reply, Working Session 5: Humanitarian issues and other commitments.</p> <p>291. Statement by Mr. Zoran Todorov - right of reply, Working Session 10: Democratic institutions.</p> <p>499. Statement on national minorities, Working Session 14: Tolerance and non-discrimination II.</p>
Liechtenstein	<p>556. Statement on tolerance and non-discrimination, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).</p>
Lithuania	<p>134. Statement by Mr. Alfredas Nazarovas, Ministry of Social Security and Labour, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>135. Statement by Mr. Alfredas Nazarovas, Ministry of Social Security and Labour,</p>

	Working Session 4: Tolerance and non-discrimination I.
Norway	<p>25. Opening statement by Ambassador Mette Kongshem, Opening Plenary.</p> <p>609. Written recommendations, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>117. Statement on gender equality, Working Session 4: Tolerance and non-discrimination I.</p> <p>255. Statement on democratic institutions, Working Session 10: Democratic institutions.</p> <p>405. Statement on freedom of religion in Norway, Working Session 13: Fundamental Freedoms II.</p> <p>623. Written recommendations, Written contributions.</p>
Uzbekistan	<p>55. Aide-Memoire concerning United Nations General Assembly resolution 60/174 of 16 December 2005, entitled "Situation of human rights in Uzbekistan", Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p>
Netherlands	<p>578. Speaking points by Ambassador Ida van Veldhuizen-Rothenbucher, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p>
Poland	<p>31. Opening address by Dr Janusz Stanczyk, Under-Secretary of State at the Ministry of Foreign Affairs, Opening Plenary.</p> <p>602. Written contribution on the "Reform of the Polish justice system", Working Session 7: Access to Justice.</p>
Romania	<p>69. Information on National Agency against Trafficking in Persons, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>421. Brief Report regarding discrimination based on Religion and Belief, Working Session 13: Fundamental Freedoms II.</p> <p>420. Written contribution on "Preventing and combating all forms of discrimination in Romania", Working Session 14: Tolerance and non-discrimination II.</p> <p>519. Written contribution "Presentation of the National Agency for Roma", Working Session 15: Tolerance and non-discrimination II.</p> <p>535. Written contribution "Roma Rights: extent of discrimination in Romania, A perspective of the National Council for Combating Discrimination", Working Session 15: Tolerance and non-discrimination II.</p>
Russian Federation	<p>20. Opening statement, Opening Plenary.</p> <p>64. Right of reply, Working Session 1: Fundamental Freedoms I.</p> <p>80. Statement on combating trafficking in human beings, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>81. Statement on problems and perspectives of the Russian law on combating trafficking in human beings, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>82. Information on problems and perspectives of the Russian legislation regarding trafficking in human beings, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>121. Statement on the equality of opportunity between women and men, Working Session 4: Tolerance and non-discrimination I.</p> <p>210. Statement on migration, Working Session 5: Humanitarian issues and other commitments.</p> <p>237. Statement on fight against terrorism and international humanitarian law, Working Session 8: Rule of Law I.</p> <p>241. Statement on "violations of human rights in Georgia", Working Session 8: Rule of Law I.</p>

	<p>232. Statement on the independence of justice, Working Session 9: Rule of Law II.</p> <p>260. Information on the amendments to the election law of the Russian Federation, Working Session 10: Democratic institutions.</p> <p>307. Statement on citizenship and political rights, Working Session 10: Democratic institutions.</p> <p>308. Statement on elections in Georgia, Working Session 10: Democratic institutions.</p> <p>309. Statement on democracy at the national, regional and local level, Working Session 10: Democratic institutions.</p> <p>301. Statement on "Improvement of effectiveness of the ODIHR in the field of election monitoring", Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>380. Statement on the freedom of assembly and association in the Russian Federation, Working Session 12: Fundamental freedoms II.</p> <p>381. Information on the new Russian law on NGOs, Working Session 12: Fundamental freedoms II.</p> <p>382. Comparative Table of the legislation of Certain States Governing NGO Activities, Working Session 12: Fundamental freedoms II.</p> <p>383. Statement on ombudsman and national human rights institutions, Working Session 12: Fundamental freedoms II.</p> <p>452. Right of Reply, Working Session 12: Fundamental freedoms II.</p> <p>505. Statement on national minorities, Working Session 14: Tolerance and non-discrimination II.</p> <p>506. Statement on prevention of nationalism and chauvinism, Working Session 14: Tolerance and non-discrimination II.</p> <p>570. Right of Reply, Working Session 14: Tolerance and non-discrimination II.</p> <p>511. Statement on Roma and Sinti, Working Session 15: Tolerance and non-discrimination II.</p> <p>610. Written contribution on "Unfriendly actions of the Georgian side towards Russia", Closing Reinforced Plenary Session.</p> <p>615. Closing Statement, Closing Reinforced Plenary Session.</p>
San Marino	<p>103. Statement on activities of the San Marino in the field of human dimension, Opening Plenary.</p>
Holy See	<p>102. Statement on freedom of expression, Working Session 1: Fundamental Freedoms I.</p> <p>427. Statement on democratic institutions, Working Session 10: Democratic institutions.</p> <p>428. Statement on religious freedom, Working Session 13: Fundamental Freedoms II.</p> <p>429. Statement on tolerance and non-discrimination of National Minorities, Working Session 14: Tolerance and non-discrimination II.</p> <p>553. Statement on Promotion of Tolerance and Non Discrimination and Mutual Respect and Understanding, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p> <p>554. Written recommendations, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p>
Serbia	<p>18. Statement by Milos Jankovic, Assistant Minister, Working Session 1: Fundamental Freedoms I.</p> <p>113. Statement by H.E. Mr. Dragisa Dabetic, Commissioner for Refugees of the Republic of Serbia, Working Session 5: Humanitarian issues and other commitments.</p> <p>297. Statement by dr Petar Ladjevic, Director of the Agency for Human and Minority Rights, Working Session 10: Democratic institutions.</p>

	<p>390. Statement by dr Petar Ladjevic on the freedom of religion or belief, Working Session 13: Fundamental Freedoms II.</p> <p>481. Statement on minorities situation in Kosovo and Metohija, Working Session 14: Tolerance and non-discrimination II.</p> <p>618. Closing Statement, Closing Reinforced Plenary Session.</p>
Slovakia	<p>316. Written contribution on "The Public Defender of Rights in the Slovak Republic", Working Session 12: Fundamental freedoms II.</p> <p>317. Excerpt from the Constitution of the Slovak Republic "The Act on Public Defender of Rights", Working Session 12: Fundamental freedoms II.</p> <p>318. Information on the "Legal status of the Public Defender of Rights and practice finding from protection and observance of the fundamental rights and freedoms in the Slovak Republic", Working Session 12: Fundamental freedoms II.</p> <p>328. Statement by Ms. Viera Mrazova, Executive Director of the Slovak National Centre for Human Rights, Working Session 12: Fundamental freedoms II.</p> <p>498. Statement on national minorities, Working Session 14: Tolerance and non-discrimination II.</p> <p>586. Statement by the Slovak Government's Plenipotentiary for Roma Communities, Working Session 15: Tolerance and non-discrimination II.</p>
Sweden	<p>63. Statement by Ambassador Anders Oljelund, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>92. The Swedish Government's action plan to implement Security Council resolution 1325 (2000) on women, peace and security. Working Session 4: Tolerance and non-discrimination I.</p> <p>104. Statement by Deputy Director Cecilia Romson Ormberg, MFA Sweden, Working Session 4: Tolerance and non-discrimination I.</p> <p>330. Statement by Mr. Hans Ytterberg, the Ombudsman of Sweden against Discrimination on grounds of Sexual Orientation, Working Session 12: Fundamental freedoms II.</p>
Switzerland	<p>14. Opening statement, Opening Plenary.</p> <p>35. Statement, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>37. Written recommendations on trafficking in human beings, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>36. Statement, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p> <p>109. Statement on the role of women in conflict prevention and crisis management, Working Session 4: Tolerance and non-discrimination I.</p> <p>110. Written recommendations, Working Session 4: Tolerance and non-discrimination I.</p> <p>219. Statement on the fight against terrorism, human rights and humanitarian law, Working Session 8: Rule of Law I.</p> <p>220. Written recommendations on the fight against terrorism, human rights and humanitarian law, Working Session 8: Rule of Law I.</p> <p>497. Statement on national minorities, Working Session 14: Tolerance and non-discrimination II.</p>
Tajikistan	<p>193. Death Penalty - response to the ODIHR questionnaire, Working Session 8: Rule of Law I.</p>
Turkey	<p>98. Statement on freedom of expression and hate speech, Working Session 1: Fundamental Freedoms I.</p> <p>99. Right of reply, Working Session 1: Fundamental Freedoms I.</p>

	<p>100. Statement on the "Ongoing efforts of Turkey", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>152. Statement on gender equality, women's participation in political life and violence against women, Working Session 4: Tolerance and non-discrimination I.</p> <p>153. Statement on migrant workers and integration of legal migrants, Working Session 5: Humanitarian issues and other commitments.</p> <p>154. Written contribution on internally displaced persons (IDPs) in Turkey, Working Session 5: Humanitarian issues and other commitments.</p> <p>624. Statement on the ODIHR's program priorities and project activities (2007), Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>549. Statement on freedom of thought, conscience, religion or belief, Working Session 13: Fundamental Freedoms II.</p> <p>551. Statement on national minorities, Working Session 14: Tolerance and non-discrimination II.</p> <p>604. Statement on promotion of tolerance and non-discrimination, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).</p>
Ukraine	<p>4. Statement by Deputy Head of the Department of the State Information Policy and European Integration Mr. Igor Radziyevskyy on "Securing Freedom of Speech, Mass-media, Free Access to Information and Protection of Journalists in Ukraine", Working Session 1: Fundamental Freedoms I.</p> <p>46. Information on law on trafficking in human beings in the Ukraine, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>115. Statement on "Problems related to regulation of migration processes and security of rights of the migrant workers in Ukraine", Working Session 5: Humanitarian issues and other commitments.</p> <p>183. Right of Reply, Working Session 5: Humanitarian issues and other commitments.</p> <p>159. Statement on access to justice in Ukraine, Working Session 6: Access to Justice.</p> <p>257. Statement on democratic institutions, Working Session 10: Democratic institutions.</p> <p>337. Statement on "Right of Peaceful Assemblies", Working Session 12: Fundamental freedoms II.</p> <p>338. Statement on the "Right of Movement", Working Session 12: Fundamental freedoms II.</p> <p>339. Statement on "The Authorized Human Rights Representative of the Verkhovna Rada of Ukraine", Working Session 12: Fundamental freedoms II.</p> <p>402. Statement on "Freedom of Belief and Religious Organizations", Working Session 13: Fundamental Freedoms II.</p>

OSCE Partners for Co-operation

Japan	<p>75. Presentation by Ambassador Yukio Takasu on "Human Security Challenges. Opportunities for cooperation through OSCE", Side Event: Promoting the Concept of Human Security in the OSCE Area.]</p>
--------------	---

OSCE Mediterranean Partners for Co-operation

Egypt	<p>73. Ethical Principles against Trafficking in Human Beings, especially Women and Children, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p>
--------------	--

74. Statement on the Trafficking in Persons, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).

OSCE Institutions

OSCE High Commissioner on National Minorities

286. Opening address by Rolf Ekeus, OSCE High Commissioner on National Minorities, Opening Plenary.
397. Statement on behalf of Ambassador Rolf Ekeus on Freedom of Thought, Conscience, Religion and Belief, Working Session 13: Fundamental Freedoms II.
431. Introductory statement by Mr. John de Fonblanque, Director, Working Session 14: Tolerance and non-discrimination II.
568. Presentation "Panel on Minority Integration and Development", Side Event: HCNM Recommendations on Policing in Multi-Ethnic Societies.

OSCE ODIHR

72. Provisional List of Participants, Background Documents.
150. Compilation of written recommendations covering Working Sessions 2 & 3, Background Documents.
151. Information on the ODIHR activities in the field of the Rule of Law: Access to Justice, Background Documents.
200. Compilation of written recommendations covering Working Sessions 4 & 5, Background Documents.
201. Information on the ODIHR activities regarding the rule of law, fight against terrorism and regarding death penalty, Background Documents.
249. Compilation of Written Recommendations covering Working Sessions 6-7, Background Documents.
250. Compilation of Written Recommendations covering Working Sessions 8-9, Background Documents.
413. Compilation of Written Recommendations covering Working Sessions 10 - 11, Background Documents.
503. Compilation of written recommendations covering working sessions 12 - 13, Background Documents.
599. Compilation of written recommendations covering Working Sessions 14 - 15, Background Documents.
600. Compilation of written recommendations covering Working Sessions 16 - 17, Background Documents.
606. Final List of Participants, Background Documents.
12. Opening Remarks by Ambassador Christian Strohal, ODIHR Director, Opening Plenary.
83. Compilation of written recommendations (WS1), Working Session 1: Fundamental Freedoms I.
33. Information on the ODIHR activities to the WS on "Addressing factors contributing to the cycle of trafficking", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.
34. Report on ODIHR Activities relating to Trafficking in Human Beings in the OSCE Region, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.
139. Position Paper on "Awareness Raising for Roma Activists on the Issue of Trafficking in Human Beings in South-Eastern Europe", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.
84. Information on the ODIHR activities related to equality of opportunity for women and men, role of women in conflict prevention and crisis management, prevention of

- violence against women (WS 4), Working Session 4: Tolerance and non-discrimination I.
85. Information on the ODIHR activities regarding migrant workers, the integration of legal migrants, refugees and displaced persons, treatment of citizens of other participating States (WS 5), Working Session 5: Humanitarian issues and other commitments.
251. Information on the ODIHR activities in the field of Democratic Institutions, Working Session 10: Democratic institutions.
264. Compilation of references of Roma in the ODIHR Election Observation Missions (CPRSI), Working Session 10: Democratic institutions.
265. Report "Mapping the Electoral Participation of Roma in South Eastern Europe" - ODIHR-EC Joint project "Roma use your ballot wisely!", Working Session 10: Democratic institutions.
266. Briefing Paper - Joint EC and OSCE ODIHR Programme: "Roma use your ballot wisely!", Country profiles: Roma Participation in Elections in South-Eastern Europe 2003-2005 (CPRSI), Working Session 10: Democratic institutions.
267. Report on "Roma Participation in the 2005 Bulgarian Parliamentary Elections" (prepared by the National Democratic Institute for International Affairs), Working Session 10: Democratic institutions.
268. "Political Participation and Media Representation of Roma and Sinti in Italy" the case studies (CPRSI), Working Session 10: Democratic institutions.
464. Introductory statement by Mr. Gerald Mitchell, Head of the OSCE/ODIHR Election Department, Working Session 10: Democratic institutions.
304. Information on the ODIHR activities in the field of freedom of movement and freedom of assembly and association, Working Session 12: Fundamental freedoms II.
410. Introductory statement by Mr. Mark Guthrie, Deputy Head of Human Rights Department, Working Session 12: Fundamental freedoms II.
341. Information on the ODIHR activities relating to freedom of thought, conscience, religion or belief, Working Session 13: Fundamental Freedoms II.
439. Report by the European Roma Information Office on "Anti-Gypsyism in European Media", Working Session 14: Tolerance and non-discrimination II.
438. OSCE PC Decision on the Roma and Sinti Action Plan, Working Session 15: Tolerance and non-discrimination II.
440. Compilation of Summaries of the CPRSI Side Events on Roma and Sinti, Working Session 15: Tolerance and non-discrimination II.
441. Information on the ODIHR Activities in the field of Roma/Sinti and Implementation of the Action Plan on Roma and Sinti Issues, Working Session 15: Tolerance and non-discrimination II.
453. Written contribution "Policing and Roma: A Resource Manual. A compilation of documents to support implementation of the OSCE Action Plan for Roma & Sinti" Prepared by Dr Robin Oakley, European Dialogue, Working Session 15: Tolerance and non-discrimination II.
523. Draft Report of the Conference on the "Implementation and Harmonization of National Policies for Roma, Sinti and Travellers. Guidelines for a Common Vision", Working Session 15: Tolerance and non-discrimination II.
524. Written contribution "The state of play with civil and political rights of Roma in Southeast Europe and the emerging trends of human rights abuses" prepared by Alphia Abdikeeva, consultant, Working Session 15: Tolerance and non-discrimination II.
525. Report of the "Joint Conference on the Implementation of Policies/ Action Plans for Roma, Sinti and Travellers, and Measures Against the Anti-Gypsyism Phenomenon in Europe", Working Session 15: Tolerance and non-discrimination II.
526. Report on "Roma Housing and Settlements in South-Eastern Europe: Profile and

	<p>Achievements in Serbia in a Comparative Framework", Working Session 15: Tolerance and non-discrimination II.</p> <p>465. Report on Challenges and Responses to Hate-Motivated Incidents in the OSCE Region, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p> <p>527. Information on the ODIHR activities in Promotion of tolerance, non-discrimination, and mutual respect and understanding, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p> <p>616. Closing statement by Ambassador Christian Strohal, the Director, Closing Reinforced Plenary Session.</p>
--	--

OSCE Representative on Freedom of the Media	<p>30. Presentation on the Self-regulation in the OSCE area - general overview by Ms. Adeline Hulin, Assistant Project Officer, Side Event "Self-Regulation in the OSCE Region", Convenor: OSCE Office of the Representative on Freedom of the Media.</p> <p>629. Opening speech by OSCE Representative on Freedom of the Media, Mr. Miklos Haraszti, Opening Plenary.</p>
--	--

OSCE Secretariat

OSCE Secretariat	<p>555. Introductory statement by Ms. Beatrix Attinger Colijn, Senior Adviser on Gender Issues, Working Session 4: Tolerance and non-discrimination I.</p> <p>628. Opening statement by the OSCE Secretary General, Mr. Marc Perrin de Brichambaut, Opening Plenary.</p>
-------------------------	--

OSCE Missions and other Field Activities

OSCE Mission in Kosovo	<p>565. Statement on the role of the OSCE (OMiK/ODIHR) in facilitating co-operation between international organisations and local stakeholders, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>564. Statement on Implementation of the OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area, Working Session 15: Tolerance and non-discrimination II.</p>
-------------------------------	---

International Organizations

Council of Europe	<p>6. Overview of the Work of the Council of Europe in the Media Field, Working Session 1: Fundamental Freedoms I.</p> <p>491. Statement "Freedom of the Media: Protection of Journalists and Access to Information", Working Session 1: Fundamental Freedoms I.</p> <p>40. Contribution on the Council of Europe Convention on action against trafficking in human beings, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>70. Information on the Council of Europe Convention on Action against Trafficking in Human Beings (updated August 2005), Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>71. Information on the Council of Europe Action against Trafficking in Human Beings, Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.</p> <p>572. Statement on Action against trafficking in human beings, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p>
--------------------------	--

- 86. Contribution on the Equality between Women and Men, Working Session 4: Tolerance and non-discrimination I.
- 87. Contribution on Domestic violence, Working Session 4: Tolerance and non-discrimination I.
- 88. Contribution on Non-discrimination as guaranteed by the European Social Charter (also to WS 14,15,16 and 17), Working Session 4: Tolerance and non-discrimination I.
- 89. Leaflet on Equality between women and men, Working Session 4: Tolerance and non-discrimination I.
- 90. Information on Action undertaken by the Council of Europe in the field of gender mainstreaming, Working Session 4: Tolerance and non-discrimination I.
- 91. Leaflet on Combating violence against women, Working Session 4: Tolerance and non-discrimination I.
- 130. Written recommendations, Working Session 4: Tolerance and non-discrimination I.
- 127. Contribution on "Migrant Workers Rights as Guaranteed by the European Social Charter", Working Session 5: Humanitarian issues and other commitments.
- 128. Information on recent activities in the field of migration, Working Session 5: Humanitarian issues and other commitments.
- 129. Information on the Council of Europe activities in the field of asylum and refugee law, Working Session 5: Humanitarian issues and other commitments.
- 131. Written recommendations, Working Session 5: Humanitarian issues and other commitments.
- 494. Statement on the Rule of Law and respect of human rights, Working Session 6: Access to Justice.
- 221. Contribution on the Protection of human rights and fighting terrorism, Working Session 8: Rule of Law I.
- 222. Contribution on the "Council of Europe and the Judicial System", Working Session 8: Rule of Law I.
- 223. Contribution on the abolition of capital punishment, Working Session 8: Rule of Law I.
- 224. Information on the intergovernmental co-operation in the prison field, Working Session 8: Rule of Law I.
- 225. Contribution on Legislative transparency, Working Session 8: Rule of Law I.
- 226. Work Programme of the Committee on Legal Affairs and Human Rights, Working Session 8: Rule of Law I.
- 227. Committee on Legal Affairs and Human Rights - List of adopted texts (October 2005 - September 2006), Working Session 8: Rule of Law I.
- 228. Written recommendations on the protection of human rights and fighting terrorism., Working Session 8: Rule of Law I.
- 460. Statement on Abolition of Capital Punishment, Working Session 8: Rule of Law I.
- 493. Statement "Prevention of Torture", Working Session 8: Rule of Law I.
- 269. Written contribution on "Democracy at the national, regional and local levels", Working Session 10: Democratic institutions.
- 270. Information on activities of the Council of Europe Democracy Department, Working Session 10: Democratic institutions.
- 271. Written contribution on Venice Commission, Working Session 10: Democratic institutions.
- 272. Written contribution on Parliamentary Assembly and Election Observation, Working Session 10: Democratic institutions.
- 273. Written contribution on the Council of Europe activities in the field of Nationality/Citizenship, Working Session 10: Democratic institutions.

274. Written contribution on the Congress of Local and Regional Authorities of Europe, Working Session 10: Democratic institutions.
331. Written contribution on "Freedom of Association as Guaranteed by the European Social Charter", Working Session 12: Fundamental freedoms II.
332. Information on the Committee of Ministers Monitoring Procedure, Working Session 12: Fundamental freedoms II.
333. Freedom of Association - Thematic monitoring report. Part I - Overview of Council of Europe's work on freedom of association, Working Session 12: Fundamental freedoms II.
334. Freedom of Association - Thematic monitoring report. Part II - Examples of legislation and practice on freedom of association in member states in application of CoE's principles and standards, Working Session 12: Fundamental freedoms II.
335. Freedom of Association - Thematic monitoring report. Part III - Conclusions and proposals for follow-up action, Working Session 12: Fundamental freedoms II.
495. Statement on freedom of assembly and association, Working Session 12: Fundamental freedoms II.
459. Statement on prevention of aggressive nationalism, chauvinism and ethnic cleansing, Working Session 14: Tolerance and non-discrimination II.
472. Written recommendations, Working Session 14: Tolerance and non-discrimination II.
473. Written contribution "Council of Europe activities in the field of protection of national minorities", Working Session 14: Tolerance and non-discrimination II.
474. Written contribution "Establishment of a European remembrance centre for victims of forced population movements and ethnic cleansing", Working Session 14: Tolerance and non-discrimination II.
475. Written contribution "Tolerance and Non-discrimination", Working Session 14: Tolerance and non-discrimination II.
476. Written contribution "Ratification of the Framework Convention for the Protection of National Minorities by the member states of Council of Europe", Working Session 14: Tolerance and non-discrimination II.
480. Report on current situation in Kosovo, Working Session 14: Tolerance and non-discrimination II.
492. Statement "Council of Europe activities in the field of protection of national minorities", Working Session 14: Tolerance and non-discrimination II.
477. Written contribution on Roma and Sinti issues, countries overview, Working Session 15: Tolerance and non-discrimination II.
479. Report of the Chair of the MG-S-ROM and the Council of Europe Coordinator for Roma and travellers activities following their mission to Kosovo (Serbia), Working Session 15: Tolerance and non-discrimination II.
530. Written contribution "Combating racism, racial discrimination and all forms of intolerance : a Council of Europe priority", Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
531. Written recommendations, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
571. Closing statement, Closing Reinforced Plenary Session.
478. Paper presented by Council of Europe DG3 Roma and Travellers Division at the side event on Roma housing, OSCE HDIM, 2 October 2006, Written contributions.
627. Keynote speech by the Council of Europe Commissioner for Human Rights, Mr. Thomas Hammarberg, Opening Plenary.

International

114. Study on customary international humanitarian law: A contribution to the

Committee of the Red Cross	understanding and respect for the rule of law in armed conflict. Provided by Mr. Jean-Marie Henckaerts, Side Event: Customary International Humanitarian Law. Convenor: ICRC.
Organization of the Islamic Conference (OIC)	547. Statement and written recommendations, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
UNHCR	195. Statement on Refugees and Internally Displaced Persons, Working Session 5: Humanitarian issues and other commitments.

Non-Governmental Organizations

"Article 19"	9. Statement by Mr. Luitgard Hammerer, Regional Representative for Central and Eastern Europe and CIS Region, Working Session 1: Fundamental Freedoms I.
"Impreuna" Agency for Community Development	119. Statement on the Romani women from Romania, Working Session 4: Tolerance and non-discrimination I.
Agzybirlik	275. Information on the "10 bans in Turkmenistan", Working Session 10: Democratic institutions. 360. Statement on freedom of movement, assembly and association in Turkmenistan, Working Session 12: Fundamental freedoms II.
Alliance against Conformity	424. Written contribution "Hitler-Concordat still valid in Germany - the Dr. Nittmann case before the European Court of Human Rights", Working Session 13: Fundamental Freedoms II.
Altynbek Sarsenbayev Foundation, Kazakhstan	462. Written contribution "Observation of international and constitutional norms at administration of justice in Kazakhstan: Investigation and trial on the case of murder of state and public figure Altynbek Sarsenbaiuly", Side Event: Recent developments in the protection and assistance to trafficked persons, including children.
Amalipe Center for Interethnic Dialogue and Tolerance	42. Statement by Ms. Teodora Krumova on "The Trafficking of Romani Women and Children: Still a Prosperous Business", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons. 101. Contribution by Ms. Teodora Krumova on "The Gender Perspective in the Policy for Roma Integration in Bulgaria", Working Session 4: Tolerance and non-discrimination I. 504. Written contribution "The Roma strategies in Bulgaria in the eve of EU accession", Working Session 15: Tolerance and non-discrimination II.
Amnesty International	26. Statement on Freedom of expression, free media and information in the participating States., Working Session 1: Fundamental Freedoms I. 143. Statement on Prevention of violence against women, Working Session 4: Tolerance and non-discrimination I. 144. Written recommendations, Working Session 4: Tolerance and non-discrimination I. 145. Statement on migrant workers, refugees and displaced persons, treatment of citizens of other participating States, Working Session 5: Humanitarian issues and other commitments. 146. Written recommendations, Working Session 5: Humanitarian issues and other commitments. 590. Written contribution on "The forced disappearance of Remzi Hoxha", Working Session 6: Access to Justice.

	<p>595. Statement on access to justice, Working Session 6: Access to Justice.</p> <p>596. Written recommendations, Working Session 6: Access to Justice.</p> <p>591. Statement on the abolition of the death penalty, Working Session 8: Rule of Law I.</p> <p>592. Written recommendations, Working Session 8: Rule of Law I.</p> <p>593. Statement on the rule of law, Working Session 9: Rule of Law II.</p> <p>594. Written recommendations, Working Session 9: Rule of Law II.</p>
Anti Defamation League	567. Introductory Statement and recommendations on Addressing bias-motivated youth violence, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).
ARSIS - Association for the Social Support of Youth	375. Summary of the publication "Transnational protection of Children. The case of Albania and Greece 2000-2006". Publication prepared jointly with Terre des Hommes., Side Event: Recent developments in the protection and assistance to trafficked persons, including children.
Associatia Pro Democratia	256. Statement supporting the "Partnership" activists on behalf of the European Network of Election Monitoring Organizations (ENEMO), Working Session 10: Democratic institutions.
Association Cultuelle le Temoins de Jehovah de France	327. Statement on attacks for Jehova Witnesses in France, Working Session 13: Fundamental Freedoms II.
Association for the Prevention of Torture	626. Written recommendations, Working Session 8: Rule of Law I.
Association of Christian Churches in Russia	502. Written statement "New tendencies in the state of Evangelical churches in Russia", Working Session 15: Tolerance and non-discrimination II.
Association of Islamic Organizations of Zurich (VIDZ)	470. Statement by Fatih Dursun about Muslim minorities, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
Athinganoi	<p>261. Statement on the position of minorities in democratic institutions with a special focus on Roma, Working Session 10: Democratic institutions.</p> <p>483. Statement on Intervention on implementation of the OSCE Action Plan on Roma in relation to Police, Working Session 15: Tolerance and non-discrimination II.</p> <p>486. Written contribution "Petition to authorities of Kosovo from the participants in the Workshop in Durres", Working Session 15: Tolerance and non-discrimination II.</p> <p>487. Written contribution "Questions for the session 15", Working Session 15: Tolerance and non-discrimination II.</p> <p>488. Written contribution "Questions for the session 15", Working Session 15: Tolerance and non-discrimination II.</p> <p>489. Written contribution "Questions for the session 15", Working Session 15: Tolerance and non-discrimination II.</p> <p>490. Written contribution "Questions for the session 15", Working Session 15: Tolerance and non-discrimination II.</p>
Azerbaijan Center for Religion and Democracy	342. Statement by Mr. Nariman Gasimoglu on "Radicalization of Religious Thought and Problems of Religious Freedoms in Muslim Societies of CIS countries", Working Session 13: Fundamental Freedoms II.
B'nai B'rith	580. Statement on "The Ongoing Struggle Against Anti-Semitism", Working Session 16:

International	Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
Belarusian Roma Lawyers Group	496. Statement on Roma minority in Belarus, Working Session 15: Tolerance and non-discrimination II.
Business Women Association of Kazakhstan	138. Statement on tolerance and non-discrimination by Ms. Raushan Sarsenbayeva, Working Session 4: Tolerance and non-discrimination I.
Canadian Council of Muslim Women	561. Statement on promotion of tolerance and non-discrimination, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).
CARITAS Europa	60. Press release "Churches welcome Pan-European instrument against trafficking in human beings", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons. 61. Written contribution on the Caritas Internationalis Commitment on Combating Trafficking in Human Beings "Created in the image of God, treated like slaves...", Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued). 62. Statement "Advocacy on Council of Europe Convention against Trafficking", Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).
Centre for Migration Research, Istanbul Bilgi University	124. Introductory statement on "Migrant Workers and the Integration of Legal Migrants", Working Session 5: Humanitarian issues and other commitments.
Centre on Migration, Policy and Society, University of Oxford	66. Introductory presentation "Demand for >trafficked< labour: individual and state responses" by Ms. Bridget Anderson, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued). 387. Introductory statement by Ms. Bridget Anderson on "Demand for 'trafficked labour': individual and state responses", Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).
Charter for Human Rights	364. Statement on the "situation in Kazakhstan with regard to freedom of assembly", Working Session 12: Fundamental freedoms II.
Church of Scientology International	354. Statement on religious freedom in Europe, Working Session 13: Fundamental Freedoms II.
Circle of Youth	501. Written contribution "The Reconstruction fo the Rromani Mahala in Mitrovica", Working Session 15: Tolerance and non-discrimination II.
Citizens Against Corruption	199. "Report on the outputs of monitoring of courts, penal jurisdictions, conflict situations related to human rights violations in Kyrgyzstan after 24 March 2005", Working Session 7: Access to Justice. 361. Written contribution on "Killing of an independent journalist in Russia: isn't it consonant with serial political killings in Kyrgyzstan?", Written contributions. 362. Written contribution "Report on the outputs of monitoring of courts, penal jurisdictions, conflict situations related to human rights violations in Kyrgyzstan after 24 March 2005", Written contributions.
Civic Initiatives Support Centre, Uzbekistan	93. Monitoring of the implementation of provisions of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in the Republic of Uzbekistan, Working Session 4: Tolerance and non-discrimination I. 94. Information on the national plan of action of Uzbekistan on prevention of all forms of

	discrimination against women, Working Session 4: Tolerance and non-discrimination I.
Civil Rights Project, Vukovar	468. Statement on refugee and IDPs, Working Session 14: Tolerance and non-discrimination II.
Cojep International	358. Statement on democratic institutions: Elections, Nationality and Political Rights, Working Session 9: Rule of Law II. 353. Statement on freedom of thought, religion and conscience, Working Session 13: Fundamental Freedoms II. 584. Statement on tolerance and non-discrimination, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).
Columbia University	112. Statement on "Improving the OSCE Action Plan for the Promotion of Gender Equality: Adopting and Intersectional Framework" by Independent Consultant, Ms. Alexandra Oprea, Working Session 4: Tolerance and non-discrimination I.
Constantinopolitan Society	422. Statement on the situation of non-Muslim minorities in Turkey, Working Session 14: Tolerance and non-discrimination II.
Democratic Journalists League	16. Statement on the situation of defamation in Azerbaijan, Working Session 1: Fundamental Freedoms I. 22. Appeal of the Committee to Defend the Rights of Imprisoned Satiric / Journalist Sakit Zahidov (Azerbaijan), Working Session 1: Fundamental Freedoms I. 23. Contribution on the "deterioration of freedom of expression in Azerbaijan", Working Session 1: Fundamental Freedoms I.
Deutsch-Tuerkisches Sprach und Kulturinstitut fuer integrative Bildung e.V.	280. Statement on the "Mainstream Ethnicity Policies of the OSCE and Germany", Working Session 10: Democratic institutions. 315. Written contribution entitled "To Blame Turkey for something which in actuality is an internal Problem of the EU", Working Session 12: Fundamental freedoms II.
DITIB, Diyanet Isleri Turk Islam Birliigi	541. Statement on treatment of Islam in Germany, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
Dutch - Turkish Education Foundation	542. Statement on educational problems among Turkish immigrant children in the Netherlands, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
ECPAT - Europe Law Enforcement Group	287. Presentation on "Multi Stakeholder Training on trafficking in children for sexual purposes in Europe", Side Event: Recent developments in the protection and assistance to trafficked persons, including children.
Estonian Institute for Human Rights	471. Overview of the human rights situation in Estonia in 2005, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
EUROMIL - European Organisation of Military Association	326. Statement on freedom of assembly and association, Working Session 12: Fundamental freedoms II.
European Association of Jehovah's	347. Statement on behalf of Jehovah's Witnesses in Russia, Working Session 13: Fundamental Freedoms II. 348. Statement on behalf of Jehovah's Witnesses in Uzbekistan, Working Session 13:

Christian Witnesses	<p>Fundamental Freedoms II.</p> <p>349. Written contribution "Transnistria - Religious Persecution Continues - Jehovah's Witnesses Face Ban", Working Session 13: Fundamental Freedoms II.</p> <p>350. Written contribution "Religious Persecution Escalates in Uzbekistan", Working Session 13: Fundamental Freedoms II.</p>
European Dialogue	<p>458. Information on the report "Police and Roma: Towards Safety for Multi-Ethnic Communities. Progress Report 2006", Working Session 15: Tolerance and non-discrimination II.</p> <p>461. Written contribution - Contents of the "Policing and Roma: a resource manual - a compilation of documents to support implementation of the OSCE Action Plan on Roma and Sinti", Working Session 15: Tolerance and non-discrimination II.</p> <p>463. Report on "Romanian Police Strategic Initiative", Working Session 15: Tolerance and non-discrimination II.</p>
European Humanist Federation	<p>253. Leaflet introducing the European Humanist Federation, Side Event: Equality of believers and non-believers.</p> <p>352. Written recommendations on Human Rights, Democracy and Religion, Working Session 13: Fundamental Freedoms II.</p> <p>621. Statement on the equality between believers and non-believers, Working Session 13: Fundamental Freedoms II.</p> <p>521. Statement on freedom of religion, Working Session 15: Tolerance and non-discrimination II.</p>
European Jewish Congress	<p>589. Statement by Mr. Michael Whine, Working Session 12: Fundamental freedoms II.</p>
European Pride Organisers Association (epoa) e.V.	<p>325. Statement on freedom of assembly, Working Session 12: Fundamental freedoms II.</p>
European Raelian Movement	<p>343. Statement on discrimination, Working Session 13: Fundamental Freedoms II.</p> <p>345. Questionnaire of the Inquiry Commission on the influence of sectarian movements and the consequences of their practices on the physical and mental health of minors, Working Session 13: Fundamental Freedoms II.</p> <p>368. Written contribution, Working Session 13: Fundamental Freedoms II.</p>
European Roma Grass Roots Organisation	<p>283. Statement by Mr. Valeriu Nicolae on action and awareness about the Action Plan, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>518. Statement on Roma and Sinti, Working Session 15: Tolerance and non-discrimination II.</p>
European Roma Rights Center (ERRC)	<p>140. Statement on Romani Women's Rights, Working Session 4: Tolerance and non-discrimination I.</p> <p>236. Statement on "Forced Expulsion of Kosovo Roma, Ashkali and Egyptians from OSCE Participated state to Kosovo", Working Session 5: Humanitarian issues and other commitments.</p> <p>510. Statement containing questions with regard to Roma and Sinti, Working Session 15: Tolerance and non-discrimination II.</p>
European Youth Forum	<p>557. Statement on youth relation to hate crimes and hate-related violence, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).</p>
Evangelical	<p>588. Statement by Rev. Rene Lonian on freedom of thought, conscience, religion or belief,</p>

Church of Armenia	Working Session 13: Fundamental Freedoms II.
Federation of Western Thrace Turks in Europe	279.Statement, Working Session 10: Democratic institutions. 373.Statement on "violation of organizational rights", Working Session 12: Fundamental freedoms II.
Forum 18 News Service	351.Written contribution "Eastern Europe: Central Asia: Implementation the issue for OSCE - a survey", Working Session 13: Fundamental Freedoms II.] 365.Written contribution "Implementation: the key issue for freedom of thought, conscience, religion or belief", Working Session 13: Fundamental Freedoms II. 543.Statement on freedom of thought, conscience, religion or belief, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments. 550.Written contribution on "Central Asia: Religious intolerance in Central Asia", Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
Forum Against Islamophobia and Racism	562.Written contribution "Tackling Islamophobia Across The OSCE States", Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).
Foundation of Regional Initiatives	204.Statement on self-determination, ethnic conflicts and "fight against terrorism" in a Black Sea region., Working Session 8: Rule of Law I. 233.Statement on the "Realization of right on the reasonable terms of pre-court investigation and court consideration of cases - European standards and situation in Ukraine", Working Session 9: Rule of Law II. 417.Statement on the "Status of Crimean Tatar people in Ukraine - problems and perspectives", Working Session 14: Tolerance and non-discrimination II.
Freedom House	235.Statement on "Torture and inhumane and degrading treatment in Uzbekistan", Working Session 8: Rule of Law I. 372.Written contribution on freedom of movement, assembly and association in Uzbekistan, Working Session 12: Fundamental freedoms II.
Gender-Center	125.Statement on the Equality of opportunities for women and men in Moldova, Working Session 4: Tolerance and non-discrimination I.
Geneva Centre for the Democratic Control of Armed Forces (DCAF)	95. Introductory address by Ms. Anja H. Ebnother, Assistant Director, Working Session 4: Tolerance and non-discrimination I.
Greek Helsinki Monitor	485.Statement on Roma rights in Greece, Working Session 15: Tolerance and non-discrimination II.
Helsinki Committee for Human Rights of the Republic of Macedonia	136.Statement on equal opportunity for women and men, Working Session 4: Tolerance and non-discrimination I. 137.Statement on Internally Displaced Persons, Working Session 5: Humanitarian issues and other commitments.
Helsinki Committee of Armenia	5. Statement on "the situation with freedom of expression in Armenia", Working Session 1: Fundamental Freedoms I.
Home of the Macedonian Culture	277.Statement on citizenship and political rights, Working Session 10: Democratic institutions. 430.Statement on national minorities, Working Session 14: Tolerance and non-

	discrimination II.
Human Rights Centre "Memorial"	517. Written contribution on "Refugees from Uzbekistan in the CIS", Side Event: Refugees from Uzbekistan in the CIS. 528. Written contribution "A social catastrophe : the destructive effects of contemporary politics on Roma housing in Russia", Working Session 15: Tolerance and non-discrimination II.
Human Rights Educational Centre, Belarus	194. Statement on the legislation system in Belarus, Working Session 7: Access to Justice. 508. Statement on "discrimination in Belarus", Working Session 14: Tolerance and non-discrimination II.
Human Rights First	566. Statement on violence against minorities, Working Session 17: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments (continued).
Human Rights Organization "Democracy"	191. Statement on the fight against terrorism, Working Session 8: Rule of Law I. 192. Statement on the death penalty, Working Session 8: Rule of Law I.
Human Rights Without Frontiers	314. Statement on the situation in Uzbekistan and Kazakhstan - freedom of association and assembly, Working Session 12: Fundamental freedoms II. 346. Statement on the "systems of hierarchy or religions", Working Session 13: Fundamental Freedoms II. 532. Statement about interreligious tolerance and mutual respect, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
Humanitarian Defense	585. Statement on tolerance and non-discrimination, Working Session 14: Tolerance and non-discrimination II. 598. Statement on prevention of nationalism and aggressive chauvinism, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
ILGA - Europe	545. Statement on Promotion of Tolerance and Non-Discrimination, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments. 560. Statement on Importance of Combating Intolerance and Discrimination on the Grounds of Sexual Orientation and Gender Identity in the OSCE Region, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
Institute on Religion and Public Policy	1. Statement on the Charter on Freedom of Expression and Journalistic Ethics in Relation to Respect for Religion or Belief, Working Session 1: Fundamental Freedoms I. 2. Charter on Freedom of Expression and Journalistic Ethics in Relation to Respect for Religion or Belief, Working Session 1: Fundamental Freedoms I. 3. Information About the Institute on Religion and Public Policy, Working Session 1: Fundamental Freedoms I. 13. Statement, Working Session 1: Fundamental Freedoms I. 59. Statement on the need to counteract human trafficking, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued). 376. Analysis of the Law on Freedom of Religion in Kosovo Adopted by the Assembly of Kosovo, Working Session 13: Fundamental Freedoms II. 377. Analysis of the Draft Law of the Kingdom of Belgium To Punish the Abuse of an Individual's Ignorance or Weakness, Working Session 13: Fundamental Freedoms II. 378. Statement on religious freedom in the OSCE Region, Working Session 13:

	<p>Fundamental Freedoms II.</p> <p>539. Statement on discrimination and tolerance, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p>
International Association of Independent Democrats Against Authoritarian Regimes	<p>396. Statement on democratic institutions, Working Session 10: Democratic institutions.</p> <p>587. Statement on tolerance and non-discrimination, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p>
International Federation for Human Rights (FIDH), France	<p>240. Statement on the "situation relating to the death penalty in some of the post-Soviet countries.", Working Session 8: Rule of Law I.</p> <p>398. Written contribution (jointly with the World Organisation Against Torture) on freedom of assembly and association, Working Session 12: Fundamental freedoms II.</p> <p>482. Statement and written recommendations on Preventing Aggressive Nationalism, Chauvinism and Ethnic Cleansing, Working Session 15: Tolerance and non-discrimination II.</p>
International Helsinki Federation for Human Rights	<p>11. Statement on Freedom of Expression, Free Media and Information, Working Session 1: Fundamental Freedoms I.</p> <p>96. Statement on "The Precarious Situation of Women Human Rights Defenders in Uzbekistan", Working Session 4: Tolerance and non-discrimination I.</p> <p>211. Statement and written recommendations on abolition of the capital punishment, Working Session 8: Rule of Law I.</p> <p>212. Statement and written recommendations on "Prevention of Torture and Protection of Human Rights and Fighting Terrorism", Working Session 8: Rule of Law I.</p> <p>213. Statement and written recommendations on "Violations of International Humanitarian Law in the North Caucasus, the Russian Federation", Working Session 8: Rule of Law I.</p> <p>238. Presentation on the abolition of capital punishment, Side Event: Towards the death of the Death Penalty in the OSCE Region.</p> <p>246. Statement on the Independence of Judiciary and the Right to a Fair Trial, Working Session 9: Rule of Law II.</p> <p>320. Statement on freedom of assembly and association, Working Session 12: Fundamental freedoms II.</p> <p>399. Statement on Freedom of Thought, Conscience, Religion and Belief, Working Session 13: Fundamental Freedoms II.</p> <p>414. Statement and written recommendations on national minorities in Bulgaria, Croatia and Turkey, Working Session 14: Tolerance and non-discrimination II.</p> <p>538. Statement and written recommendations "The Exploitation of Racism and Xenophobia in Politics", Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p>
International Network - Youth Human Rights Movement (YHRM)	<p>469. Statement, Written contributions.</p>
International Rehabilitation Council for Torture Victims	<p>202. Statement "OSCE member States must increase their support to the UN Voluntary Fund for Victims of Torture", Working Session 8: Rule of Law I.</p> <p>239. Statement on "Full and unhindered access to all places of detention is essential for preventing torture", Working Session 8: Rule of Law I.</p>

International Renaissance Foundation	181.Information on "Judicial reform in Ukraine: on the way to a fair trial", Working Session 6: Access to Justice.
International Society for Krishna Consciousness, Kazakhstan	285.Statement by BB Govinda Swami on the problems of Krishna Society in Kazakhstan, Side Event: Human Rights Issues in Kazakhstan and the question of teh OSCE Chairmanship: Civil Society Perspectives.
JUSTICE	155.Introductory statement on "International Obligations and Legal Aid" by Mr. Roger Smith, Director, Working Session 6: Access to Justice.
Kazakh Community Association	247.Statement by Ms. Balli Marzec, Working Session 1: Fundamental Freedoms I.
Kazakhstan International Bureau for Human Rights and Rule of Law	126.Statement on migration law in Kazakhstan, Working Session 5: Humanitarian issues and other commitments.
Kharkiv Human Rights Group	168.Statement on the prevention of torture, Working Session 8: Rule of Law I.
Kurdish Human Rights Project	122.Report on "Human Rights Vilations Against Kurds in Turkey", Working Session 5: Humanitarian issues and other commitments.
Kylym Shamy	169.Statement on "Violations of human rights in Kyrgyzstan", Working Session 6: Access to Justice. 170.Information, Working Session 6: Access to Justice. 172.Written contribution, Working Session 6: Access to Justice. 174.Written contribution, Working Session 6: Access to Justice. 175.Information on the situation of temporary penitentiary facilities in Kyrgyzstan, Working Session 6: Access to Justice. 176.Written contribution "Kyrgyzstan: fight against torture transforms into conflict between human rights defenders and law enforcement organs", Working Session 6: Access to Justice. 171.Letter to the President of Kyrgyzstan, Written contributions. 173.Information on problems with right to the peaceful assembly in Kyrgyzstan, Written contributions.
Kyrgyz Committee for Human Rights	182.Report on immigration, Working Session 5: Humanitarian issues and other commitments. 185.Written contribution regarding the "Report of Chairman of Kyrgyz Committee for Human Rights", Working Session 5: Humanitarian issues and other commitments. 203.Statement on the death penaly in Kyrgyzstan, Working Session 8: Rule of Law I.
La Strada	41. Aliance Statement on Demand presented on behalf the Alliance Expert Coordination Team, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).
La Voix des Rroms	290.Statement on "The exclusion of the Rroms from political life in France", Working Session 10: Democratic institutions. 520.Statement "Intervention of Saimir MILE, moderator of the Romani working group on the Plan of Action, NGO "The voice of the Rroms", Working Session 15: Tolerance and non-discrimination II.
Lawyers	300.Written contribution "The Scope and the Consequences of the Ban on Headscarf in

Association	Turkey", Written contributions.
Legal Information Centre for Human Rights, Estonia	258. Statement on naturalization in Estonia, Working Session 10: Democratic institutions. 423. Legal protection against discrimination in Estonia, Working Session 13: Fundamental Freedoms II.
Macedonian Human Rights Movement	443. Statement on national minorities in Greece, Working Session 13: Fundamental Freedoms II.
Macedonian Human Rights Movement International (MHRMI)	278. Written contribution - "Bulgarian Media Sets New Law for Publicly Sanctioned Racism Against Macedonians", Working Session 10: Democratic institutions. 357. Statement on "Violation of the right to assembly in Bulgaria", Working Session 12: Fundamental freedoms II. 442. Statement on the situation of Macedonian minority in Greece, Working Session 13: Fundamental Freedoms II.
Media Development Center	27. Statement on Self-regulation in South East Europe delivered by Mr. Ognian Zlatev, Member of the Founding Board of the National Council for Journalistic Ethics in Bulgaria, Side Event "Self-Regulation in the OSCE Region", Convenor: OSCE Office of the Representative on Freedom of the Media. 28. Presentation on the "Structure of the National Council for Journalism Ethics in Bulgaria" by Mr. Ognian Zlatev, Side Event "Self-Regulation in the OSCE Region", Convenor: OSCE Office of the Representative on Freedom of the Media.
Metropolitan Community Church	577. Statement on "Freedom of religion and belief for lesbian, gay, bisexual and transgender community", Working Session 13: Fundamental Freedoms II.
Missio - Internationales Katholisches Missionswerk e.V.	569. Statement on legal status of non-muslim minorities in Turkey, Working Session 13: Fundamental Freedoms II.
Montenegrin Helsinki Committee for Human Rights	340. Written contribution "Freedom of religion or belief related to intentional destruction of cultural heritage (tangible and intangible)", Working Session 13: Fundamental Freedoms II.
Mothers against the Death Penalty and Torture	205. Statement on the death penalty, Working Session 8: Rule of Law I. 206. Written contribution on the death penalty, Working Session 8: Rule of Law I.
Movimiento por la Paz el Desarme y la Libertad (MPDL)	158. Presentation on "Consolidation of Return and Stabilisation in the Balkans - free legal aid", Working Session 6: Access to Justice.
NCSJ Advocates on Behalf of Jews in Russia, Ukraine, the Baltic States & Eurasia	544. Statement on role of the governments in responding to anti-Semitic and hate-motivated crimes, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
NEVIPE Press Rom News Agency	19. Statement on "Roma Media & Roma", Working Session 1: Fundamental Freedoms I.
NGO "Moj Kazachstan"	123. Statement, Working Session 5: Humanitarian issues and other commitments.
Nottingham University	65. Introducing presentation "The Demand Side of Trafficking? Prostitution and Beyond" by Ms. Julia O'Connell Davidson, Working Session 3: Addressing factors contributing

	<p>to the cycle of trafficking in persons (continued).</p> <p>67. Introductory statement by Prof. Julia O'Connell Davidson, Working Session 3: Addressing factors contributing to the cycle of trafficking in persons (continued).</p>
Open Society Institute	516. Statement on prevention of aggressive nationalism, chauvinism and ethnic cleansing, Working Session 15: Tolerance and non-discrimination II.
Open Society Justice Initiative	156. Synopsis of introductory notes by Zaza Namoradze, Director of the Budapest Office, Working Session 6: Access to Justice.
Order of St. Andrew	<p>434. Statement on "Religious Freedom: The Ecumenical Patriarchate in Istanbul", Working Session 13: Fundamental Freedoms II.</p> <p>435. Written recommendations, Working Session 13: Fundamental Freedoms II.</p> <p>436. Statement on "Discrimination by Turkey Against Its Greek Minority and the Ecumenical Patriarchate", Working Session 14: Tolerance and non-discrimination II.</p> <p>437. Written recommendations, Working Session 14: Tolerance and non-discrimination II.</p>
Organization for Women's Rights Against Discrimination (AKDER)	<p>97. Statement by Ms. Fatma Benli on "Assessment of the Women Condition in Turkey according to the Statistics and the General Impacts of the Ban on Women", Working Session 4: Tolerance and non-discrimination I.</p> <p>234. Written contribution on "Legal Evaluation of the Ban Imposed on university Students who wear the headscarf subsequent to the ECtHR's ruling in Leyla Sahin v Turkey", Working Session 9: Rule of Law II.</p> <p>392. Statement on the "Scarf Ban ongoing in Turkey", Working Session 13: Fundamental Freedoms II.</p> <p>395. Written contribution "There is no Limit in the Illegality of the headscarf Ban 1998-2004", Working Session 13: Fundamental Freedoms II.</p> <p>444. Statement on the employment opportunities for minorities, Working Session 14: Tolerance and non-discrimination II.</p>
OSI Joint Roma Women Initiative	546. Written recommendations, Working Session 15: Tolerance and non-discrimination II.
PAG-ASA asbl	388. Introductory statement by Ms. Heidi de Pauw on "Detection, Identification, Reception and Assistance for Trafficked Persons", Working Session 2: Addressing factors contributing to the cycle of trafficking in persons.
Pakiv European Roma Fund	230. Presentation "Taking Stock of Local Experiences" by Jennifer Tanaka, Side Event: Bringing Social Partners Together in Facilitating Roma Integration into the Labour Market.
Penal Reform International - the Americas	509. Written recommendations, Working Session 8: Rule of Law I.
People's Party "Alga!"	<p>385. Statement on democratic elections, Working Session 10: Democratic institutions.</p> <p>384. Statement on the "implementation of commitments by the OSCE-member States", Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>386. Statement on violation of the right to peaceful assembly in Kazakhstan, Working Session 12: Fundamental freedoms II.</p>
Politique de Vie	344. Statement by Mr. Christian Cotten, president, Working Session 13: Fundamental Freedoms II.
Public Association of Soldiers Mothers (PASM)	229. Statement on the activities of the association, Working Session 9: Rule of Law II.

Public Foundation "Journalists in Troubles"	242. Statement by Mr. Sergey Utkin, Working Session 9: Rule of Law II.
Radio Free Europe / Radio Liberty	336. Statement on "violations of freedom of movement on the part of the Turkmen authorities", Working Session 12: Fundamental freedoms II.
Rainbow - Organization of the Macedonian Minority in Greece	276. Statement "Presentation of Rainbow, the organization of the Macedonian minority in Greece", Working Session 10: Democratic institutions. 401. "Presentation of Rainbow - organization of the Macedonian minority of Greece", Working Session 12: Fundamental freedoms II. 400. Statement on freedom of thought, conscience, religion or belief in Greece, Working Session 13: Fundamental Freedoms II. 418. Written contribution, Working Session 14: Tolerance and non-discrimination II. 419. Statement on the situation of national minorities in Greece and Bulgaria., Working Session 14: Tolerance and non-discrimination II. 433. Statement on the linguistic rights of national minorities, Working Session 14: Tolerance and non-discrimination II.
Republican Party of Turkmenistan	24. Statement on the "Media situation in Turkmenistan", Working Session 1: Fundamental Freedoms I. 216. Statement on torture in Turkemistan, Working Session 8: Rule of Law I. 324. Statement on freedom of movement, assembly and association in Turkmenistan, Working Session 12: Fundamental freedoms II.
Roma National Congress	160. Statement on "Roma Women - Gender dimension", Working Session 4: Tolerance and non-discrimination I. 161. Statement on Roma refugees and IDP's from Kosovo, Working Session 5: Humanitarian issues and other commitments.
Romane Romnja	484. Written contribution "Question from Shpresa Agushi from NGO Romane Romnja from Kosovo", Working Session 15: Tolerance and non-discrimination II.
Romani CRISS	281. Overview of the Roma situation in Romania, Working Session 11: Discussion of human dimension activities (with special emphasis on project work). 282. Annex 1: Cases: Eviction, Exclusion or Marginalization of Roma in regard to Housing Rights in Romania, Working Session 11: Discussion of human dimension activities (with special emphasis on project work). 456. Statement on Policing Minorities by Marian Mandache, Working Session 15: Tolerance and non-discrimination II. 507. Written contribution "Questions for the session 15", Working Session 15: Tolerance and non-discrimination II. 514. Statement containing questions with regard to Roma and Sinti situation, Working Session 15: Tolerance and non-discrimination II. 515. Written contribution " Question for the session 15", Working Session 15: Tolerance and non-discrimination II.
Russian Institute of Electoral Law	302. Statement on NGOs participation in democratic elections, Working Session 10: Democratic institutions. 303. Statement on "Problems and possibilities of resolving them with regard to the OSCE ODIHR's election observation activities", Working Session 11: Discussion of human dimension activities (with special emphasis on project work).
Russian Orthodox Church	366. Statement on human rights protection, Working Session 12: Fundamental freedoms II. 367. Statement on freedom of conscience and freedom of religion., Working Session 13: Fundamental Freedoms II.

Sikh Human Rights Group (London, UK)	106. Written contribution on "Addressing causes of discrimination and unintended discrimination from first principles", Working Session 4: Tolerance and non-discrimination I.
Social Technologies Agency	284. Statement by Mr. Mira Karybaeva, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).
SOVA Center for Information and Analysis	394. Statement on "religious neutrality of law and law enforcement", Working Session 13: Fundamental Freedoms II. 454. Written contribution "Problem of Racist Violence in the Russian Federation", Working Session 14: Tolerance and non-discrimination II. 533. Written contribution "Hate Crime in Russia: Brief Analysis, Statistics, Recommendations", Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments. 534. Written contribution "Problems of counteraction to hate crime in Russia", Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments. 536. Written recommendations, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
The Becket Fund for Religious Liberty	559. Statement on tolerance and non-discrimination, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
The Integration Centre of the North-East county of Estonia	573. Statement on human rights in Estonia, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
The Netherlands Press Council	29. Presentation on the Media Self-Regulation in the Netherlands by Ms. Daphne C. Koene, Side Event "Self-Regulation in the OSCE Region", Convenor: OSCE Office of the Representative on Freedom of the Media.
Turk Universiteller Dernegi	132. Assessment and proposals relating to situation of Turkish minority in Germany, Working Session 5: Humanitarian issues and other commitments.
Turkisch-Islamische Union der Anstalt fur Religion e.V.	574. Written contribution on tolerance, Working Session 13: Fundamental Freedoms II.
Turkische Gemeinschaft Schweiz (TGS)	363. Statement on tolerance, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments. 537. Statement on Tolerance and non discrimination by Mr. Kahraman Tunaboylu, Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.
Turkmen Patriotic Youth Organisation "Aidylyk"	163. Statement on the right to fair trial, Working Session 6: Access to Justice.
Turkmenistan Helsinki Foundation	17. Statement on freedom of media in Turkmenistan, Working Session 1: Fundamental Freedoms I. 118. Statement on gender equality in Turkmenistan, Working Session 4: Tolerance and non-

	<p>discrimination I.</p> <p>120. Written recommendations, Working Session 4: Tolerance and non-discrimination I.</p> <p>162. Statement on access to justice, Working Session 6: Access to Justice.</p> <p>207. Statement on "human rights protection and terrorism in Turkmenistan", Working Session 8: Rule of Law I.</p> <p>208. Statement on torture, Working Session 8: Rule of Law I.</p> <p>254. Statement on elections in Turkmenistan, Working Session 10: Democratic institutions.</p> <p>313. Statement on ombudsperson and national human rights institutions in Turkmenistan, Working Session 12: Fundamental freedoms II.</p>
Ukrainian Helsinki Human Rights Union	<p>231. Statement on freedom of expression in the Russian Federation, Working Session 1: Fundamental Freedoms I.</p> <p>296. Written contribution on "the case of refoulment of 11 Uzbek asylum seeker"., Working Session 5: Humanitarian issues and other commitments.</p>
Ukrainian Helsinki Human Rights Union	<p>311. Statement on the freedom of assembly in Ukraine, Working Session 12: Fundamental freedoms II.</p>
Ukrainian Helsinki Human Rights Union	<p>312. Statement on freedom of association in Ukraine, Working Session 12: Fundamental freedoms II.</p>
Ukrainian Helsinki Human Rights Union	<p>416. Written contribution on "UKRAINE" Racism, xenophobic attitudes and anti-Semitism", Working Session 14: Tolerance and non-discrimination II.</p>
Union Nationale de Freres de Plymouth de France	<p>329. Statement on the "unfair prosecution of the Plymouth Brethren, a protestant movement", Working Session 12: Fundamental freedoms II.</p>
Weekly Newspaper "Epoha"	<p>391. Statement on elections in Kazakhstan, Working Session 10: Democratic institutions.</p> <p>406. Statement on democracy in Kazakhstan, Working Session 10: Democratic institutions.</p> <p>408. Statement on activities of the OSCE ODIHR, Working Session 11: Discussion of human dimension activities (with special emphasis on project work).</p> <p>407. Statement on freedom of assembly in Kazakhstan, Working Session 12: Fundamental freedoms II.</p>
Western Thrace Minority University Graduates Association	<p>374. Statement on "the continuous Greek violation of the right of freedom of association of the Turkish minority of Western Thrace", Working Session 12: Fundamental freedoms II.</p> <p>404. Statement on "violations of freedom of thought, conscience, religion or belief in Western Thrace, Greece", Working Session 13: Fundamental Freedoms II.</p> <p>451. Statement on the problems affecting Western Thrace Turkish Minority, Working Session 14: Tolerance and non-discrimination II.</p> <p>403. Written contribution - information on the Association, Written contributions.</p>
World Association of Early Childhood Educators (AMEI-WAECE)	<p>540. Written contribution "Project for peace education: Learning to live together, in peace from early years", Working Session 16: Promotion of tolerance, non-discrimination and mutual respect and understanding: the implementation of OSCE commitments.</p>
Worldrights	<p>214. Statement on Military Commissions Act of 2006 and compatibility with Right to Fair Trial and Effective Remedies under OSCE Standards, Working Session 9: Rule of Law II.</p> <p>215. Written recommendations on Military Commissions Act of 2006 and Compatibility with Right to Fair Trial and Effective Remedies under OSCE Standards, Working</p>

	<p>Session 9: Rule of Law II.</p> <p>248. Written contribution "UN Working Group on Arbitrary Detention Opinion in U.S. Secret Black Sites Case", Working Session 9: Rule of Law II.</p> <p>289. Analysis of Military Commissions Act of 2006 and Synopsis of current Legal Challenges under U.S. and international law, Working Session 9: Rule of Law II.</p> <p>252. Statement on the issue of DC voting rights, Working Session 10: Democratic institutions.</p> <p>288. Written recommendations, Working Session 10: Democratic institutions.</p>
<p>Youth Initiative for Human Rights</p>	<p>10. Statement on the implementation of free access to information act in Serbia, Working Session 1: Fundamental Freedoms I.</p>