



HUMAN DIMENSION IMPLEMENTATION MEETING
19 - 30 September 2016
Warsaw, Poland

ANNOTATED AGENDA

BACKGROUND

The OSCE Human Dimension Implementation Meeting (HDIM) is Europe's largest regional conference addressing human rights-related issues of common concern. Every year, the HDIM brings together more than 1000 representatives of governments of OSCE participating States, OSCE Partners for Co-operation, OSCE executive structures, international organizations and representatives of the civil society to discuss the implementation of the OSCE human dimension commitments.

In 2016, the OSCE Human Dimension Implementation Meeting is organized for 20th time. It was back in 1992 when the Helsinki Document mandated the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), as the main institution for the OSCE's human dimension of security, to organize a meeting to review the implementation of human dimension commitments entered into by all OSCE participating States and to look at ways to enhance compliance with those commitments. Since 1998, the HDIM has taken place annually for a two-week period in Warsaw (except for 1999 and 2010, due to the Istanbul and Astana Summits, respectively).

Based on Permanent Council *Decision No. 476 of 23 May 2002*, on the modalities for OSCE Meetings on Human Dimension Issues, the objectives of the Human Dimension Implementation Meeting are to review human dimension commitments and to foster their implementation. Meeting participants may also evaluate and put forward recommendations concerning the procedures and mechanisms for monitoring implementation of human dimension commitments. Sessions of the HDIM are also devoted to forward-looking discussions with a view to refining and further developing OSCE commitments.

The date, special topics and agenda for 2016 Human Dimension Implementation Meeting were adopted by the Permanent Council in Decisions No.1218 and 1219. The meeting in Warsaw will provide a forum to discuss wide range of commitments and, moreover, three special topics will be dealt with in greater depth.

- The International Covenants on Human Rights and their Importance for the OSCE Human Dimension;
- Freedom of Assembly and Association;
- Rights of the Child.

This annotated agenda is intended to provide participants with guidelines to prepare for active and constructive participation in the meeting's working sessions.

Information on the modalities for conducting discussions at the HDIM is provided in the meeting manual and online at http://www.osce.org/odihr/hdim_2016. Consolidated summaries of previous meetings, including recommendations from participants, are available at <http://www.osce.org/odihr/44078>. The HDIM factsheet can be accessed at <http://www.osce.org/odihr/20680>.

MONDAY, 19 SEPTEMBER 2016

OPENING PLENARY SESSION

10 a.m.–1 p.m.

In accordance with PC.DEC/476, the opening Plenary Session will, as a rule, be addressed by the Chairperson-in-Office, a high representative of the host country, the Director of the ODIHR, the HCNM and the RFOM. The President of the OSCE Parliamentary Assembly will be invited to address this Plenary Session. Prominent international personalities in the field of the human dimension may also be invited to address the opening Plenary Session.

WORKING SESSION 1:

3–6 p.m.

Democratic Institutions, including address by the Director of the OSCE Office for Democratic Institutions and Human Rights

Democratic institutions and political participation at the national, regional and local level; citizenship and political rights

In the 1990 Charter of Paris, OSCE participating States committed “to build, consolidate and strengthen democracy as the only system of government of our nations”. Bringing governance closer to the citizen – at the lowest possible level, through decentralization and “subsidiarity” – has been recognized as a key element in fostering democracy. An increased political participation of under-represented groups (women, youth, persons with disabilities and minorities) in political life also leads to a more inclusive and democratic society. In the 1991 Moscow Document, OSCE participating States “again reaffirm that pluralism is important in regard to political organizations”.

OSCE participating States recognize that democracy at all levels of government is predicated on political pluralism and a multi-party system. The 1990 Copenhagen Document also stressed the importance of a separation between the state and political parties, as well as “the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations”. One of the OSCE's objectives is to support participating States in creating a regulatory environment in which political parties

can effectively perform their essential democratic functions. Transparency and accountability of political parties are crucial for public trust and legitimacy. While funding of political parties is a necessary component of any democratic process, it also represents a concrete risk for any democratic and economic system, and threatens the capture of political decision-making processes by powerful special interests. Public corruption still represents a real problem in all OSCE participating States.

Furthermore, good governance, particular in national representative bodies such as parliaments, is fundamental to the healthy functioning of democracy. Public accountability and the political credibility of parliaments are cornerstones of a representative democracy. In its 2006 Brussels Declaration, the OSCE Parliamentary Assembly encouraged parliaments in OSCE participating States to develop and publish rigorous standards of ethics and official conduct for parliamentarians and their staff.

Overall, democracy in its true essence rests on meaningful and inclusive democratic participation. Increased political participation of under-represented groups in political life leads to a more inclusive and secure society. Yet, in many OSCE participating States, youth are still increasingly disengaged from politics; the average percentage of young people in Europe who are members of a political party is currently less than 2 per cent. Thus, one of the key challenges is to ensure that under-represented groups are politically engaged and feel empowered within the framework of existing democratic institutions, as well as within new forms of on-line political participation.

Furthermore, across Europe almost one quarter (23%) of the adult population declare that they are limited in their daily activities by a “physical or mental health problem, illness or disability”. Obstacles in accessing data, legal and administrative barriers, inaccessible processes and information, and a lack of awareness about political rights can deny persons with disabilities the opportunity to participate in the political lives of their communities. Addressing these challenges is essential for creating more equitable and inclusive societies across the OSCE region.

This session will provide an opportunity for participating States to take stock of progress in the implementation of OSCE commitments on democratic governance, political participation and political pluralism.

Questions that could be addressed:

- How can democracy be strengthened at the national, regional and local levels? What challenges are emerging to the effective implementation of OSCE commitments relating to democratic institutions?
- How can legislation and regulations on political parties enhance political pluralism and participation? How can participating States support youth political activism?
- How can participating States promote political participation of persons with disabilities, their involvement in political life, whether by standing for elected office, joining a political party, or following political events in their societies?
- How can the OSCE and particularly its institutions and field operations support participating States in ensuring greater political pluralism and participation?
- How can think tanks and civil society support democratic processes, and increase the accountability and transparency in public affairs?

Elections

OSCE participating States have committed themselves to upholding key principles of democratic elections as an essential element underpinning genuine democracy. The significance of democratic elections is explicitly recognized in OSCE commitments and other international obligations and standards for democratic elections and through ODIHR's mandate to support OSCE participating States to implement their election-related commitments by undertaking election observation.

ODIHR's well-established and comprehensive election observation reveals a range of practices in electoral processes across the OSCE region. Positive aspects include strengthened legal frameworks, greater attention to the issue of inclusion, and increased awareness of the importance of campaign finance. However, these are offset through observing a number challenges remain with the implementation of election-related commitments. Particular concern continues in relation to limitations placed on suffrage rights, the freedom of expression and the media environment, a lack of confidence and impartiality of election administration bodies, and a shrinking space for election observers, both citizen and international.

OSCE participating States increasingly recognize that election observation is not an end in itself. Its inherent benefit is only realized to the degree that ODIHR's assessments and recommendations to improve the conduct of an electoral process are given sufficient consideration and effectively addressed. At the 1999 Istanbul Summit, participating States committed themselves to "follow up promptly the ODIHR's election assessment and recommendations" and recognized "the assistance the ODIHR can provide to participating State[s] in developing and implementing electoral legislation" This commitment has since been reiterated by participating States, providing ODIHR with the opportunity to respond to requests for post-election dialogue, including presentations and discussions of recommendations, expert consultations and legal reviews of election-related legislation.

The HDIM will offer an opportunity to review electoral practices in OSCE participating States in compliance with OSCE commitments and international obligations and standards and the implementation of ODIHR's recommendations as part of the follow-up process with participating States.

Questions that could be addressed:

- How are OSCE participating States meeting their commitments to conduct democratic elections?
- What are some of the examples of established and evolving good electoral practice concerning legal frameworks for elections?
- What particular challenges have participating States faced in meeting their commitments related to ensuring a free campaign environment? How can they be overcome?
- What are the challenges to ensuring full compliance with OSCE commitments concerning citizen and international election observation?
- What can be done to further enhance the effectiveness of follow-up by OSCE participating States to ODIHR's assessments and recommendations

TUESDAY, 20 SEPTEMBER 2016

WORKING SESSION 2

10 a.m.–1 p.m.

Specifically selected topic: The International Covenants on human rights and their importance for the OSCE human dimension

A number of OSCE human dimension commitments recognize the vital importance of participating States' realization of their binding human rights obligations under international treaties, in order to ensure lasting peace and security in the OSCE region (e.g. Budapest Summit Declaration (1994), para. 14). In the Madrid Document (1983), OSCE participating States particularly identify the twin Covenants on human rights – the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR) – as core foundations of the human dimension of security, and “call on all participating States to act in conformity with those international instruments and on those participating States, which have not yet done so, to consider the possibility of acceding to the covenants.”

The ICCPR forms, together with the Universal Declaration of Human Rights and the ICESCR, the bedrock of international human rights law. Its development, following the end of the Second World War, reflected the hope that the obligation to respect and ensure human rights and fundamental freedoms by States would in the future help to prevent the atrocities that had marked the War and the period preceding it.

The ICCPR has been ratified by all but one OSCE participating States and has inspired the drafting of similar regional treaties around the world

Today, 50 years since the adoption of the ICCPR, and 40 years since its entry into force, the human rights that it enshrines are still being ignored and violated, not only within the OSCE area, but also across the globe. Over the last decade, human rights protections appear to be declining, rather than increasing – attacks on human rights defenders and media representatives are more and more frequent, and many States use laws and law enforcement to suppress key human rights such as those to freedom of peaceful assembly and association (Working Sessions 4 and 5), freedom of expression (Working Session 6), and the right to private life. Fear of terrorism and extremism has led to unprecedented debates over the absolute prohibition on torture, as well as an erosion of the rights to liberty, a fair trial and privacy (Working Sessions 8 and 9). In this context, many States have implemented a practice whereby they first arrest, conduct surveillance, or block websites, and only afterwards reflect on possible collateral human rights violations.

In light of these developments, the ICCPR and its continued implementation without discrimination (Working Sessions 10, 11, 12, 14, 15) remain essential not only for the lives and dignity of many individuals, but also for the security of individual States, including those of the OSCE region. As recognized early on in the Helsinki Act of 1975, the respect for human rights and its significance for an overall security framework, remain more relevant than ever.

For this reason, Working Session 2 will focus on how to enhance the protection of the rights safeguarded by the ICCPR, and how to ensure that governments recognize that , democratic

governance, security and human rights protection go hand in hand. With this overall aim in mind, Working Session 2 will also outline and review the nature of States' OSCE commitments and human rights obligations with respect to the ICCPR, and how the OSCE and UN systems reinforce one another.

During the Working Session, there will be an opportunity for participants to submit questions to the speaker – particularly on current human rights and security challenges or crises in the OSCE region – to be addressed by the speaker, if time permits. Participating States and other HDIM participants will also be invited to speak and highlight areas where the OSCE has already been working, or where it could do more to support the implementation of the human rights enshrined in the ICCPR.

Questions that could be addressed:

- What are the scope and content of ICCPR obligations, and where do they converge with OSCE human dimension commitments?
- How can the OSCE and UN frameworks reinforce each other, and contribute to increased human rights protection in practice?
- What obligations under the ICCPR are non-derogable and/or reflect customary law, and what does this mean for the protection of human rights during times of conflict, crisis or internal states of emergency?
- What parts of this discussion on human rights provided by the ICCPR should be developed further in subsequent sessions of the HDIM?
- Where can the OSCE executive structures and institutions do to better support participating States in their implementation of the ICCPR?

WORKING SESSION 3

3–6 p.m.

Specifically selected topic: The International Covenants on human rights and their importance for the OSCE human dimension (continued)

As observed in Working Session 2, OSCE human dimension commitments have identified the twin Covenants on human rights – the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR) – as core foundations of the human dimension of security, and have called on all OSCE participating States to accede to the Covenants and implement the human rights obligations they comprise. Additionally, OSCE participating States have recognized the importance of economic, social and cultural rights to the realization of comprehensive security as a whole (Helsinki 1975; Madrid 1983; Vienna 1989; Paris 1990; Bonn 1990; Copenhagen 1990; Moscow 1991; Istanbul 1999; Maastricht 2003; Ljubljana 2005).

As with the ICCPR, the ICESCR is one of the most widely ratified international human rights treaties by (all but three) OSCE participating States. With this in mind, Working Session 3 will further outline and review the nature of OSCE participating States' human dimension commitments and human rights obligations under the ICESCR, and how the

OSCE and UN systems can reinforce one another in the realization of a comprehensive and sustainable security for all.

Since the global economic crisis in 2008, economic, social and cultural rights have come back to the fore of international attention and concern. Widespread austerity measures have had regressive impacts on the enjoyment of economic, social and cultural rights across the OSCE region, raising questions on the wisdom and long-term ramifications of scaling back social entitlements and protections, including for the most vulnerable in society (e.g. Working Sessions 16 and 17). Compounding those economic woes, some OSCE participating States have experienced political crises, renewed military conflicts, large migration and refugee flows (e.g. Working Session 7), which have spurred socio-economic uncertainty for the next generation and, in some cases, political radicalization of alienated segments of society.

Many of today's political and security crises have inextricable parallels or roots in the denial of economic, social and cultural rights – such as the rights to an adequate standard of living (including housing, food, water, etc.), as well as health, education, work, social security and others. Recognizing these parallels, the Universal Declaration of Human Rights and the twin Covenants reaffirmed the interdependence and indivisibility of civil, cultural, economic, political and social human rights as a common set of fundamental standards that must be guaranteed. Forty years after the entry into force of the ICESCR and ICCPR, implementation by OSCE participating States of their obligations under both Covenants remains vital to ensuring long-term regional security in the OSCE region.

After decades of debates over the justiciability of economic, social and cultural rights, OSCE participating States have globally taken the lead in seeking to ensure accountability for their obligations under the ICESCR. Since its adoption in 2008, the Optional Protocol to the ICESCR (OP-ICESCR) has been ratified by 13 OSCE participating States (62 per cent of all ratifications), and signed by another 7 participating States (27 per cent of all signatories).

In Working Session 3, participants will address how best the OSCE can support and safeguard the realization of economic, social and cultural rights in times of economic, political, social and/or security crises. Topics may also include the roles of National Human Rights Institutions and civil society organizations (CSOs) across the region. Participating States and other HDIM participants will also be invited to speak and highlight areas where the OSCE has already worked extensively on economic, social and cultural rights issues, or where it could do more to support the implementation of the human rights enshrined in the ICESCR. There will also be an opportunity for participants to submit questions to be addressed by the speaker, if time permits.

Questions that could be addressed:

- How can the OSCE and UN frameworks reinforce each other, and contribute to increased economic, social and cultural rights protection in practice?
- What are the scope and content of ICESCR obligations, and where do they converge with OSCE human dimension commitments?
- What economic, social and cultural rights provided by the ICESCR could support long-term regional security, including during times of conflict and crisis?
- What parts of this discussion on human rights provided by the ICESCR should be developed further in subsequent sessions of the HDIM?
- What can the OSCE executive structures and institutions do to better support

participating States in their implementation of the ICESCR?

WEDNESDAY, 21 SEPTEMBER 2016

WORKING SESSION 4

10 a.m.–1 p.m.

Specifically selected topic: Freedom of assembly and association

The freedoms of assembly and association have long been recognized as cornerstones of democracy and key guarantees of pluralism. In particular, the freedom of peaceful assembly allows individuals to engage in direct dialogue with the State and other actors by expressing, openly, and usually in a public space, their concerns and dissatisfaction, but also their support for certain matters of public debate. The ability to freely assemble is crucial to creating a pluralistic and tolerant society in which persons and groups with different, and possibly conflicting backgrounds, beliefs, common interests, opinions, practices or policies can exist and exchange views peacefully together. The free exercise of this right reduces the risk that conflicts escalate into violence and creates opportunities for dialogue and partnerships.

The freedom of peaceful assembly is protected by a range of international instruments including the International Covenant on Civil and Political Rights and the European Convention on Human Rights and has been reaffirmed in key OSCE commitments (Copenhagen 1990). States are thereby obliged to not only protect, but also to facilitate and promote the freedom of peaceful assembly. As stated in the Guidelines on Freedom of Peaceful Assembly prepared by ODIHR and the Council of Europe's Commission for Democracy through Law (Venice Commission) in 2010 (2nd edition), this leads to a "presumption in favour of holding peaceful assemblies". Such gatherings may thus only be restricted in exceptional circumstances, e.g. if this is necessary to protect the rights of others, public order, national security, among others.

In the past years, individuals throughout the OSCE region have continued to face legal, administrative and practical impediments to the exercise of their freedom of peaceful assembly. Increasingly, assemblies tend to be viewed not as a necessary condition for open political debate, but rather as a threat to governments, the State, and traditional values. In light of this polarization, certain States have responded by banning assemblies or internet sites, restricting gatherings to certain locations, or imposing high and disproportionate sanctions on organizers and participants of assemblies. Legislation on combating terrorism and extremism, and declarations of states of emergency have become tools to legitimize blanket bans on assemblies in certain areas, or for certain periods of time. While this may be justified in cases involving severe security risks, where the nature and extent of a public threat has yet to be determined, these types of justifications tend to become less plausible as time passes, and may lead to additional human rights concerns.

One important factor with respect to organizing and raising awareness of assemblies before they occur are new information technologies, which allow for increased real time connectivity. Thus, more and more frequently, social media platforms and communication apps are used by individuals to assemble spontaneously in reaction to political, economic or social developments. In this context, particular attention should be paid to how authorities,

including law enforcement agencies, address spontaneous peaceful assemblies, which should be facilitated, even if they were not notified in advance. Legislative and regulatory frameworks, as well as training offered to law enforcement agents, should allow for and ensure the facilitation of spontaneous gatherings.

This session could also contribute to a renewed discussion on the basic elements of the right to freedom of assembly. Given that international standards and commitments only protect peaceful assemblies, a new impetus to implement the right to freedom of peaceful assembly in practice, and to facilitate and promote it within the OSCE region is needed. This would help ensure that even in the light of recent threats involving attacks on key democratic institutions by radicalized groups, and potential danger for life and limb of individuals, individuals do not suffer excessive restrictions to their human rights and fundamental freedoms as a result of these threats. Moreover, it is the responsibility of the participating States to ensure that individuals are always (even in times of crisis) able to take part in public debate not only via the parties that they have elected into power, but also in a direct manner, using available public fora.

The above elements, and related questions will be debated during this session, which will focus on the importance of freedom of peaceful assembly and its protection, and also on challenges faced by both individuals, groups and state authorities in the exercise and implementation of this right.

Questions that could be addressed:

- What challenges do assembly organizers and participants face today, and what can be done to help overcome these challenges?
- What measures can be taken by States to ensure that freedom of peaceful assembly is not unduly limited in cases involving public emergencies and counterterrorism and – extremism measures?
- How can new technologies be used to facilitate, rather than restrict, the exercise of the right to freedom of peaceful assembly?
- What law enforcement approach and tactics bring about the best results in the facilitation of the assemblies?
- How can States and individuals and groups engage in meaningful dialogue to uphold the freedom of peaceful assembly, including during public emergencies? What good practices exist in the OSCE region in this regard?

WORKING SESSION 5

3–6 p.m.

**Specifically selected topic: Freedom of assembly and association
(continued)**

Similarly to the freedom of peaceful assembly, freedom of association is an essential element of a well-functioning, democratic state. Both the International Covenant on Civil and Political Rights and the European Convention on Human Rights explicitly recognize every person's right to associate, as do key OSCE commitments, notably the 1990 Copenhagen Document.

The types of associations protected by this right vary from non-governmental organizations to trade unions and political parties, to name a few. Generally, the State shall not interfere

with the rights and freedoms of associations except in very limited circumstances, for example, in cases where they engage in criminal activities or concretely threaten the constitutional order, or the rights of others. It is particularly important for participating States to create an enabling environment to ensure that all associations, regardless of their focus, leadership members and legal personality status, are able to function freely, without undue restrictions and free from discrimination. Only by ensuring the right to freedom of association can States create and maintain a pluralistic and democratic society.

Despite these principles, which are also set out in the 2015 ODIHR-Venice Commission Guidelines on Freedom of Association, laws and practices in states across the OSCE region continue to discriminate against and unduly restrict associations of certain groups or individuals and criminalize activities carried out by unregistered groups. In particular, recent years have seen an increase in restrictive legislative trends, with amendments introducing new limitations on civil society organizations receiving foreign funding or having contacts with foreign or international non-governmental organizations and requiring the labeling of such organizations as “foreign agents” or “undesirable organizations”, thus stigmatizing or delegitimizing their work. Anti-terrorism and anti-extremism laws are often abused to justify the seizure of documents and assets, the freezing of bank accounts, and the invasion of the privacy of members of associations.

Associations, including particularly those of human rights defenders, play an important role in assisting participating States in the implementation of human dimension commitments by channelling public discussions, and raising important issues pertaining to human rights and other issues of public interest. For this reason, it is even more important that they are not unduly restricted, and that their positive impetus is seen as an asset and not as a threat. States should aim to protect and promote the work of associations, including of human rights defenders, rather than issue blanket restrictions on certain types of associations and inhibit their work. Restrictions on freedom of association based on anti-terrorism or anti-extremism legislation should always be focused on individual organizations, based on concrete evidence relating to their past and present activities. Relevant legislation should be well-drafted and avoid ambiguous formulations, to prevent possible abuse.

This session will focus on the importance of freedom of association, the need for a enabling environment in which they can operate, and what State institutions can do to ensure this. During the debate, positive and negative examples of State practice will help inform discussions.

Questions that could be addressed:

- What obstacles are associations, including of human rights defenders, facing today? Also in light of good practices in the OSCE region, what can be done to eradicate the root causes for these obstacles to improve the environment in which they operate?
- How can states overcome specific challenges experienced by certain persons or groups, such as persons with disabilities, women and youth, indigenous peoples, minorities, in the exercise of their right to freedom of association? What positive measures can be taken in this respect?
- What can be done to foster effective co-operation and dialogue between associations and participating States, to promote the exercise of the right to freedom of association?

THURSDAY, 22 SEPTEMBER 2016

WORKING SESSION 6

10 a.m.–1 p.m.

Fundamental freedoms I, including Address by the OSCE Representative on Freedom of the Media

In accordance with her mandate, the OSCE Representative on Freedom of the Media will report to the Meeting on the status of the implementation of OSCE principles and commitments in respect of freedom of expression and freedom of the media in OSCE participating States.

The session on freedom of the media will focus on the current situation of media freedom across the OSCE, and on the main threats to freedom of expression and freedom of the media. It will also discuss ways to increase safety of journalists by better and more quickly implementing the OSCE commitments in the field of freedom of expression and freedom of the media that the participating States adopted since Helsinki Final Act.

On 12 February in Vienna, the German Chairmanship together with the Office of the OSCE Representative on Freedom of the Media organized an expert meeting among media experts, journalists, diplomats, policymakers and governmental representatives to discuss the different aspects of the phenomenon of propaganda and its effects on media freedom.

In spite of the continued attention to the challenges faced by media freedom and free expression by several participating States and the Office of the Representative, the circumstances under which journalists report have not improved, and in several instances they have continued to deteriorate. Journalists have continued to face violent attacks, and too many of them have lost their lives for their work; impunity of perpetrators and masterminds of attacks against journalists has remained widespread; so did persecution and prosecution of independent, differing, or satirical voices in several regions of the OSCE.

Many governments continue to regard the media as a dangerous instrument that needs to be controlled and sometimes even silenced, instead of considering the media to be what it is: an essential and unique tool of democracies that allows for every citizen to obtain and impart pluralistic information. Some participating States continue to fall critically short of fulfilling relevant OSCE and other international standards on freedom of expression, with the vast majority maintaining criminal prosecution provisions that threaten the media's ability to report on matters in the public interest. Moreover, implementation of other restrictive laws continues, now increasingly online.

As in earlier years, in numerous participating States the existing OSCE commitments continue to lack the political will required by the participating States for these commitments to be successfully implemented. While significant differences continue to exist in the level of freedom of the media among participating States, there is no region in the organization where the commitments have been fully implemented and freedom of the media cannot be further improved.

The Office of the Representative on Freedom of the Media is mandated to observe media developments in the OSCE participating States and to advocate and promote full compliance with related commitments. The attention to the topic is promoted by other

OSCE structures as well, including the OSCE Secretariat, OSCE field offices, as well as the Office for Democratic Institutions and Human Rights and High Commissioner on National Minorities.

The session on freedom of the media this year will tackle, among others, the following topics: the current situation of freedom of expression, freedom of the media and media pluralism in the OSCE region; the role of the authorities in ensuring safe and free working conditions for journalists; ; the need to effectively fight propaganda for war and hatred; existing good practices to strengthen freedom of expression offline and online; self-regulation as an instrument to enhance media freedom and professional standards.

The session will repeatedly raise attention to the urgent need for the authorities to resolutely and publicly condemn violence against journalists for their work, and for concerted efforts to put an end to the impunity of perpetrators and masterminds.

The session will also provide a forum to discuss the major obstacles to freedom of the media and freedom of expression with the equal involvement of governments, other international organizations, human rights and media experts and civil society, including media representatives from the participating States.

Questions that could be addressed:

- What is the current state of media freedom offline and online in the OSCE?
- What is the role of governments of participating States, intergovernmental organizations, non-governmental organizations, journalistic associations and media organizations in supporting pluralism and independence of the media, safety of journalists and access to information?
- How can participating States better ensure that the media can work freely and independently, and under safe working conditions?
- How can the authorities become more effective in ending impunity of masterminds and perpetrators of attacks and other crimes committed against journalists, including when reporting about conflicts?
- How can the OSCE participating States better implement their commitments on media freedom and freedom of expression while combating hate speech?
- What measures exist to deal with propaganda for war and hatred, especially during conflict coverage?
- How can the OSCE help ensure that the same rights that people have offline are also protected online, in particular freedom of expression and freedom of information?
- What is the role of civil society in media freedom advocacy? How it can be strengthened?

WORKING SESSION 7

3–6 p.m.

Humanitarian issues and other commitments, including address by the OSCE Special Representative/Co-ordinator for Combating Trafficking in Human Beings

The aim of this session is to discuss the developments in the OSCE region related to combatting the trafficking in human beings and challenges in implementing relevant OSCE commitments, paying special attention to the protection of the rights of victims of trafficking in human beings.

Combating trafficking in human beings, including through implementation of the OSCE Action Plan to Combat Trafficking in Human Beings and its Addendums

In accordance with MC.DEC/7/13 the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) is engaged in promoting the OSCE anti-trafficking commitments and in assisting participating States in their implementation upon request.

With the aim of having an overview of the status of implementation of anti-trafficking commitments across the OSCE region, in particular selected aspects of the OSCE Action Plan to Combat Trafficking in Human Beings (2003); and the Addendum to the OSCE Action Plan on Combating Trafficking in Human Beings: One Decade Later (2013), in 2015 the OSR/CTHB developed a survey to the governments of the OSCE participating States. In addition to the government survey, the OSR/CTHB surveyed relevant NGOs throughout the OSCE region. 52 of the 57 participating States (91%) responded to the survey as well as 90 out of the 171 NGOs approached with the request (53%). Additional three participating States declared they would not submit a response to the survey due to specific internal limitations. This high response rate reflects the commitment of participating States to continue working on this issue. The added value of the survey is long-term, as it creates a substantial baseline against which progress will be measured in three to four years, when the survey is repeated. The survey looked specifically at identifying and addressing trafficking for labor exploitation, the response towards child trafficking and trafficking for the purpose of organ removal, as well as access to compensation, using financial investigations in combating trafficking, and seizing criminal assets.

The survey analysis makes it clear that much has already been accomplished by the Governments of the participating States, supported by civil society and in co-operation with the international community. Especially with regard to a comprehensive legislative framework, the survey responses provide an extensive overview of the existing far-reaching provisions to combat trafficking in human beings. Nevertheless, anti-trafficking stakeholders are still confronted by major challenges, in particular in the practical implementation of the laws and policies that are in place. Much remains to be done with regard to raising the capacity of all different actors to tackle the problem within the scope of their mandate and in strategic collaboration with other national and international counterparts.

This is especially the case with emerging forms of human trafficking, including such as those pertaining to or deriving from crisis situations. The current migration and refugee

crisis as well as the crisis in and around Ukraine pose new challenges to participating States in the implementation of their anti-trafficking commitments. As emphasized at the 2015 high-level *Alliance Against Trafficking in Persons* conference, the situation when large numbers of people are forced to leave their homes creates a conducive human trafficking environment, as criminal groups take advantage of vulnerable people on the move and traffic them into sexual and/or labor exploitation, as well as for organ removal, forced criminality and forced conscription.

Effective and responsible management of mixed migration flows, including the adequate reception and protection of displaced persons and asylum-seekers, as well as their further integration into society, is crucial to preventing and combating human trafficking along migration routes. Since the very onset of the crises, the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings (OSR/CTHB) has developed a number of strategic initiatives aimed at ensuring comprehensive and human rights-based responses in addressing the linkages between irregular migration and exploitation of human life. These initiatives, *inter alia*, include the Special Representative's visits to migrants and refugee hot-spots in Turkey, Italy and Bulgaria, facilitation of the co-ordinated regional response to migration-related human trafficking risks along the Western Balkan route and the launch of the Project on Combating Trafficking along Migration Routes which will enhance the capacity of key stakeholders from the OSCE region to identify actual and potential trafficking victims, in particular among vulnerable migrants, and investigate human trafficking cases.

This session will give participating States the opportunity to discuss ways of ensuring a more effective and comprehensive anti-trafficking response, in particular in emerging forms of trafficking and including addressing migration-induced human trafficking risks. Some key challenges identified by the survey and through the implementation of other OSR/CTHB-led initiatives are: gaps in existing regulatory frameworks, including referral mechanisms; lack of awareness of trafficking risks among people on the move; lack of harmonized indicators and procedures to identify and protect (potential) victims of trafficking, including unaccompanied minors; ineffective criminal justice response to migrant smuggling and trafficking in human beings; lack of regular horizontal co-operation, sharing of data, intelligence and evidence between relevant agencies; divergent jurisdictions and legislations; narrow co-operation modalities between countries of origin, transit and destination.

Questions that could be addressed:

- What initiatives and tools can be efficiently applied to build the capacity of anti-trafficking actors to tackle all forms of trafficking, including such methods such as e-learning?
- What specific and practical measures could be recommended to prevent trafficking in human beings in the times of migration crisis?
- How can the response to child trafficking be improved, including for children on the move? What specific measures are taken to protect the rights and to ensure the best interests of unaccompanied minors?
- What gaps in the national referral mechanisms should be addressed to enhance the capacity of participating States to identify, refer and protect (potential) victims of trafficking, including among irregular migrants, refugees and asylum seekers?
- How can access to compensation for victims of all forms of trafficking be improved?

- How can data collection efforts be strengthened in order to better target identification efforts? In the context of the migration crisis, how can the OSCE assist participating States in improving co-operation and data sharing along migration routes, in particular between countries of transit and destination? How can countries of origin that are often outside the borders of the OSCE region be engaged?
- What best practices have been applied in the OSCE region to effectively investigate cases of human trafficking stemming from or related to smuggling of migrants?
- How can the OSCE, its institutions and field missions, further assist the OSCE participating States in fulfilling their anti-trafficking commitments against the backdrop of the on-going crises?

Rights of migrants

From 1975 onwards OSCE participating States paid special attention to the rights of migrants, reaffirming that the protection and promotion of the rights of migrant workers have a human dimension and are the concern of all participating States (Copenhagen 1990), and undertaking to promote equality of opportunity in a range of areas (working conditions, education, etc.) for lawfully resident migrant workers (Helsinki 1992). Participating States have also agreed to a number of migrant integration commitments, recognizing that successful integration policies which respect cultural and religious diversity and promote and protect human rights and fundamental freedoms also promote social stability and cohesion (Ljubljana 2005). Commitments also recognized the need for measures to enable migrants' linguistic and social participation (Moscow 1991, Helsinki 1992), and dedicated strategies and programmes which actively engage migrants (Madrid 2007).

In 2015 the number of international migrants reached 244 million, with the majority of 135.4 million, living in the OSCE region.¹ Responding to increasing requests from OSCE participating States and relevant OSCE commitments (in particular, Maastricht 2003), ODIHR assists participating States to facilitate regular migrants' integration and protect migrants' rights through raising awareness, building national stakeholders' capacities, researching emerging issues, and promoting good practice exchange.

Questions that could be addressed:

- What are the most common challenges to migrants' exercise of their rights in host societies? How can OSCE institutions and field operations better assist OSCE participating States to address these challenges?
- What are current good practices and innovative approaches in the area of migrant integration in the OSCE region, including on integrating gender perspectives into national policies? How can good practice be most effectively promoted and applied by national authorities and civil society across the OSCE region?

Refugees and displaced persons

As of February 2016, the OSCE region hosted 3.5 million refugees, including 1.13 million arrivals in Europe since the beginning of 2015.² Arrivals following dangerous journeys continue and IOM estimates that through sea routes alone 239,210 persons travelled to participating States in the first half of 2016, resulting in 2,993 casualties at sea. The number

¹An increase of 41 per cent since 2000; based on the data of UN DESA, "Trends in international migration, 2015", December 2015.

²Migration Crisis in the OSCE Area: Towards Greater OSCE Engagement, Thematic report prepared by the Bureau of the OSCE PA General, February 2016.

³Calculated as of 1 January 2016 on the basis of the IDMC's 2016 Global Report on Internal Displacement.

of internally displaced persons (IDPs) in the OSCE region also continues to grow, mostly due to ongoing conflicts, and was an estimated 3,858,600 million IDPs³ in January 2016.

Participating States recognized the need for international co-operation to deal with mass flows of refugees and displaced persons and to support efforts to ensure their protection and assistance to find durable solutions (Helsinki 1992). While seeking such solutions, participating States should ensure dignified treatment of all individuals wanting to cross borders, in conformity with relevant national legal frameworks, OSCE commitments (Ljubljana 2005), and international law. In particular, participating States have reaffirmed their commitment to respect the right to seek asylum and to ensure the international protection of refugees, as well as to facilitate the voluntary return of refugees and internally displaced persons in dignity and safety (Istanbul 1999). While primary responsibility for facilitation of the safe and dignified return of IDPs in accordance with international standards lies with the respective participating State (Lisbon 1996), the OSCE and its field operations, supports the development of strategies to address refugee and IDP needs.

Questions that could be addressed:

- What kind of bilateral and multilateral co-operation among OSCE participating States could ensure better responses to the ongoing migration and refugee crisis and assist those participating States most affected to implement the relevant OSCE commitments?
- In the current context, how can participating States improve reception conditions and better address the needs of vulnerable groups in national asylum procedures?
- How can OSCE institutions, field operations and other executive structures better assist participating States to address the challenges posed by an ever increasing number of migrant, asylum seekers, refugees and IDPs? What should the role of civil society be?

FRIDAY, 23 SEPTEMBER 2016

WORKING SESSION 8

10 a.m.–1 p.m.

Rule of law I

Democratic law-making

The last decades have witnessed numerous efforts on the part of OSCE participating states to improve the quality of their legislation and bring it in line with OSCE commitments and other international standards. These efforts responded to persistent criticism of the quality, volume and perceived ineffectiveness of certain enacted legislation, which is often the result of political priorities and considerations rather than of an actual perceived need.

Since laws are made for, and need to be implemented by various institutions of a given state and respected by the people, it is essential that legislative processes are transparent, inclusive and open. As stated in relevant OSCE commitments, legislation shall be adopted “at the end of a public procedure”, and “as the result of an open process reflecting the will of the people”. This means that individuals and groups affected by proposed legislation should be included in discussions on the scope and impact of laws and policies.

In numerous states across the OSCE area, effective public participation mechanisms and transparent processes of decision-making are needed. This would help improve the quality of policy and legislative decisions, and ensure their successful implementation.

Questions that could be addressed:

- Are legislative processes in OSCE participating States indeed transparent, inclusive and open, as required by OSCE commitments?
- What measures shall OSCE participating States take in order to streamline effective participatory processes, to facilitate equitable access to such processes and ultimately to build a culture of participation?
- What else can be done to ensure that laws are implemented properly once adopted? What mechanisms exist to monitor implementation?

Independence of the judiciary

The independence of the judiciary is essential to ensure an individual's right to a fair trial and an effective remedy as well as to ensure the effective separation of powers and checks and balances integral to a democratic society. In order to guarantee that judicial action is efficient, fair, and of high quality, a balance must be struck between the complementary and interdependent principles of judicial independence and accountability. These principles are at the core of a democratic order and the rule of law, and participating States have repeatedly recognized their importance (Copenhagen 1990),.

As OSCE participating States implement judicial reforms to strengthen the independence of the judiciary, it is equally important to ensure that the judiciary is accountable to those it seeks to serve – the users of the justice system.. In many OSCE participating States, there is a perception, often revealed and reinforced by the media and supported by actual experience, that the judiciary is corrupt, elitist, inefficient, and not representative of the society at large.

Legal and institutional frameworks related to judicial independence and accountability are a starting point for judicial reform, but laws alone cannot guarantee efficient and fair justice. Reform discussions that consider public perception as well as civil society's capacity to contribute to these reform processes can support concrete solutions to underlying challenges.

Questions that could be addressed:

- What has been the role of judicial bodies such as judicial councils in improving judicial independence and accountability across the OSCE region?
- What are good practices in ensuring that the judiciary is representative of and accountable to the society as a whole, particularly when it comes to judicial selection and appointment, performance evaluation, and disciplinary actions?
- How can civil society play an integral role in judicial reform processes that seek to make the judiciary more efficient, fair, and of the highest quality?

Right to a fair trial

OSCE participating States have solemnly declared that due process guarantees are among those elements of justice which are essential to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings (Copenhagen 1990).

Throughout the OSCE region however, an erosion of fair trial guarantees can be observed. Across the judicial spectrum, from police investigation and the pre-trial stage in criminal proceedings to the enforcement of judicial decisions, including in civil and administrative proceedings, due process guarantees are routinely being denied.

Exceptional circumstances, such as the fight against terrorism, the containment of the refugee crisis or the suppression of diverse forms of threats are among the most common arguments put forward by many OSCE participating States to justify the limitation of fair trial guarantees. However, justice systems are subject to scrutiny precisely in times of emergencies which can be seen as a “stress-test” exposing their key strengths and weaknesses. The unhindered enjoyment of the basic rights and freedoms laid out in OSCE human dimension commitments rests on the full application of fair trial standards.

Questions that could be addressed:

- What are the challenges for fair trial rights in pre-trial procedures (including investigative measures and pre-trial detention)? What mechanisms are available to ensure these rights?
- What steps have been taken by participating States to ensure access to free legal representation, in criminal, civil and administrative cases, for vulnerable groups (including migrants and asylum seekers, persons with disabilities, persons belonging to marginalised communities such as Roma and Sinti, and national minorities)?
- In cases of emergency situations or exceptional measures adopted at the national level to counteract internal or external threats in OSCE participating States, what has been the impact on fair trial safeguards, including the presumption of innocence?

National Human Rights Institutions

OSCE participating States have committed to “...facilitate the establishment and strengthening of independent national institutions in the area of human rights and the rule of law...” (Copenhagen 1990). National human rights institutions (NHRIs) are an important element to help safeguard human rights and the rule of law. They help raise awareness of human dimension commitments and monitor their implementation, while also providing recommendations on how this could be done. In this, NHRIs may act as a bridge between governments and civil society in their work to promote and protect human rights. ODIHR has for many years been actively supporting the development of NHRI staff and independent and effective institutions. However, NHRIs will only function properly if their role and mandate are respected by other state institutions. A well-formulated and clear constitutional mandate, supported by the respective legislation, may help in this respect, as both ensure that NHRIs are recognized as neutral bodies that help safeguard the checks and balances that make up any truly democratic system. For this reason, their independence, both in terms of mandate, and in terms of funding, is essential to their proper functioning; if an NHRI is too close to the executive, or if other state powers are allowed to hamper and obstruct its important work through restrictive legislation or court rulings, then such body will not be able to protect and advocate for human rights, and protect people in need.

Questions that could be addressed:

- What are the main obstacles to the effective functioning of NHRIs in the OSCE region? What can be done to overcome these obstacles?

- What legislative and other safeguards exist to ensure that NHRIs retain their independence, and are not inhibited in their daily work?
- How responsive have Governments been to recommendations by NHRIs? What can be done to ensure that such recommendations are implemented in practice?

WORKING SESSION 9

3–6 p.m.

Rule of law II

Exchange of views on the question of abolition of capital punishment

OSCE participating States have committed themselves to exchange information on the question of the abolition of the death penalty, to make available to the public information regarding the use of capital punishment and to keep this question under consideration (Copenhagen 1990). While the global trends towards the abolition of capital punishment continues, a growing number of OSCE participating States have also recognized the inherently, cruel, inhuman and degrading nature of death penalty. On 1 October 2015, the United Nations Human Rights Council recalled the call to consider whether the use of the death penalty violates the absolute prohibition of torture and other ill-treatment.

Questions that could be addressed:

- What measures are states that retain the death penalty taking towards its abolition and the implementation of humane alternatives?
- Is there an evolving standard to consider capital punishment as running afoul of the prohibition of torture and other cruel, inhuman or degrading treatment or punishment in the OSCE region?

Prevention of torture

OSCE participating States have strongly condemned torture and other forms of cruel, inhuman or degrading treatment or punishment, repeatedly stressing that no exceptional circumstances whatsoever may be invoked as a justification of torture and have called to eradicate torture and other forms of ill-treatment and to fight impunity for such acts (Copenhagen 1990, Vienna 1989, Paris 1990, Moscow 1991, Budapest 1994, Istanbul 1999, Ljubljana 2005, Athens 2009). They have also committed to take appropriate remedial action, including full rehabilitation of torture victims (Copenhagen 1990, Athens 2009).

Preventing and eliminating torture in the OSCE region remains a challenge despite positive steps taken by some OSCE participating States and the persistent efforts of civil society organizations, non-governmental organizations, human rights institutions, national preventive mechanisms and centres for the rehabilitation of victims of torture throughout the OSCE region. Attempts by States to legalize, authorize or acquiesce in torture and other ill-treatment on grounds of national security and counter-terrorism have weakened the prohibition of torture and other ill-treatment in the OSCE region. The lack of a solid legal

framework prohibiting torture and other ill-treatment, the lack of political will to implement torture prevention measures such as procedural and substantive safeguards during the early stage of detention, and to effectively investigate, prosecute and punish acts of torture or other ill-treatment and the reluctance to provide redress to victims, both men and women, are only some of the elements contributing to an environment in which such practices persist throughout the OSCE region. Additional challenges have been observed in the wake of the recent migration crisis, including issues arising around the transfer or extradition of persons, border control operations and the conditions of detention in immigration detention centres across the OSCE region.

Similarly, conditions of detention in criminal justice systems and also in other places of deprivation of continue to amount to torture or other ill-treatment in a number of OSCE participating States. Remarkably, 10 years after the entry into force of the Optional Protocol of the United Nations Convention against Torture, 39 National Preventive Mechanisms have been established in the OSCE region and in some participating States the national human rights institute or Ombudsperson are designated as (part of) the NPM. However, NPMs often have limited resources,, capacity and independence to effectively perform their mandate and non-governmental organizations do often face restrictions on free access to detention facilities.

Questions that could be addressed:

- What are the main reasons for the persistence of torture and cruel, inhuman or degrading treatment or punishment in the OSCE region? What institutional incentives for torture may have to be addressed in the future in order to eradicate torture and other ill-treatment in the OSCE region?
- What are good practices from OSCE participating States in establishing strong, independent and effective monitoring mechanisms for all places of deprivation of liberty and in preventing torture and other ill-treatment in all places of deprivation of liberty 10 years after the coming into force of the OPCAT? How can co-operation with civil society organisations be strengthened?
- What challenges need to be overcome to provide victims with effective remedies, including full rehabilitation?
- How can ODIHR assist OSCE participating States in fulfilling their commitments to eliminate and prevent all acts of torture and other ill-treatment?

Protection of human rights and fighting terrorism

In the past year, the OSCE region has been affected by an increasing number of terrorist attacks on its soil, thus calling for strengthened counter-terrorism efforts. While such efforts are legitimate, they have brought along a number of human rights concerns and have strengthened the tendency of some States to consider human rights and effective counter-terrorism as conflicting goals. The OSCE's multidimensional approach to security does not call for the balancing of liberty and security, or suggest that liberty, or aspects of it, must be sacrificed to achieve security. It regards the protection of human rights as an integral element of security and the OSCE participating States have repeatedly pledged to respect international human rights standards in their efforts to tackle terrorism, including when addressing the phenomenon of foreign terrorist fighters (Basel 2014) and preventing violent extremism and radicalization that lead to terrorism (Belgrade 2015).

Overly-broad and vague definitions of terrorism, extremism continue to be adopted throughout the region and to be abused in some states to silence dissenting voices. Domestic legislations have been used to grant additional powers to States' agencies and to allow for exceptional measures to become the norm, thus undermining international human rights standards. National laws often fail to provide for human rights safeguards and democratic oversight of counter-terrorism practices. Practices such as discriminatory and intrusive investigative measures; the disproportionate use of force; the use of torture, and other forms of ill-treatment; secret, prolonged and arbitrary detention, illegal transfers and renditions, sharing of information obtained through torture, the unlawful reliance on intelligence and unfair trials continue to raise particular concerns. The lack of accountability for human rights violations, compounded by the secrecy surrounding counter-terrorism policies and practices remains highly problematic.

Measures to prevent violent extremism and radicalization that lead to terrorism t raise additional human rights concerns, in particular with regard to the right to privacy, freedom of expression, freedom of religion or belief, freedom from discrimination, freedom of movement, the right to a nationality and fair trial rights. They continue to be misinformed by gender stereotypes on men's and women's path to terrorist radicalization and their potential role in preventing efforts.

Questions that could be addressed:

- How do OSCE participating States comply with both their obligations to counter terrorism and protect human rights? How do they safeguard the right to life, the absolute prohibition of torture and other forms of ill-treatment, the right to liberty and security and fair-trial standards?
- What good practices are available to prevent violent extremism and radicalization that lead to terrorism in a gender-sensitive and human rights-compliant manner?
- What efforts are underway to guarantee accountability for counter-terrorism measures and provide victims with redress?
- What good practices can be learnt from national examples in supporting victims of terrorism and their families?
- How can ODIHR further assist OSCE participating States in protecting human rights while countering terrorism?

MONDAY, 26 SEPTEMBER 2016

WORKING SESSION 10

10 a.m.–1 p.m.

Working session 10: Tolerance and non-discrimination I, including address by the OSCE High Commissioner on National Minorities

Rights of persons belonging to national minorities

The High Commissioner on National Minorities (HCNM) is an OSCE institution mandated by the participating States to provide early warning and early action to prevent ethnic tensions from developing into conflict. The CSCE Copenhagen Document (1990) outlined

the key political commitments in the human dimension, specifically emphasizing that “respect for the rights of persons belonging to national minorities as part of universally recognized human rights is an essential factor for peace, justice, stability and democracy in the participating States”. The implementation of minority commitments thus remains crucial for the prevention of conflicts.

The Copenhagen Document and other OSCE commitments stipulate that the exercise of the right to access, disseminate and exchange information in mother tongue, without discrimination, is essential for persons belonging to national minorities to express, preserve and develop their identities and to maintain and develop their culture. The presence of mother tongue languages of persons belonging to national minorities in the media is also an important element of the exercise of their right to use freely their mother tongue in private as well as in public and to establish and maintain unimpeded contacts among themselves within their country as well as contacts across frontiers with citizens of other States with whom they share common characteristics. Where necessary, the participating States agreed to consider using special measures to ensure that access to media and information in mother tongue is meaningfully provided.

The right to access to media and the exercise of the right to access, disseminate and exchange information in mother tongue is also underpinned by the OSCE political commitments related to freedom of expression and free media, which are at the core of the work of the OSCE Representative on Freedom of the Media.

The role of the media in general is also of paramount importance from an HCNM perspective, especially in diverse societies, as an essential factor for peace, justice, stability and democracy. The majority and minority media in inclusive societies are constant contributors to intercultural dialogue and strengthening mutual understanding, by countering hate speech, negative stereotypes, prejudices and intolerance and overcoming marginalization, fully reflecting the cultural and linguistic diversity.

The HCNM has addressed the right to access to media and information in mother tongue most recently in *The Ljubljana Guidelines on Integration of Diverse Societies* (2012), and also in *The Bolzano/Bozen Recommendations on National Minorities in Inter-State relations* (2008), as well as in *The Guidelines on Use of Minority Languages in the Broadcast Media* (2003). Earlier this year, HCNM embarked on the revision of *The Guidelines on Use of Minority Languages in the Broadcast Media* with the aim of expanding their scope and updating them in line with technological developments.

In this session, participants are asked to note the positive practices as well as the challenges that they face in designing and implementing policies that ensure the access of minorities to media and information in their mother tongue as well as the role of the media in promotion of socially cohesive and diverse societies.

Questions that could be addressed:

- What are the main challenges in the implementation by the OSCE participating States of their commitments to ensure the rights of persons belonging to national minorities?
- How is the right to access to media and information in mother tongue ensured by participating States in law and practice?

- Which are best practices from the participating States for the integration of diverse societies with regard to 'national minorities and media'?
- What is the role of public broadcasters in providing media content in various languages and promoting intercultural dialogue and mutual understanding? What are the positive practices used? What are good practices to ensure that media policies promote the integration of diverse societies?
- How do participating States design and implement language policies as applied to the media at national, regional and local level to balance broadcasting in official or majority language(s) with the requirement to ensure availability of media content also in minority languages? Does the regulation apply only to public media or private media? What are the safeguards provided by participating States for persons belonging to minorities to engage in journalism and creation and dissemination of media content, including on the Internet?
- What are the mechanisms of public funding for the provision of broadcasting or creation of media content in minority languages, where such demand and necessity exists?
- What has been the impact of the digitalisation of the media on the media that broadcast/creates content in minority languages?
- How do participating States provide information on matters relevant to all members of society to persons belonging to national minorities?
- What incentives are used by participating States for private and community media providers to carry content in minority languages or/and reach out to the persons belonging to national minorities?
- How is the right of persons belonging to national minorities to free reception of trans frontier broadcasts, whether direct or by means of retransmission or rebroadcasting ensured by participating States? How is compliance on restrictions checked with the relevant international standards?

WORKING SESSION 11

3–6 p.m.

Tolerance and non-discrimination I (continued), including prevention and responses to hate crimes in the OSCE area and combating racism, xenophobia and discrimination, also focusing on intolerance on religious grounds

Manifestations of discrimination and intolerance threaten both the security of individuals and societal cohesion. Discrimination, intolerant discourse and hate crimes can escalate into wider scale conflict and violence. OSCE participating States have recognized the threat to security that these phenomena pose and have adopted a range of commitments to take action against discrimination and crimes motivated by bias. In 2009, the OSCE Ministerial Council adopted Decision No. 9/09, containing a comprehensive set of commitments to prevent and counter hate crimes, including through strengthening legislation, collecting reliable data, building the capacity of actors in criminal justice systems, assisting civil society, and considering drawing on resources developed by ODIHR in relevant areas.

Since 2008, ODIHR has undertaken efforts to collect and publish statistics and information on hate crimes and incidents, national developments and initiatives to counter hate crime, and legislation in all OSCE participating States. Each year, on International Tolerance Day (16 November), this information is published on ODIHR's hate crime reporting website, accessible here: <http://hatecrime.osce.org>.

The continued existence of lacunae in reported official data indicates that under-reporting and under-recording of hate crimes is prevalent throughout the OSCE region. Information submitted by civil society, international organizations and OSCE Field Operations highlights that hate crimes and incidents remain a matter of concern. Most participating States have legislated against hate motivated violence and taken other steps relating to OSCE commitments. However, further efforts to adopt the comprehensive approach envisaged by MC Decision No. 9/09, guided by reliable and detailed national data on hate crimes, must be undertaken.

Hate crimes have a more serious and profound impact on victims than other criminal offences. They are message crimes – a rejection of the victim's identity which can have a marginalizing effect on entire communities. Secondary victimization, where representatives from broader society deny or minimize the seriousness of the incident, can also reinforce and perpetuate this message. The need to explore, in co-operation with relevant actors, ways to provide support to victims of hate crimes and incidents has been acknowledged by the OSCE participating States. Victims may need access to counseling, legal and consular assistance, in addition to the need to ensure effective access to justice through the legal system. Better engagement with victimized individuals and groups is crucial to build trust in the authorities and encourage the reporting of incidents.

On the other hand, efforts to prevent bias motivated violence and discrimination will be ineffective if they are not based on a sound understanding of what motivates perpetrators. In addition to a clear and punitive criminal justice response, challenging intolerant and extreme discourse, discouraging young people from joining hate groups, and promoting tolerance, understanding and respect through education are all crucial to avoiding social conditions which lead to hate crimes.

The aim of this session is to review the implementation of OSCE commitments related to the prevention of, and achieving a comprehensive approach to, discrimination and hate crimes by examining challenges, good practices and lessons learned in this area. The perspective of victims will be examined to identify practical steps that can be taken to meet victims' needs and avoid the occurrence and consequences of secondary victimization. The motivations of perpetrators will be explored to stimulate discussion on measures to prevent hate crimes by challenging extremism and intolerance.

Additionally, racism, xenophobia, anti-Semitism and intolerance against Muslims, Christians and members of other religions, as well as challenges related to discriminatory practices, continue to be a concern across the OSCE region. Jews have been the targets of violent and lethal attacks motivated by anti-Semitism, and Jewish schools, places of worship and community centers are in need of protection in many OSCE participating States. Abusing the opportunities offered by the Internet, anti-Semitic expressions, insults and threats, often drawing on imagery of or denying the Holocaust, are circulated online, leaving Jews with the feeling that they cannot openly practice their religion or express their identity for fear of being attacked. Muslim communities still experience significant rates of hate crime and discrimination. Mosques and cemeteries are the main institutional targets of intolerance against Muslims, while data from some participating States shows that Muslim women are still disproportionately affected by hate crimes. Physical and verbal assaults

targeting Christians and the desecration of Christian sites and monuments are often not reported to the police or other relevant authorities. In some instances, perceived discrimination against them in state registration procedures compounds already fraught relations between Christian communities and state regulatory agencies.

Efforts to design and implement a robust and effective response to hate crime, including legislative reviews, comprehensive data collection systems, capacity building for State authorities (law enforcement, prosecutors, judges, public officials), addressing under-reporting and for State authorities and institutions to pursue deeper, sustainable cooperation with civil society organizations and groups, as well as other steps undertaken, will also be assessed.

Questions that could be addressed:

- How are participating States ensuring the implementation of OSCE Ministerial Decisions related to ending discrimination and intolerance, specifically relating to hate crime? What challenges do participating States face in preventing discrimination and responding to violent manifestations of prejudice and intolerance?
- How can national authorities identify and meet the needs of victims of hate crimes? What measures can be taken to avoid secondary victimization and its consequences?
- How can authorities encourage victims to report hate crimes? How have they engaged with civil society organizations to combat hate crimes and other manifestations of intolerance, while recognizing the latter's independent role?
- What policies, strategies and programmes have been developed and implemented by participating States to counter intolerance and discrimination? How can these initiatives contribute to preventing hate crime?
- What progress has been made by participating States in strengthening and implementing legislation and data-collection mechanisms to address hate crime and in identifying and implementing good practices? What are the barriers participating States face in this area? How can these be overcome?
- What capacity-building activities have been implemented for law-enforcement, prosecution and judicial officials dealing with hate crimes?
- How can ODIHR and other OSCE institutions better support OSCE participating States in meeting their commitments against hate crimes and discrimination.

TUESDAY, 27 SEPTEMBER 2016

WORKING SESSION 12

10 a.m.–1 p.m.

Fundamental freedoms I (continued), including freedom of thought, conscience, religion or belief

Freedom of thought, conscience, religion or belief

Contrary to much of the contemporary discourse, which posits Freedom of Religion or Belief (FoRB) and security as competing and mutually exclusive values to be balanced against each other, the OSCE has long recognised them as complementary, interdependent

and mutually reinforcing objectives. The aim of this session is to highlight the very close interrelation between FoRB and security, itself a reflection of the OSCE's comprehensive concept of security encompassing politico-military, economic and environmental, and human dimension aspects.

From the 1975 Helsinki Final Act onwards, commitments adopted by OSCE participating States have articulated and clarified the importance and relevance of FoRB to comprehensive security. They have, in particular, highlighted FoRB's role in strengthening democratic governance based on the rule of law and respect for human rights and its contribution to creating environments of mutual respect, tolerance and understanding among peoples of different religions, beliefs and cultures.

Recent developments, in particular the idea that religions can endanger peaceful coexistence, have brought the interrelationship between freedom of religion or belief (FoRB) and security into sharp focus. In a number of participating States, undue governmental restrictions on FoRB in the form of legislation, practice and policies adopted in the name of protecting national security have been adopted. Examples include mandatory registration systems and significant practical and legal obstacles to acquiring legal personality for religious or belief communities, unwarranted intrusion into the internal affairs of religious or belief groups, religious and ethnic profiling, the use of national security to limit religious or belief pluralism, the use of laws repressing religious hatred to constrain freedom of religious expression, and the application of restrictive immigration laws in ways that prevent the free movement of religious personnel. Such policies and practices also have a different impact on the exercise of the right to FoRB by men and women. The risk is that by frequent and disproportionate actions, States will, intentionally or not, compromise FoRB and, as a consequence, marginalise the members of a whole range of religious or belief communities. Such an outcome cannot be conducive to security.

Questions that could be addressed:

- What is the interrelationship between FoRB and security and in what ways is FoRB for all an asset for security?
- How do OSCE commitments and other international standards provide a framework for advancing both FoRB and security?
- How can OSCE participating States comply with obligations to provide comprehensive security and promote FoRB?
- What principles and examples of good practice are there that can assist OSCE participating States in their efforts to frame gender-sensitive legislation, policies and practices to advance FoRB for all and ensure security?
- What are the different needs of men and women, in the enjoyment of FoRB and how do restrictions to FoRB, and in particularly those imposed in the name of security, affect differently men and women?

Human Rights Education

The importance of human rights education is recognized in a number of OSCE commitments (Moscow 1991, Maastricht 2003, Ljubljana 2005). However, in a number of participating States human rights still need to be fully mainstreamed in educational curricula, in both formal and informal educational settings. This requires sustained efforts

by policy-makers, teachers and other actors involved in the development and delivery of teaching curricula at all levels.

Questions that could be addressed:

- How can participating States ensure that human rights education is mainstreamed in educational curricula at all levels?
- How can the OSCE assist the efforts of participating States in fully including human rights education in educational curricula?

WORKING SESSION 13

3 p.m.–6 p.m.

Fundamental freedoms II, including freedom of movement.

Freedom of movement

Enabling freedom of movement is a precondition for exercising many other fundamental rights. While significant progress has been made to promote freedom of movement and freer cross-border human contacts across the OSCE region, challenges remain and can be linked to restrictions embedded in the residency or exit regulations, as well as to visa facilitation and liberalization. To protect the right to freedom of movement and increase mobility in the OSCE region, more innovative policy solutions are needed to remove restrictions to freedom of movement and choice of place of residence and to facilitate cross-border human contacts supporting enhanced co-operation, cultural understanding and trust across the OSCE region.

Questions that could be addressed:

- Have OSCE participating States made progress on facilitating travel (Helsinki 1975)? Have entry and exit procedures been simplified and flexibly administered?
- Do OSCE participating States' existing residency registration frameworks provide safeguards which protect freedom of movement and choice of place of residence?

Treatment of citizens of other participating States

OSCE participating States agreed that free movement and contacts between their citizens are crucial for the maintenance and development of free societies and flourishing cultures (Paris 1991), and to remove restrictions on the free movement of participating States' citizens within their territories and on those entitled to permanent residence, minimizing possible necessary restrictions (Moscow 1991). Participating States also committed to refrain from degrading treatment and other infringements of personal dignity in dealing with citizens of other participating States (Budapest 1994), and to consider additional commitments or bilateral agreements to provide support for citizens of other participating States temporarily on their territory (Vienna 1989).

Questions that could be addressed:

- How have participating States translated OSCE commitments on the treatment of other participating States' citizens been translated into national policy and legal frameworks?
- Are citizens of other OSCE participating States who stay or reside lawfully allowed to move freely and to establish residence in line with OSCE commitments?

WEDNESDAY, 28 SEPTEMBER 2016

WORKING SESSION 14

10 a.m.–1 p.m.

Tolerance and non-discrimination II, including ensuring equal opportunity for women and men in all spheres in life, including through implementation of the OSCE Action Plan for the Promotion of Gender Equality

This year marks the twenty-fifth anniversary of the OSCE Moscow Document, according to which the OSCE “participating States recognize that full and true equality between men and women is a fundamental aspect of a just and democratic society based on the rule of law”. The 2004 OSCE Action Plan for the Promotion of Gender Equality further emphasizes the need “to take all necessary measures to encourage gender awareness raising and to promote equality in rights and full and equal participation of women and men in society” with the aim to promote the practice of gender equality and gender-mainstreaming in the OSCE area, as an essential element of comprehensive security.

Despite the existing legal framework and specific commitments undertaken by the OSCE participating States through a number of MC decisions, full and true gender equality and gender balance in various spheres of life remain a mere aspiration in the majority of the OSCE participating States. Women are under-represented in all areas of government – executive, legislative, judicial, and security branch – particularly in decision-making positions. Women’s representation in national parliaments in the OSCE region currently stands at an average of around 26 per cent, still below the 30 per cent target set by the 1995 Beijing Platform for Action.

The absence of women and lack of gender analysis of key decision making processes has an impact on social and economic status of women. Moreover, women remain exposed to different forms of violence in the private and public spheres, which in addition to the impact on their health and well-being reflects in their ability to participate in public life. Conflict-related gender-based violence, and violence against women in politics, continues to be a challenge in many participating States. Women belonging to national minorities, Roma and Sinti women, women migrants or women with disabilities are particularly under-represented and victimized on multiple grounds.

To achieve progress, participating States need to assume primary responsibility for the realization of gender equality both *de jure* and *de facto*. Sustained attention to gender equality in the internal processes, procedures, and decisions that govern public institutions, including political parties and parliaments, is essential. Discriminatory and gender blind laws and policies need to be identified and amended to guarantee gender equality in various spheres of life.

In order to advance the *status quo*, ODIHR has been conducting gender audits of political parties in a number of OSCE countries in order to identify gender gaps and areas for improvement. Some parliaments have been also looking into possibilities to transform themselves into the institutions that are more sensitive to the various needs of men and women. Simultaneously, the OSCE Secretariat Gender Section has been investing efforts to empower women by supporting the creation of mentoring networks for women in the OSCE region.

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) has been signed by 42 and ratified by 22 OSCE

participating States by July 2016. To support participating States in addressing violence against women, ODIHR reviews different existing and draft laws of OSCE participating States, with the aim of harmonizing the national legal framework with the international standards, including the Istanbul Convention. OSCE field operations and the Gender Section in the Secretariat also implement projects related to addressing the root causes of violence against women (including by engaging men and boys), improving support services for victims including in law enforcement and raising awareness on the issue.

Complex security challenges call for comprehensive responses. Human rights and gender considerations of security policies are often neglected or marginalized hence the need to bring them back to the spotlight through a comprehensive approach. In the general public discourse human rights violations are frequently seen as inevitable vis-à-vis the higher goal of upholding security. Sexual/gender-based violence remains only partly if at all addressed. Solutions at policy and legislative level integrating a gender perspective to security, matched by inclusive security sector institutions and empowered external oversight have the potential to eradicate sources of violence and promote accountability.

While the current gender equality agenda largely focuses on advancing women's status and rights, it is relevant to note that men play an important role in achieving gender equality and combating violence as partners in the process.

The Gender Action Plan provides a comprehensive framework to assist participating States in implementing their gender equality commitments. This session will provide a platform for a review of the implementation of the 2004 OSCE Gender Action Plan, with a particular focus on the implementation of UNSCR 1325, violence against women and women's participation in public and political life, and put forward recommendations for future actions.

Questions that could be addressed:

- Having in mind the twenty-fifth anniversary of the OSCE Moscow Document, what is the OSCE vision in relation to gender equality and democracy?
- What have been the new challenges in comprehensive implementation of 2004 OSCE Action Plan for the Promotion of Gender Equality? What are new approaches to advance the current status of women and achieve gender equality?
- Which new measures and policies have been put in place in the OSCE region to advance women's participation in all aspects of public life?
- What kinds of measures have been taken to combat violence against women and children, girls in particular? What are good practices of involving men as advocates for women's rights and gender equality?
- How can OSCE gender commitments be strengthened and how can the OSCE more prominently promote gender as an element of comprehensive security, also in the context of the new global Sustainable Development Goals?

WORKING SESSION 15

3–6 p.m.

Tolerance and non-discrimination II (continued), including Roma and Sinti issues, including implementation of the OSCE Action Plan on Improving the Situation of Roma and Sinti

Enhancing participation in public and political life stands at the core of the OSCE commitments pertaining to Roma and Sinti communities. The 2003 Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area (OSCE Action Plan) reckoned the main obstacles towards full and meaningful participation facing Roma and Sinti women and men. In addition, it set ground listing comprehensive actions to be undertaken by stakeholders, including participating States, OSCE institutions and structures towards this aim. This framework has been reinforced subsequently by two Ministerial Council Decisions. In 2008, the OSCE Ministerial Council Decision 6/08 recommended that participating States “promote effective participation by Roma and Sinti in public and political life”. Further, in 2013, the OSCE Ministerial Council Decision 4/13 strengthened the commitment of participating States to “prevent further marginalization and exclusion of Roma and Sinti” by “enhancing the participation of Roma and Sinti in the elaboration, implementation and evaluation of the policies that affect them, including by fostering Roma and Sinti political participation and by supporting voter education among Roma and Sinti”. The Decision further reinforced the initial call of the OSCE Action Plan for the promotion of Roma women’s participation in public and political life by “promoting the effective and equal participation of Roma and Sinti women in public and political life, including through the promotion of women’s access to public office, public administration and decision making positions”. Moreover, with this Decision the participating States recognized the importance of empowering Roma and Sinti youth and children as future main stakeholders promoting inclusion of Roma and Sinti.

Reviewing the implementation of the OSCE Action Plan, ODIHR pointed in its 2008 and 2013 Status Reports to the obstacles preventing the full participation of Roma and Sinti in decision-making processes, as well as to the under-representation of Roma and Sinti women in politics in the OSCE region.

The session will focus on specific mechanisms available for enhancing effective participation of Roma and Sinti communities, reviewing the different minority participation and representation mechanisms and ways of enhancing political participation of Roma and Sinti communities, as a tool to ensure the community interests are represented and addressed at local and national level. The impact of electoral legislation and practice on the participation of Roma and Sinti in elections, as voters and/or candidates will also be assessed, as well as potential monitoring mechanisms and legislative changes needed to address potential limitations. The session will also discuss participation of Roma and Sinti women and youth, including particular legal and policy measures undertaken to effectively increase the opportunities to contribute to decision-making processes, design, implementation and evaluation of policy affecting them, or undertake appointed and elected office.

Questions that could be addressed:

- What specific steps have OSCE participating States undertaken in order to enhance the public and political participation of Roma and Sinti?
- What mechanisms are in place, or can be instituted, to ensure adequate representation and to enhance the public and political participation of Roma and Sinti?
- How to ensure that policy and legal frameworks do not hinder Roma and Sinti participation in public and political life?

- What monitoring mechanisms are in place, and what legislative changes are needed to address practical obstacles to enhanced public and political participation of Roma and Sinti?
- What is the impact of electoral legislation and the practical consequences for Roma and Sinti voters and/or candidates?
- How can we increase political will among local authorities to enhance Roma and Sinti inclusion?
- What specific steps have been undertaken by the OSCE participating States in follow-up to the MC Decision No 4/2013 with a particular focus on Roma and Sinti women, youth and children? How can full active and equal participation of Roma and Sinti women and youth in public and political life be enhanced?

THURSDAY, 29 SEPTEMBER 2016

WORKING SESSION 16

10 a.m.–1 p.m.

Specifically selected topic: Rights of the child

The right to meaningful children's participation

The UN Convention on the Rights of the Child (CRC), along with its three optional protocols, provides a set of principles and standards covering children's rights to protection, provision of essential quality services and participation. It places an obligation on States to ensure that all children within their jurisdiction (including non-citizen children such as refugees) enjoy these rights. OSCE participating States have explicitly endorsed the provisions of the CRC in the OSCE Copenhagen Document (1990), where they committed to "accord particular attention to the recognition of the rights of the child", including "children's civil rights and individual freedoms", and in the Istanbul Document (1999), which includes the commitment to "actively promote children's rights and interests, especially in conflict and post-conflict situations." However, much still needs to be done to ensure that children's rights truly become a reality.

In the Budapest Document (1994), OSCE participating States reaffirmed "that freedom of expression is a fundamental human right and a basic component of a democratic society", and in the Helsinki Document (2008) they recognized that "human rights are best respected in democratic societies, where decisions are taken with maximum transparency and broad participation." Children have the right to express their views in all matters affecting them, and their views must be heard and given due weight in accordance with the individual child's age and maturity. The right to meaningful participation requires a clear commitment and effective actions in order to become a living reality for children. It requires transparency, political leadership and a sense of accountability, as well as a strong civil society that can participate in decision-making, hold duty-bearers to account and monitor what is being done for children. Similarly, public institutions need to be responsive to children's views, and ensure that they have a genuine say in public decision-making that is free from manipulation.

Access to quality education for children is a prerequisite to enabling their full development and meaningful participation. Education is also the means by which children learn about universal human rights and fundamental freedoms and are able to develop their linguistic, cultural and religious identity. The right to education in general and the right to learn about human rights and fundamental freedoms in particular are enshrined in international human rights treaties including the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the CRC.

OSCE participating States have committed to “ensure access by all to the various types and levels of education without discrimination as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” (1989 Vienna Document) while affirming that “human rights education is fundamental and that it is therefore essential that [...] citizens are educated on human rights and fundamental freedoms” (1991 Moscow Document). Children should never be discriminated in their access to quality education and meaningful participation. Participating States have committed to improve “children’s access to educational and vocational opportunities” and increase “the level of school attendance, in particular by girls and minority groups” (2003 Maastricht Document). Steps should be taken to provide quality education for all children that is available, accessible, acceptable and adaptable. Further, education for democratic citizenship and human rights education need to find a place in national curricula across the OSCE area and should be continuously promoted within societies.

Questions that could be addressed:

- What conditions must be in place to make sure that children can truly have a say in all matters affecting them in school, at local, national and international levels?
- How can transparent and accountable public decision-making make the right to a meaningful participation a living reality for all children?
- What should be done to guarantee equal rights to quality education, including education for democratic citizenship and human rights education, for all children?

WORKING SESSION 17

3–6 p.m.

Specifically selected topic: Rights of the child (continued)

Rights of the Child - The right to quality care and protection that is free from violence, non-discriminatory and in the best interest of the child, including in the contexts of conflict and displacement

OSCE participating States have recognized one of the core principles of the CRC: every child’s right to be protected and cared for by his/her own family or in a family-like environment, and to grow up in family, school and community settings that can guarantee their full protection and thus ensure that they survive, grow, learn and develop to their fullest potential. In the Copenhagen Document (1990), OSCE participating States decided to “accord particular attention” [...] to the right of the child to “special protection against all forms of violence and exploitation.” They also committed (1999 Istanbul Document) “to actively promote children’s rights and interests, especially in conflict and post-conflict

situations” and to “develop and implement measures to promote the rights and interests of children in armed conflict and post-conflict situations, including refugees and internally displaced children.”

Across the OSCE region hundreds of thousands of children continue to spend their childhood isolated in large, obsolete and generally inadequate institutional settings such as health and social care institutions, immigration centers and juvenile detention facilities. Years of research have demonstrated the harm caused to children growing up in such places, including an increased vulnerability to violence, abuse, neglect and exploitation.

One of the most pressing issues is the discriminatory character of child placement in institutional settings, resulting in overrepresentation of children with disabilities and children from national and ethnic minorities in such places. These and other forms of discrimination are a daily reality for many children in the OSCE space and is exacerbated by virtue of their age and vulnerability, as well as fewer opportunities to challenge discrimination as compared to adults.

Many children, in particular girls, and especially those of national and ethnic minority origin, children with disabilities and children affected by conflict and displacement, experience intersectional discrimination, with multiple forms of discrimination occurring at the same time. States continue to pay insufficient attention to children’s care and protection, equal access to asylum and essential services, to taking all necessary steps to prevent gender-based violence against women and girls during and after armed conflict and emergencies, and to finding durable solutions at the national, regional or international level. Children are also often the most vulnerable victims of the scourge of violent extremism and radicalization that leads to terrorism (VERLT).

States are responsible for ensuring that the child’s best interest is a primary consideration in all decisions concerning his/her care and protection. The increased risk of violence against children in institutional settings further obliges States to take effective legislative and other measures to protect children in care or detention, and to reduce significantly the number of children who are institutionalised and deprived of their liberty. The need to challenge violence and discrimination against children, with a specific emphasis on girls, is a fundamental and absolute human rights obligation of States and includes changing legislation, policy, attitudes and practice, in line with the international standards and commitments concerning equality, non-discrimination and women’s and girls’ rights (Sofia 2004, Ljubljana 2005). States must also strengthen prevention efforts and reinforce existing strategies to counter VERLT with a specific focus on children and youth. Ensuring adequate care and protection of children in an environment that is free from discrimination, threats and violence, requires co-ordinated and multi-sectoral policies, strategies and actions. States should also closely collaborate with international organizations, NHRIs and civil society to address rights’ violations, including in the context of conflict and displacement.

Questions that could be addressed:

- What practical steps are necessary to further advance the child’s right to quality care and protection, including in institutional settings and in the context of conflict and displacement?
- What changes in legislation, policy and practice are needed to challenge all forms of discrimination against children?

- What role should the State, National Human Rights Institutions and civil society play in ensuring the right to quality care and protection for children, including in the context of conflict and displacement?

FRIDAY, 30 SEPTEMBER 2016

WORKING SESSION 18

**Discussion of human dimension activities
(with special emphasis on project work)**

**Closing reinforced plenary session
(reinforced by the participation of human
rights directors, OSCE ambassadors and
heads of OSCE institutions):**

10 a.m.–1 p.m.

CLOSING REINFORCED PLENARY SESSION

**Closing reinforced plenary session (reinforced by the participation of
human rights directors, OSCE ambassadors and heads of OSCE institutions):**

- **Any other business**
- **Closing of the meeting**

Working session 18: Discussion of human dimension activities (with special emphasis on project work)

The OSCE has played an active role in strengthening democracy and human rights practices, as well as in promoting reinforced compliance with human dimension commitments by OSCE participating States. An important element in this accomplishment has been the development and implementation of targeted activities and projects, which are part of a longer-term, cross-cutting strategy. These human dimension activities have grown in scope and duration to include specific assistance efforts, programmes, and projects (e.g., legislative and technical assistance, training, and workshops for both government officials and members of civil society, human rights education). The OSCE also plays an important role by drawing attention to a specific issue and creating a space and a forum for focused dialogue, which can be followed up by concrete assistance.

The OSCE and its institutions and field operations have been able to identify areas in which they are well placed to facilitate change and reform. The OSCE works with individual States and in sub-regional groupings, as well as in consultation and co-ordination with other international organizations. ODIHR's mandate covers all participating States. It can therefore provide a channel for exchange of experience and best practices from one region of the OSCE to another, and be effective in supporting and complementing the work of OSCE field operations.

This short session will explore the role of OSCE executive structures as facilitators and their offer of targeted programmes of assistance and expertise across the OSCE region. Participating States, international organizations and civil society, including NGOs, are

invited to comment on the presentations and to present their own project priorities for reciprocal comment. The aim is to identify how participating States can derive most benefit from the OSCE's assistance in implementing the priorities and tasks contained in OSCE decisions and other documents.

Questions that could be addressed:

- What are successful examples of OSCE interventions, programmes, and projects from the past year? Why were these successful?
- In which areas are the OSCE institutions and field operations best placed to facilitate change by creating a forum for dialogue?
- How can the interplay between OSCE institutions' and field operations' mandates and programming be used most effectively?
- How can the OSCE be most effective in assisting participating States in implementing their human dimension commitments?

Closing plenary session reinforced by the participation of human rights directors, OSCE ambassadors and heads of OSCE institutions

Based on Permanent Council Decision No. 476 on the Modalities for OSCE Meetings on Human Dimension Issues, the HDIM will be concluded by a Plenary Session that is reinforced by the participation of Human Rights Directors or similar senior officials responsible for human dimension matters in the Foreign Ministries of the participating States, as well as OSCE ambassadors and the Heads of the OSCE institutions.

This Session aims at reviewing the results of the HDIM on the basis of the reports from the working sessions on human dimension activities, as well as on the specifically selected topics.

The Reinforced Closing Plenary Session will look at how direction can be given with regard to the effective follow-up of the discussions in the different working sessions and the recommendations that came out of these discussions in light of further discussions in the Permanent Council on the results of the HDIM as well as with regard to the preparations of the next OSCE Ministerial Council Meeting.

Any other business

Closing of the meeting