

# CSCE IMPLEMENTATION MEETING ON HUMAN DIMENSION ISSUES

Warsaw, 27 September - 15 October 1993

## Report

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REPORT OF SUBSIDIARY WORKING BODY LI - REVIEW OF THE HUMAN DIMENSION OF THE CSCE WITH A SPECIAL FOCUS ON THE EVALUATION OF THE PROCEDURES FOR MONITORING COMPLIANCE AND ON THE NEED FOR STREAMLINING EXISTING MECHANISMS. ..	13

## **I. Introduction**

The CSCE Implementation Meeting on Human Dimension Issues took place on September 27 – October 15, 1993 in Warsaw. The Seminar was organised by the Office for Democratic Institutions and Human Rights.

The Meeting was the first of its kind. It reviewed implementation of the full range of OSCE Human Dimension commitments in all 53 OSCE States.

The Meeting was not mandated to produce any negotiated texts, but summary reports prepared by the Rapporteurs of the two Subsidiary Working Bodies were presented in the final plenary meeting.

## **II. Agenda**

### Opening Plenary

The plenary debate consisted of:

- (1) Opening statements;
- (2) Report of the CSCE High Commissioner on National Minorities;
- (3) Contributions by Heads of CSCE Missions and by Personal Representatives of the Chairman-in-Office.

### Subsidiary Working Body 1 - Review of Implementation

Topics included:

1. Human Rights and fundamental freedoms
  - Freedom of thought, conscience and religion or belief;
  - Freedom of expression and free media;
  - Freedom of association and peaceful assembly;
  - Freedom of movement;
1. Rule of law
  - Independence of the judiciary;
  - Fair trials.
1. Democratic Institutions
  - Free elections;
  - Democracy at national, regional and local levels;
  - Citizenship and political rights.
1. Exchange of information on the question of the abolition of capital punishment.
2. Education and culture

3. Tolerance and non-discrimination
4. National minorities as referred to relevant CSCE Documents.
5. Migrant Workers.
6. Involuntary migrants and refugees.
7. International humanitarian law;

Subsidiary Working Body 2 - Review of the Human Dimension of the CSCE with a special focus on monitoring compliance with commitments and on the need for streamlining existing mechanisms

1. Review of the Human Dimension Mechanism
2. Role, support and follow-up of the CSCE Missions in fulfilling tasks within the Human Dimension.
3. Elections observation: reports and procedures.
4. Programme for Co-ordinated Support for the recently admitted participating States.
5. Outcome and improvement of Human Dimension Seminars, proposals for the seminars in 1994;
6. Assessment of the activities of the CSCE Office for Democratic Institutions and Human Rights and discussion on strengthening its role.
7. Review of activities of the CSCE High Commissioner on National Minorities.
8. Co-operation between CSCE and other international organisations in the Human Dimension field.
9. Role of NGOs .
10. Improved dissemination of information regarding the Human Dimension.

Closing Plenary

Presentation of the informal recommendations to improve implementation by the rapporteurs of the two SWB's.

Concluding Statements.

### **III. Timetable and other Organisation and Modalities**

1. The Meeting opened on Monday, September 27, 1993 in Warsaw. It closed on Friday, October 15, 1993.
2. Plenary meetings lasted three days, from September 27 until September 30, and for two days at the close of the Meeting, from October 14 until October 15.
3. All formal sessions of plenary and subsidiary working bodies were opened to NGO's
4. Standanrd CSCE rules of procedure and working methods were applied to the Meeting.

### **IV. Participation**

The Seminar was attended by a total of 380 participants. Representatives of 48 CSCE participating States took part in it. Among the participants were also delegations from the former Yugoslav Republic of Macedonia and two non-participating Mediterranean States, Egypt and Morocco.

In addition 11 international organisations were represented and non-governmental organisations numbererd 58.

### **V. Summary of Proceedings**

During the course of the Meeting two subsidiary working bodies met. The topics were divided as follows:

SWB1: Freedom of thought, conscience and religiion or belief; freedom of expression and free media; freedom of association and peaceful assembly; freedom of movement; and education and culture.

Rapporteur: Vinca Showalter, U.S. Delegation

SWB2: Review of the Human Dimensio n of the CSCE  
Rapporteur: Martin Uden, U.K. Delegation

## **VI. Rapporteurs' Reports**

### ***SUBSIDIARY WORKING BODY 1 - Review of Implementation***

1. The subsidiary working body agreed with the moderator's suggestion that discussion would be facilitated by grouping together agenda items into four clusters.

#### **CLUSTER I**

2. The first cluster dealt with: Freedom of thought, conscience and religion or belief; Freedom of expression and free media; Freedom of association and peaceful assembly; Freedom of movement; and Education and culture.

3. While participants agreed that notable progress had been made towards achieving compliance with these basic commitments, significant shortcomings were highlighted as well. Concerns were raised over the harassment and abuse of opposition and human rights activists; restrictions on the right of political parties, trade unions, minorities, religious groups, and others to enjoy their freedom of association; excessive government interference in or control of the media, as well as control of necessary resources such as distribution system and printing facilities; application of criminal penalties for insulting the State, its institutions, or policies; the existence of laws or proposed legislation which seem to inhibit rather than facilitate the exercise of freedom of thought, conscience, religion or belief; continued barriers to freedom of movement; and insufficient implementation of CSCE standards concerning conscientious objectors. Many speakers also condemned the rise of xenophobia and aggressive nationalism within the CSCE community.

A number of national delegations offered constructive responses to concerns raised over the course of the implementation review, providing detailed descriptions of individual cases in question, updates on the status of draft legislation, and government initiatives planned or underway to address problem areas. It was noted in the course of SWB I's deliberations that the exchange of information, and the self-appraisals provided by some national delegations, facilitated and enhanced the discussion.

Debates ensued over the question of freedom of expression. Some participants offered a so-called "absolutist" perspective, while others pointed to international standards that legitimise restrictions on freedom of expression, including national security, territorial integrity, public safety, protection from disorder and crime, protection of the rights of others, maintenance of official secrets, and maintenance of the impartiality of the judiciary. It was suggested in the course of the implementation review, however, that legitimate restrictions risked exploitation or abuse.

4. In view of the discussion, the following informal recommendation can be made:

- The implementation of commitments regarding human rights and fundamental

freedoms, without which there can be no genuine security, must be a subject of attention and concern not only at human dimension implementation meeting, but also as an integrated part of the CSCE's conflict prevention efforts.

## **CLUSTER II**

5. Cluster II dealt with: Prevention of torture; Exchange of information on the question of the abolition of capital punishment; and International humanitarian law.

6. Many participants expressed deep concern over the continued prevalence of torture in the CSCE community. It was recognised that democracy did not in and of itself bring an end to torture, and that an active and vigilant government role was necessary to ensure prevention. Participants reviewed international instruments concerning the prevention of torture, and recommendations were made that those States which had not acceded to the relevant contentions should do so.

Some participants expressed the opinion that the CSCE had not thrown its full weight into the implementation of commitments regarding the prevention of torture. It was noted that the likelihood of torture increases when certain conditions prevail; these include the use of incommunicado detention, insufficient respect for the rule of law, and states of emergency. In the discussion, participating States were encouraged to intensify educational efforts towards the prevention of torture, to place limits on incommunicado detention, to ensure that prisoners have access to judicial authority, relatives, lawyers, and doctors, to ensure that abuses are independently and impartially investigated, and to adapt and enforce the necessary legal mechanisms for the punishment of torturers and the compensation of victims. The suggestions made that shortcomings in this area of implementation qualified for use of the Moscow Mechanism.

A number of delegations provided information with regard to the steps being taken in their countries to strengthen compliance with commitments in this area. These steps included amendments to criminal procedures legislation, the establishment of independent human rights organisations with investigative authority for alleged violations, accession to international instruments for the prevention of torture, and openness to international inspection of jails and police stations.

In the discussion, the necessity of protecting democracy and human rights against terrorism was underlined. In this context, reference was made to the need for implementation of the relevant CSCE commitments, particularly those relating to co-operation among CSCE participating States.

In the course of the exchange of information on the question of the abolition of capital punishment, a number of participants noted a trend towards the abolition of capital punishment within the CSCE community and urged that implementation of CSCE commitments in this area be understood to mean efforts towards the abolition of capital punishment. A suggestion was also made that participating States consider declaring a de

facto CSCE-wide moratorium on executions. At the same time, it was pointed out that the International Covenant on Civil and Political Rights accepts the right of States to apply the death penalty, and that international norms are not violated if this is done with stringent procedural safeguards and due process.

Some who spoke in apposition to capital punishment raised particular concern over the use of capital punishment for juveniles, and noted that the International Covenant on Civil and Political Rights prohibits the death sentence for individuals under the age of eighteen. It was pointed out that at least one participating State has entered a reservation to the relevant article of the Covenant.

A number of participants suggested that compliance with existing CSCE commitments in this area could be improved by tasking the ODIHR to establish a framework for the exchange of information on the question of the abolition of capital punishment.

Many participants raised the need for better implementation of commitments in the field of international humanitarian law. Some felt it was important to strengthen the normative basis for these commitments, particularly to clarify and strengthen the rules of international law applicable to internal disturbances and tensions. Many emphasised the importance of education and the dissemination of information, and encouraged both bilateral and multilateral efforts in this regard.

It was suggested that the CSCE could take concrete steps in this area. Such steps might include making preparations, on a preventive basis, for establishing humanitarian corridors. These could include the introduction of arrangements for giving formal effect to the rights of access, the establishment of a list of NGOs engaged in the delivery of humanitarian relief, and the establishment of focal points responsible for collecting such information in each participating State.

A number of participants referred to the International Conference for the Protection of War Victims, and commended the Government of Switzerland for commissioning a study by independent experts to explore practical ways and for States to promote respect for international humanitarian law. In addition, a number of participants urged the promotion of non-derivable minimum humanitarian standards, which would be applicable in all situations, including internal disturbances and tensions. Specific reference was made to the possible consideration by the United Nations of a declaration of minimum humanitarian standards.

Numerous delegations reaffirmed their strong support for the international war crimes tribunal to prosecute those accused of crimes against humanity in the former Yugoslavia.

7. In view of the discussion, the following informal recommendations can be made :

Prevention of torture :

- Participating States should make the prevention of torture a priority area of

implementation. Participating States which have not acceded to relevant international instruments concerning the prevention of torture should do so.

- In view of the factors raised in the course of debate, the ODIHR should serve as a clearing-house for "use of force" training programs, should disseminate such information, as well as facilitating bilateral assistance.

#### Exchange of information on capital punishment:

- The ODIHR should study the best ways of achieving a constructive exchange of information on the question of the abolition of capital punishment, in accordance with human dimension commitments, consistent with Copenhagen, Moscow, and Helsinki, and should serve as a point of contact for information provided by participating States.

#### International humanitarian law:

- Participating States should forward to the ODIHR names of military legal advisers who could serve as expert contacts.
- In areas of conflict where CSCE missions or institutional arrangements are present, the CSCE, in co-operation with the ICRC, should play a role in disseminating information on international humanitarian law.
- Participating States should lend their support to the idea of further promotion within the United Nations of a declaration on minimum humanitarian standards.
- The Chairman-in-Office should give serious consideration to the utility to the CSCE of the report: currently being prepared by an intergovernmental group of experts at the behest of the International Conference for the Protection of War Victims, concerning practical means of promoting full respect for and compliance with international humanitarian law.

### **CLUSTER III**

8. Cluster III dealt with the sub-items covered under the headings Rule of Law and Democratic Institutions: Independence of judiciary; Fair trials; Free elections; Democracy at national, regional and local levels; and Citizenship and political rights.

9. Much of the discussion in Cluster III focused on practical aspects of implementation.

Many participants spoke to the issue of independence of the judiciary. A number of general prerequisites were set forth: independence from the government, as well as independence from political parties, groups, and associations; independence from the parties to a judicial process; financial security for judges; and job security. It was also noted that a functioning independent judiciary presupposed the existence of independent lawyers,



and that access to the legal system must be fair and open to all.

Participants uniformly acknowledged the importance of full compliance with CSCE commitments concerning an independent judiciary. A number of obstacles were identified which are inhibiting implementation in States currently undergoing transition to democracy and a market economy. These include severe economic difficulties, the lack of a legal mindset among the general population, a serious shortage of trained personnel, and the continued presence of personnel whose orientation was formed under previous regimes - including, in some instances, individuals whose previous service appears to make them unfit to serve responsibly in a democratic judicial system. The difficulty of reconciling the concept of non-removability of judges with this latter factor was noted.

Many participants described the operation of the judicial system in their own countries, and elaborated on reforms of judicial procedure and relevant legislation, including criminal codes. A number of participants expressed appreciation for assistance that had been offered in this area, and confirmed the need for continued help. It was suggested that a future ODIHR seminar might focus on practical aspects of the principles of an independent judiciary.

The view was expressed that CSCE commitments in the area of free elections have given the ODIHR and the CSCE process as a whole a solid basis frame which to promote free and fair elections. In this regard, it was pointed out that a number of CSCE States have yet to hold free parliamentary elections, as well as regional or local elections. States moving towards parliamentary elections were encouraged to do so in the interests of political legitimacy and democratisation.

Beyond elections, the need was emphasised for a democratic way of life, with equal opportunities for all parties, NGOs, and individual citizens themselves to build a democratic society. The important role the media had to play in the dissemination of information concerning the practical aspects of democracy was emphasised. It was also noted that the government imperative to promote stability could not serve as an excuse for depriving individuals of their political rights.

In the discussion on citizenship, participants noted that the recent and ongoing changes in the emergence or dissolution of States, have entailed far-reaching political and legal consequences for large groups of individuals. The need of some States to take measures to maintain and strengthen national identity was recognised. At the same time, the importance of a pragmatic attitude and a formula which would be in the long-term interests of all concerned was emphasised. It was suggested as a general guideline for all participating States that it did not seem healthy situation to have a large segment of the population of a given country excluded from the democratic process at the national level.

Some participants emphasised that long-lasting solutions required a longer process of transition and adaptation. It was urged that legal and historical factors be taken into account when problematic situations within the CSCE community. A number of participants

described measures to develop or amend citizenship laws in their countries, and to define the legal status of non-citizens.

10. On the basis of the discussions, the following informal recommendations can be made:

- CSCE participating States, both bilateral and multilateral, should continue to support assistance programs in the areas of democratic institution building and the rule of law.
- The ODIHR should consider holding a seminar on practical aspects of the principles of an independent judiciary.

#### **Cluster IV**

11. Cluster IV dealt with Tolerance and non-discrimination; National minorities as referred to in the relevant CSCE documents; Migrant workers; and Involuntary migrants and refugees.

12. At the outset of the discussion, it was noted that the concept of "tolerance" implies an inequality within society that is contrary to the spirit of non-discrimination and mutual respect which CSCE commitments reflect. CSCE States were urged to seek new language in this regard.

Many participants condemned the rise of xenophobia, racism, and its violent manifestations in the CSCE community, and called for a broad and intensified approach to combating these phenomena, and to promoting mutual respect within society. The need to promulgate and enforce legislation against racial and ethnic discrimination was emphasised.

Participants pointed to groups which were not "national minorities" but which none the less suffered discrimination, including women, homosexuals, migrant workers, and conscientious objectors. It was suggested that the situation of women deserved more consideration within the human dimension framework. Many participants deplored the systematic use of rape and sexual degradation in the violence in the former Yugoslavia, stating clearly that rape is a war crime.

It was pointed out that CSCE commitments in the area of non-discrimination cover homosexuals as well. Suggestions were made that discriminatory State policies against homosexuals, and criminalising legislation, should be eliminated.

With regard to migrant workers, it was suggested that with successive generations born and raised in the countries where they reside, they form a permanent part of those societies, and that governments should review policies on an assumption that migrant workers are transient communities.

Particular emphasis was also laid on the need to combat anti-Semitism and continuing discrimination against Roma.

Throughout the discussion of tolerance and non-discrimination, the critical role of political leadership at all levels was emphasised. Leaders were urged to combat intolerance by reacting swiftly in acute situations and initiating preventive measures. Education, both of society at large and of key personnel, was emphasised.

In the discussion of national minorities, it was emphasised that genuine and effective implementation of relevant CSCE commitments is among the most important tasks of the CSCE participating States. It was suggested that compliance in this area is still far from satisfactory. In the course of the discussion, a number of specific cases were raised. The suggestion was made that the CSCE should focus its attention more closely on these problems.

Participants described measures which can be helpful in assuring respect for the rights of persons belonging to national minorities, including possibilities for self-administration, consultative or advisory bodies, minority roundtable's, and bilateral treaties. It was emphasised in the discussion, however, that the basis for the protection of the rights of persons belonging to national minorities is the principle of non-discrimination.

Participants noted that implementation of commitments in this area requires respect for democracy and the rule of law by the participating States, and also by national minorities and the organisations and associations which represent them. It was noted that persons belonging to national minorities should enjoy the same rights and the same duties as other citizens.

A number of participants offered descriptions of measures taken to ensure respect for the rights of persons belonging to national minorities in their countries.

Support and appreciation was expressed for the work of the HCNM.

Many participants drew attention to the current refugee crisis in Europe, and its serious implications for East-West relations and regional security. The need for promoting coherent and consistent regional policies and practices was emphasised. States which have not yet acceded to the Geneva Convention of 1951 and the 1967 Protocol were encouraged to do so.

Participants called for a comprehensive approach to involuntary migration issues that would include protection and assistance to refugees and displaced persons, preventive measures, and the search for durable solutions after displacements have occurred. Many participants suggested that the CSCE should play a role in establishing a forum for discussing a common European response to the current crisis. The suggestion was also made that the ODIHR might play a co-ordinating role in ensuring support for institution-building in the areas of immigration control and refugee and asylum determination structures.

Participants drew attention to the leading role of UNHCR in this area, and suggested that UNHCR should actively participate in CSCE discussions on these issues. Some participants referred to the importance of partnership with relevant international organisations and NGOs as well.

13. In view of the discussion, the following informal recommendation can be made:

- The Council of Ministers at its forthcoming Rome Meeting should give consideration to the question of having the issue of mass migration, its cause and effect, put on the agenda, as appropriate, of meetings of the CSO and its Vienna Group. The question of temporary protection could also be considered in this context.

14. In conclusion, I would recall that paragraph 10 of Chapter IV of the 1992 Helsinki Document, "Challenges of Challenge", provides that "the implementation meeting may draw to the attention of the CSO measures to improve implementation which it deems necessary". I would recommend to this meeting that it accordingly decide to draw the attention of the CSO to this report, and the report of my colleague rapporteur and the informal recommendations which these reports contain.

***REPORT OF SUBSIDIARY WORKING BODY II - Review of the Human Dimension of the CSCE with a special focus on the evaluation of the procedures for monitoring compliance and on the need for streamlining existing mechanisms.***

1. The meeting agreed with the moderator's suggestion that discussion would be facilitated by grouping together agenda items into three clusters. The first cluster dealt with the following agenda items:

- (1) Review of the Human Dimension Mechanism;
- (2) Role, support and follow-up of the CSCE Missions in fulfilling tasks within the Human Dimension; and
- (3) Review of the activities of the CSCE High Commissioner on National Minorities; possible recommendations for furthering strengthening of his role.

1. Throughout discussion of the means available for monitoring compliance with Human Dimension commitments, participants emphasised the need to integrate the Human dimension into the overall political work of the CSCE, particularly since the observance of Human Dimension commitments represented a basic element in early warning and conflict prevention and could not be separated from other aspects of the CSCE's work. Another recurrent theme was the need for effective co-ordination within the CSCE, and between the CSCE and relevant international organisations.

2. Participants noted that the Human Dimension Mechanism had not been much used; it was suggested that this could be a result of its complexity and /or the financial burden placed on a state requesting a mission; it also reflected a lack of political will on the part of participating States to use the Mechanism. It was also noted that other CSCE activities, such as the long-term missions, may have served to replace some elements of implementation observance foreseen in the Moscow Mechanism. It was suggested that states could usefully request missions under paragraph 4, particularly in view of the positive experience of the two participating States which had followed this course. There was discussion of ideas to simplify and accelerate the procedures; to expand the list of experts; to allow the CSO Vienna Group and the ODIHR a greater role in the Mechanism; to reduce the number of states needed to sponsor initiation of the Mechanism; and to allow NGOs or individuals to prompt consideration of activation of the Mechanism. Certain delegations circulated detailed proposals for the revision of aspects of the Moscow Mechanism.

3. In view of the above discussion, the following are informal recommendations concerning the review of the Moscow Mechanism:

- That, in accordance with the Moscow Document, the experts nominated to be resource list by a participating state comprise eminent persons and include where possible, experts with experience related to minorities issues, and that the number nominated be expanded to a maximum of 6;

- That the time for a requesting state to comment on the report of a mission under paragraph 7 be reduced from three weeks to two;
- That the timeframe be reduced for a state which has received a mission under paragraphs 9-11 of the Mechanism to forward its response to the mission's report
- That the CSO Vienna Group be empowered to activate the Mechanism under paragraph 13, and that it also be empowered to take follow-up action under paragraph 11;
- That the CSO or Vienna Group review all mission reports.

1. In discussion of the CSCE missions, it was emphasised that Human Dimension monitoring had been an important part of the Missions of Long Duration to Kosovo, Vojvodina and Sandjak; that the mission to Kosovo had been indispensable in monitoring the observance of human dimension commitments; that other missions should pay attention to their own role in the Human Dimension, and the CSO Vienna Group should discuss Human Dimension issues on a regular basis: this could be achieved through consideration of the Human Dimension aspects of the reports of Missions, and through consideration of reports from the ODIHR on implementation of Human Dimension commitments. It was suggested that periodic public reports should be issued on the work of the missions in order to increase understanding of their work and avoid overlap with other bodies; that the mandate of missions should reflect the importance of the Human Dimension in their work; that the ODIHR should be more involved in the work of the missions, possibly through training and the nomination of mission members; and that a review of the implementation of Human Dimension commitments should figure in the reports of the Mission.

2. In view of the above discussion, the following are the informal recommendations concerning the role, support and follow-up of the CSCE Missions in fulfilling tasks within the Human Dimension:

- That the CSCE pay urgent attention to Human Dimension issues in the regions mentioned in paragraph 5, with a special focus on Kosovo, notwithstanding the expulsion of the Missions of Long Duration;
- That, in accordance with the decision of the 23<sup>rd</sup> meeting of the CSO on 23 September, the CSCE continue to urge the return of the Missions of Long Duration;
- That the CSO consider whether mandates of CSCE Missions give adequate prominence to the Human Dimension of the CSCE;
- That the CSO and the CSO Vienna Group give regular attention to the Human Dimension of the CSCE;
- That the expertise of the ODIHR be employed to the fullest extent in the preparation of missions;
- That reports from the CSCE missions be distributed to participating States in sufficient time to allow study of the reports in capitals before discussion in the CSO or Vienna Group.

1. In discussion of the activities of the High Commissioner on National Minorities (HCNM), an overwhelmingly positive assessment of his work to date was evident. It was suggested

that it was as yet too early to consider a re-appraisal of his mandate, although his views on the need for additional resources would be given close attention, and consideration could be given to more structured follow up of his recommendations.

2. In view of the above discussion the following are informal recommendations concerning activities of the CSCE High Commissioner on National Minorities and possible recommendations for further strengthening of his role:

- That he be asked to report to the Rome Council on his future activities and requirements in the light of experience gained so far;
- That the CSO give careful consideration to the HCNM's reports and, on the basis of required comments and feedback from the state or states involved, ensure that the HCNM's recommendations receive appropriate and continuing follow-up;
- That the HCNM and CSCE institutions and missions continue to pay close attention to co-ordination of their activities;
- That the Human Dimension resources list be expanded bearing in mind the HCNM's requirements (see paragraph 4.).

1. The second cluster of agenda items dealt with the following topics:

- (3) Election observation: reports and procedures;
- (4) Programme for Co-ordinated Support for the recently admitted participating States;
- (5) Outcome and improvement of the Human Dimension Seminars; proposals for the Seminars in 1994;
- (6) Assessment of the activities of the CSCE Office for Democratic Institutions and Human Rights and discussion on strengthening its role.

10. It was pointed out that election observation had a function beyond monitoring procedures: it also played an important part in ensuring that elections were free and fair, in achieving credibility for the results of elections, and in demonstrating the interest of other countries in democratic developments elsewhere. In this light, the dangers of giving credibility to undemocratic elections were stressed: a system of multiple candidates and a free opposition were necessary before elections observation would be meaningful. The meeting welcomed the announcement by the Russian delegation that they would be inviting election observers through the ODIHR. The importance of arranging international monitoring and assistance for elections in Georgia was underlined as a factor to assist stabilisation of the situation, and the decision of the CSO Vienna Group to send the Personal Representative of the Chairman, Ambassador Gyarmati, to the area was welcomed. Participants also spoke of the need for observation of the pre-election period, adequate preparation and notice in order to achieve effective elections monitoring. Delegations also informed the meeting of their own experiences of election monitoring, from perspectives of both monitoring and being monitored. The importance of NGOs and of domestic election observers was stressed.

11. In view of the above discussion, the following are informal recommendations concerning election observation: reports and procedures:

- That participating States inform the ODIHR on an annual basis of forthcoming elections, and that they inform the ODIHR at an early date, in accordance with their electoral law, of impending elections;
- That the ODIHR, in co-operation with the CSCE Parliamentary Assembly and relevant international organisations, mount a comprehensive election monitoring service for the all-Russia parliamentary elections on 12 December;
- That the ODIHR continue to co-operate closely with the CSCE Parliamentary Assembly, NGOs, and relevant international organisations in the development and practice of election observation.

10. In discussion of the programme of co-ordinated support for recently admitted states, appreciation was expressed for the activity of the ODIHR and of the Chairman in Office. Following her visit to the Central Asian republics in April 1993, participants welcomed her plans to visit the Transcaucasian republics. The following are informal recommendations concerning the programme:

- That the Chairman of the CSCE Council be invited to present to the Rome Council suggestions concerning the programme of co-ordinated support in the light of her visits to the recently admitted states.

10. Participants gave a positive assessment of the seminars organised by the ODIHR. Certain delegations circulated detailed proposals for the improvement of the seminars. It was recalled that the Helsinki Document foresaw seminars being held on migrant workers and local democracy. Proposals were also submitted for topics for new seminars, including national minorities with emphasis on extreme nationalism and xenophobia; the CSCE and human rights NGOs; participating States' policies on migration; migration, refugees and asylum issues with particular reference to the population displacements in former Yugoslavia; the rule of law, international humanitarian law; women; and, as suggested by the High Commissioner on National Minorities in the opening plenary, the Roma.

11. In view of the above discussion, the following are informal recommendations concerning the outcome and improvement of the Human Dimension Seminars and proposals for seminars in 1994:

- That the seminars foreseen in the Helsinki Document, on Migrant Workers and on Local Democracy, be held as planned before the Budapest Review Conference;
- That, if time and resources of the ODIHR permit, a seminar on the Roma also be held in 1994;
- That the other topics for seminars presented at this meeting be considered for inclusion in the programme for 1995 and thereafter;
- That participating States make efforts to include relevant experts, from both inside and outside government as appropriate, in their delegations to seminars;
- That moderators of the seminars be carefully chosen from among experts in the subject-matter of the seminar;
- That moderators of the seminars produce non-negotiated summaries of the seminars



and the texts be widely disseminated;

- That the ODIHR produce a compilation of relevant CSCE texts before each seminar;
- That the CSO consider appropriate follow-up to each seminar;
- That the CSO/CSO Vienna Group determine the agenda and modalities of the seminars at least three months before the date of the seminar, as required by the Helsinki Document.

10. In discussion of the activities of the ODIHR and of strengthening its role as the main institution of the Human Dimension, participants expressed appreciation of the work of the Office to date. It was suggested that various aspects of the Office's role could be strengthened, including its capacity to provide expert advice; its information role with NGOs; its involvement in the political consultations of the CSCE in Vienna and Prague; its work in co-ordination with other international organisations; its activity as a clearing house for information on the Human Dimension, including and on issues relating to strengthening civil society and the role of NGOs; its role in monitoring the implementation by participating States of their Human Dimension commitments; its assistance to long-term missions. Suggestions were made to increase the staffing and resources of the Office.

11. In view of the above discussion, the following are informal recommendations concerning the activities and role of the ODIHR:

- That the ODIHR be empowered, in consultations with other CSCE bodies, to bring to the attention of the CSO/CSO Vienna Group instances of non-implementation of Human Dimension commitments;
- That NGOs channel information to the ODIHR concerning reports on non-implementation of Human Dimension commitments;
- That the ODIHR maintain a database of experts, from both inside and outside government, in fields relevant to the Human Dimension, for use as advisers on missions, and other purposes of the CSCE, including the ODIHR and the High Commissioner on National Minorities;
- That the ODIHR request the participating States and NGOs to make available for inclusion in such a database information regarding relevant experts;
- That the CSO review the staffing and funding of the ODIHR and consider their increase in the light of any new tasks given to it'
- It also be noted that recommendations in other parts of this reports are also relevant to the work of the ODIHR.

10. The third cluster of agenda items dealt with the following topics:

- (8) Co-operation between CSCE and other international organisations in the Human Dimension field;
- (9) Role of NGOs;
- (10) Improved dissemination of information regarding the Human Dimension.

10. In discussion of co-operation between the CSCE and other international organisations in the Human Dimension fields, notably the Council of Europe and the United Nations,

particularly the UN Centre for Human Rights, it was noted that other organisations held similar aims even if their approaches were different and would impose limits to the scope for co-operation. Other organisations, including the European Bank for Reconstruction and Development, the UN High Commission for Refugees and UNESCO had also addressed the plenary meeting. Participants encouraged the ODIHR and relevant international organisations to maintain a close dialogue in order to co-ordinate their activities and identify possible areas of joint endeavour. A number of ideas were put forward to enhance co-operation in the field of the Human Dimension, including attendance at relevant general and committee meetings; the exchange of liaison officers and of information; participation in activities contribution to shared aims; regular high-level meetings; and the conclusion of formal agreements with relevant organisations. The following are informal recommendations concerning co-operation between the CSCE and other international organisations in the Human Dimension fields:

- That the Chairman in office be ready to arrange meetings of relevant personalities and organisations when the same conflict or issue is being dealt with by a number of separate bodies;
- That the ODIHR maintain close contact with relevant international organisations;
- That an early exchange of information take place between such organisations, with a view to joint action and the avoidance of competing initiatives.

10. NGOs played a full part in the deliberations of Subsidiary Working Body 2 and in the Implementation Meeting as a whole. The hope was expressed that the same facilities would be available for the Budapest Review Conference. The role of NGOs in the wider sphere of monitoring Human Dimension commitments was appreciated and possibilities of making greater use of their experience and knowledge were examined, for example through the provision of information to the ODIHR on violations of commitments; through the supply of expertise and advice to the ODIHR; as a source of experts, including those acting in an individual capacity, for possible use in election monitoring, CSCE missions and other CSCE activities; and as an important component in Human Dimension seminars. Given this key role, it was urged that the commitment to allow human rights activities to carry out their activities freely should receive special attention from the CSCE. It was also suggested that consideration be given to the funding of NGOs, either through the establishment of a central fund, or through the ODIHR acting as a clearing house for information of sources of funds. It was noted that in putting forward recommendations concerning the Budapest Review Conference, the Hungarian government would have in mind the positive experience of this meeting regarding the involvement of NGOs. Informal recommendations on the role of NGOs are incorporated under the various separate agenda items where it was considered that their role could be enhanced.

11. Participants stressed the importance of the dissemination of information on the Human Dimension of the SCE, not only to the general public, but also to those involved in CSCE activities. The publication of the ODIHR quarterly Bulletin was welcomed as a valuable step in this area. Paragraph 61 of Charter VI of the Helsinki Document was discussed. The following are informal recommendations on improved dissemination of information relating to the Human Dimension:

- That the ODIHR continue and intensify its efforts to disseminate information on the Human Dimension through such means as the quarterly Bulletin and in the context of the Programme of Co-ordinated Support for Recently Admitted States;
- That the Secretary General of the CSCE, in conjunction with ODIHR activities, be active in disseminating information on the Human Dimension, given his role in the overall information policy of the CSCE;
- That mission reports of all kinds be made public wherever possible;
- That participating States recall their own responsibility to ensure their populations are aware of the Human Dimension of the CSCE.

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10. In conclusion I would recall that paragraph 10 of the Chapter VI of the Helsinki Document 1992, the Challenges of Change, provides that “the implementation meeting may draw to the attention of the CSO measures to improve implementation which it deems necessary”. I would recommend to this meeting that if accordingly decides to draw to the attention of the CSO this report, and the report of my colleague rapporteur, and the informal recommendations which these reports contain.