

COMPILATION OF WRITTEN RECOMMENDATIONS

(Covering Working Sessions 10-12)

This compilation contains recommendations submitted to the HDIM Documentation Centre in accordance with the established procedure. The compilation is organized by Working Sessions and by what was submitted by Delegations / International Organizations / NGOs to participating States and, separately, to OSCE Institutions / Field Missions or other International Organizations. Recommendations are compiled in original language. This compilation contains recommendations from all documents received at the HDIM Documentation Centre by the end of Working Session 12; documents received after this time will be included later in the Consolidated Summary.

Monday, 1 October 2012

WORKING SESSION 10: Freedom of Religion or Belief

Recommendations to participating States

European Raelian Movement

Nos recommandations sont toujours les suivantes:

- L'arrêt du financement français des mouvements anti-sectes, par les contribuables.
- La dissolution de la MIVILUDE et du CIAOSN.
- La suppression de l'arsenal législatif antisecte dont la loi about picard.
- L'interdiction de l'usage des termes « sectes » et « sectaires » dans tous les nouveaux documents officiels et administratifs, pour être remplacés par des locutions non ambiguës.
- L'arrêt de la formation spécifique de tout fonctionnaire (magistrat, policier, gendarme, enseignant, éducateur etc.) pour lutter contre les prétendues sectes.

Western Thrace Minority University Graduates Association

Western Thrace Muslim Turkish Minority calls upon the Greek State to:

- Respect its established minority rights and religious autonomy,
- Take necessary steps to recognize the elected muftis of the Turkish Minority, Western Take into account the minority's will regarding the law No: 3647/2008 about charitable foundations (Wakfs/awqaf) passed by the Greek Parliament and entered into force on February 29, 2008, and make necessary changes and revise it after a dialogue with Minority representatives.
- Page | 3 Abolish the practice of state appointed imams (law no: 3536/2007) that is against the religious autonomy of the Turkish-Muslim minority that was enshrined in the 1913 Athens, 1920 Greek Sevres and 1923 Lausanne Treaties.
- Make necessary arrangements to give permission for the Turkish Minority people to pray nearby Western Thrace without any restrictions.
- Furthermore, we call upon the OSCE participating States to monitor the applications of OSCE provisions within the OSCE territory.

Redeemed Lives, Inc

- Again, I appeal to participating states of the OSCE region to draft legislation to safeguard the rights of all people with unwanted sexual attractions to self-identify according to their religious beliefs and moral conscience and to protect them from being labeled as lesbian, gay, bisexual or transgender by society or governments

Core Issues Trust

I request that the member states of the OSCE:

- recognise that a duplicity in advertising standards, when controlled by special interest groups, promotes intolerance. At present the UK public is denied the full range of choices potentially available to individuals with unwanted same-sex attractions;
- acknowledge the overboard application of hate speech laws protecting the LGBT self identification of people, which is used to discriminate against those who wish to walk out of homosexuality. The denial of a person's right to identity as "ex-gay", "post-gay" or "non-practising homosexual" is a violation of the right to self-determination

Muslim Denomination in Bulgaria

- Prevent the interference of the state organizations in the religious matters and the political regulation of religious problems.
- Guarantee freedom of belief and implement effectively anti discriminatory legislation.
- Facilitate religious self-identification of the Bulgarian citizens by acknowledging that Christian and Muslim religious practices are traditional for Bulgaria.

Bürgerbewegung Pax Europa-Austria

- BPE-Austria recommends that Austria take seriously its OSCE commitments with respect to implementing the Law on Islam in Austria. We ask that the Austrian authorities demand a certified German copy of the Koran to check whether Islamic teachings are indeed compatible with Austrian laws.

Kazakhstan International Bureau for Human Rights and Rule of Law, International Partnership for Human Rights and the Netherlands Helsinki Committee

- Revise the 2011 Religion Law with a view to ensuring that it is consistent with provisions protecting freedom of religion under Kazakhstan's Constitution, as well as under the ICCPR and other international human rights instruments.
- Put an end to harassment of non-traditional minority religious communities, take effective measures in response to complaints about unlawful actions by officials against individual religious communities and believers, and promote religious tolerance

Associazione Dossetti: i Valori Observatory for Religious Tolerance and Freedom

Participating States are urged to:

- not force children to a compulsory sexual, religious or ethical teaching which may be not consistent with the convictions of the children's parents, providing for this case non-discriminatory opt-out possibilities.
- guarantee the right to wear religious symbols and attire in public spaces.
- guarantee the conscientious objection not only to the compulsory military service but also in relation to all ethically sensitive questions pertaining family and human life.
- engage in consultations with religious communities in order to adopt anti-discrimination laws which do not violate the autonomy and self-organization of the religious communities.
- adopt practical measures to assure that the media as well as the political and public discourse are respectful for religions, their representatives, teaching and symbols.
- protect all religions – also the majority ones – from prejudices and misrepresentation, particularly in the field of education, culture and information.

Forum 18 News Service

- freedom of religion or belief violations to be seen not only as attacks on particular people or communities, but also as attacks on the fundamental rights and freedoms of all people;
- insisting that the politically binding human dimension commitments are for implementation by all participating States;
- OSCE institutions and field operations mainstreaming the fundamental human right of freedom of religion or belief for all and its related human rights in human dimension work;
- and participating States implementing in full legal reviews and opinions provided by the Venice Commission and the OSCE/ODIHR Advisory Council of Experts on Freedom of Religion or Belief.

International Federation for Therapeutic Choice (IFTC)

- To recognize and condemn intolerance and discrimination against sexual minorities who freely choose to receive help in order to overcome or diminish their unwanted sexual attractions, orientation, behaviors, and/or identity.
- To draft legislation to safeguard the freedom of medical and mental health practitioners, educators, and researchers: 1) to study, publish, and educate other professionals and the public about the possible causes, consequences, and amelioration of sexual minority attractions, orientations, behaviors, and identities; and 2) to offer their professional guidance and therapeutic expertise to people whose sexual minority concerns are *unwanted* and who *freely* choose help in order to overcome or diminish their unwanted sexual attractions, orientation, behaviors, and/or identity.

Swedish Mission Council

Given the importance of promoting religious freedom for the attainment of security, democratisation and poverty reduction the Swedish Mission Council calls upon participating states to:

- Implement their OSCE commitments concerning freedom of religion or belief.
- Make full use of the expertise, systems and tools for the promotion of FORB available via the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and in particular:
 - Seek and take account of the advice of the OSCE advisory panel of experts when reviewing or framing legislation concerning religion or belief and to react in the permanent council when other participating states do not take account of such advice.
 - Widely disseminate and make use of the OSCE tools for the promotion of religious freedom, in particular the “Guidelines for the review of legislation pertaining to religion or belief” and the “Toledo Guiding principles on teaching about religion or belief in public schools”.
- Prioritise the integration freedom of religion or belief in foreign affairs policy and practice.
- Place particular emphasis on training foreign ministry personnel on FORB issues.
- Instruct relevant embassies to:
 - Assess the state of and monitor and report on violations of religious freedom in the country concerned.
 - Regularly discuss religious freedom issues with states as an integrated part of their overall policy for the promotion of human rights.
 - Develop contacts with defenders of freedom of religion or belief.
 - Deepen the embassy’s dialogue with OSCE field missions on FORB issues.
 - Defend the freedom of religion or belief in public diplomacy.
- Increase the level of project funding allocated to the programmes and projects of the ODIHR departments for Human Rights and for Tolerance and Non-discrimination, with particular focus on projects relating for the freedom of religion or belief.
- Provide financial assistance to voluntary organisations and religious communities to contribute to ODIHRs work with FORB and non-discrimination.

The EU is currently preparing public Guidelines on Freedom of Religion or Belief as a tool to strengthen EU foreign policy in this area. The Swedish Mission Council therefore encourages EU member states to:

- Actively contribute to the development of the guidelines and to their implementation.
- Ensure that EU strategy to promote freedom of religion or belief includes three key ways of working:
 - Mainstreaming: Ensure freedom of religion or belief is integrated in all relevant EU human rights Country Strategies. Delegations to the OSCE who today hear of violations should play an active role in checking that the issues are raised in relevant country strategies.
 - Intensive action in selected countries: Push for the development of an intensive and coordinated programme of action in relation to a small

number of selected countries. Action should combine diplomacy with financing research, civil society action and inter-faith dialogue in a multi-disciplinary, multi-actor approach.

- Thematic focus: Ensure that the EU moves beyond reactive agendas and begins proactively raising thematic issues within freedom of religion or belief at bilateral, OSCE and UN level. Rights of assembly and association for religious communities, apostasy, blasphemy restrictions and gender dimensions of freedom of religion or belief are examples of relevant thematic areas to address.
- Recognise the limited resources of the European External Action Service and commit to burden sharing in the promotion of freedom of religion or belief via these three methods.

Recommendations to the OSCE

Muslim Denomination in Bulgaria

- OSCE and its institutions to observe closely the legal proceeding in Pazardzhik;
- ODIHR's Panel of Advisers on Freedom of Religion or Belief to observe whether Bulgarian authorities are implementing the Religious rights of Muslims in the country, as well to recommend and advise Bulgarian government on the issue of Religious freedom and Fundamental rights;
- OSCE/ODIHR to observe closely the process of Freedom of Religion of Muslim minorities in non-Muslim countries.

Associazione Dossetti: i Valori Observatory for Religious Tolerance and Freedom

The OSCE/ODIHR and to the OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion or Belief are called upon to:

- assist the participating States in reviewing or drafting legislation pertaining freedom of religion or belief in order to guarantee (a) that the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions is fully respected and (b) that the participating States provide non-discriminatory opt-out possibilities that would accommodate the wishes of parents.

The OSCE Representative on the Freedom of the Media is called upon to:

- provide – in close cooperation with the OSCE-ODIHR and the Advisory Panel of Experts on Freedom of Religion or Belief – guidelines for voluntary professional standards and self-regulation of the media in order to prevent intolerant discourse against religions.

Soteria International

- Soteria International recommends ODIHR to acutely emphasise on implementation of transparency and dialogue between states and civil society regarding freedom of conscience and belief policies.

- Soteria International recommends the ODIHR to facilitate an unbiased dialogue regarding spiritual values and policies for the bettering of society, promoting transparency, knowledge and tolerance.

International Civil Liberties Alliance (ICLA)

The ODIHR could therefore greatly help participating States ensure that their legislation concerning freedom of religion and belief is and remains in compliance with their commitments by:

- Inducing state members to demand the abrogation of the Cairo Declaration, or at least to reject it, so as to prevent the duplicity of language that has appeared in the international agreements and within the OSCE.
- Inducing state members to join the Brussels Process launched by the International Civil Liberties Alliance on July 9, 2012 in the European Parliament. The Brussels Process aims to assist governments and civil society in protecting civil liberties and freedoms, and more specifically to defend the freedom of belief against attempts to implement Sharia regulations.
- Helping to create bi- or multilateral partnerships among OSCE members in order to optimize the implementation of the Brussels Process, to contribute to its growth and evolution and to the expansion of its field of application.

International Federation for Therapeutic Choice (IFTC)

- To be aware of and condemn intolerance and discrimination against sexual minorities who freely choose help in order to overcome or diminish their unwanted sexual attractions, orientation, behaviors, and/or identity.
- To assist OSCE Participating States in monitoring and drafting legislation, with special attention to safeguarding the above-mentioned rights upheld by the CRC and the UDHR.

Swedish Mission Council

- In addition the Swedish Mission Council encourages OSCE field missions to make fuller use of the expertise, systems and tools for the promotion of FORB available via the OSCE Office for Democratic Institutions and Human Rights.

Islamic Renaissance Party

Поэтому просим ОБСЕ рекомендовать Правительству РТ.

- Содействовать принятию поправок и изменений в законы, ограничивающие религиозные права граждан.
- Разработать положения законов в соответствии с международным обязательством по правам человека.
- Соблюдать право и свободы религиозной части населения.

- Отказаться от политики «мощного кулака» по отношению к последователям религии ислам, а также к партии религиозного характера.

Monday, 1 October 2012

WORKING SESSION 11: Freedom of Religion or Belief

Recommendations to participating States

Cojep International

Dans ce contexte, nous formulons les six recommandations suivantes:

- Nous appelons les États Participants à contrer l'islamophobie institutionnelle qui existe parfois dans certains espaces publics. Comment lutter contre ce phénomène si, de fait, l'Etat déroge lui-même au principe d'égalité entre les citoyens comme c'est le cas dans certains pays pour le voile islamique.
- Les musulmans sont préoccupés par l'interventionnisme dans leurs affaires religieuses, parfois quand ils ne sont pas autorisés à choisir leurs propres imams ou muftis, parfois quand des institutions sont créées pour leur expliquer comment mieux vivre leur religion. Nous appelons l'OSCE à veiller à ce que les propres institutions créées par les musulmans puissent être entendues autour de démarches participatives.
- Nous appelons la Présidence Ukrainienne de l'OSCE à venir, à renforcer les moyens du BIDDH pour qu'il puisse mieux prévenir les attaques vécues par les minorités religieuses au sein des Pays Participants. Nous tenons à souligner que, pour assurer une participation plus équilibrée de toutes les communautés dans la région de l'OSCE, le BIDDH doit promouvoir davantage la participation des ONG musulmanes.
- Nous voudrions également signaler que le Groupe d'experts sur la liberté religieuse du BIDDH doit être plus équilibré à l'égard de toutes les régions de l'OSCE et de tous les groupes religieux, les croyants et les non-croyants. À cette fin, nous tenons à proposer au BIDDH de revoir le fonctionnement de ce groupe.
- Le fait anti-musulman s'est désormais normalisé dans certains pays à l'Ouest de Vienne. Il s'est même institutionnalisé. C'est pourquoi, nous appelons la prochaine présidence Ukrainienne de l'OSCE à ce qu'elle tienne compte de l'intolérance et de la discrimination croissante envers les musulmans, et à la lumière de cette situation inquiétante, de suivre son évolution de plus près. Une Haute Conférence sur la question est devenue plus que nécessaire.
- L'islamophobie s'est transformée en une nouvelle forme de racisme et de xénophobie. Nous invitons l'OSCE à poursuivre la promotion du guide pour les éducateurs développé par le BIDDH à cet égard. Cet outil majeur pour mieux comprendre le phénomène est disponible en Français et pourrait servir au sein de l'éducation nationale française. Ce guide recevra le 8 décembre prochain le Prix « Gizem Dogan » de la lutte contre le racisme et les discriminations lors de la cérémonie de remise des Prix de notre organisation.

United States of America

In order to ensure that the United Nations fully upholds its crucial mandate to protect and promote freedom of thought, conscience, and religion or belief, the U.S. government should:

- participate actively in the UN Human Rights Council, including its Universal Periodic Review (UPR) process, and in particular seek to ensure that each country's compliance with international religious freedom standards constitutes an important part of the UPR and any country-specific resolutions in both the Human Rights Council and the UN General Assembly;
- continue firmly and unequivocally to support the work of the UN Special Rapporteur on Freedom of Religion or Belief, including the Rapporteur's focus on the universal right of every individual to the freedom of thought, conscience and religion or belief, rather than on the purported rights of religions;
- continue to support the existing UN Special Rapporteur positions that focus on the human rights situations in countries that have been designated as "countries of particular concern" under IRFA and, for the other countries on that list, seek either 1) the creation of additional Special Rapporteur positions and other country specific measures or 2) visits to those countries by teams of thematic Special Rapporteurs, including the Special Rapporteurs on Freedom of Religion or Belief and Freedom of Opinion and Expression;
- at the highest levels, both in Geneva and in national capitals, formally demarche the Organization of the Islamic Conference (OIC) Secretary General and the governments of Pakistan and Egypt, among others, to raise concerns about the problematic defamation of religions, ICCPR Article 20, and ICERD Article 4 initiatives, and make clear that their continued support will negatively impact the emerging relationship between the OIC and the United States, as well as the bilateral relationships between other such governments and the United States; and
- include in the mandate of the Special Envoy to the OIC the task of raising with OIC countries U.S. opposition to the defamation of religions concept and the efforts to reinterpret ICCPR Article 20 and ICERD Article 4.
- The U.S. government and all other UN members that support universal human rights, including freedom of religion, should:
- continue to oppose efforts in international fora to establish an international legal principle that would claim to protect religions from defamation or criticism, offering new rights to religions that would undermine many fundamental, individual human rights;
- educate member states who have not voted against past defamation of religions resolutions, as well as moderate OIC countries, about the human rights abuses perpetrated under this concept and urge them to oppose any future such resolutions and any attempts to reinterpret ICCPR Article 20 or ICERD Article 4;
- work diplomatically and more diligently to persuade OIC members and others who support the defamation of religions concept that religious intolerance can best be fought not through national or international laws prohibiting speech that defames religions, but rather through efforts, including education, public diplomacy, and the enforcement of laws against bias-motivated violence and discrimination, to ensure respect for the human rights of every individual; and

- reaffirm and clarify to independent expert members of the Human Rights Committee and the Committee on the Elimination of Racial Discrimination and to governmental representatives on the Ad Hoc Committee on the Elaboration of Complementary Standards the extent and content of specific concerns over any reinterpretation or expansion of ICCPR Article 20 or ICERD Article 4.

The U.S. government should:

- express strong support for the OSCE from the highest levels of the U.S. government in the face of attacks by other participating states, particularly against the OSCE's human rights, freedom of religion or belief, and tolerance activities carried out by the Office of Democratic Institutions and Human Rights (ODIHR);
- authorize and appropriate, in the 2011 U.S. contributions to the OSCE, specially designated funds to expand programs that advance freedom of thought, conscience, and religion or belief and that combat anti-Semitism, racism, xenophobia, and discrimination against Muslims, Christians, and members of other religions; and
- hold regular consultations at the State Department and at OSCE meetings for members of the U.S. government and the NGO community concerned with OSCE issues and expand the number and range of invitees.

The U.S. government should urge that OSCE participating states undertake the following measures:

- ensure compliance with their commitments to protect freedom of religion or belief, as well as combat discrimination, xenophobia, and anti-Semitism, as detailed in the Vienna and Copenhagen Documents on the Human Dimension;
- commit promptly, publicly, and specifically to condemn hate crimes and investigate and prosecute their perpetrators; and
- bring national legislation and practice, as well as local laws, into conformity with international human rights standards and OSCE commitments by: permitting all religious groups to organize and conduct their activities without undue interference; discontinuing excessive regulation of the free practice of religion, including registration or recognition requirements that effectively prevent members of religious communities from exercising their freedom to manifest religion or belief; and permitting limitations on the right to freedom of religion or belief only as provided by law and consistent with participating states' obligations under international law.

The U.S. government should urge the OSCE to:

- promote freedom of thought, conscience, religion and belief throughout the OSCE region, both east and west of Vienna, including focusing on issues such as discriminatory registration systems, limitations on religious expression, state interference in the internal hierarchical and property arrangements of religious communities, and limitations on the rights of parents to ensure the religious and moral education of their children in conformity with their own peaceful religious or other beliefs;
- consider ways to bring greater public attention to the activities of the OSCE Panel of Experts on Freedom of Religion or Belief, such as enhancing the transparency of its activities, providing funds to enable the Panel to hold

training seminars, including in the Mediterranean partner states, about OSCE commitments on freedom of religious or belief;

- convene an annual meeting of the OSCE Panel of Experts on Freedom of Religion or Belief that is open to its entire membership;
- ensure, as a matter of priority, the annual reappointment of the three Chair-in-Office Personal Representatives on tolerance issues and make the country-specific reports of the three Personal Representatives available to the public;
- urge the Personal Representative on Combating Intolerance and Discrimination against Muslims to report on conditions in OSCE participating states in which Muslims constitute a majority population, focusing particularly on government repression of peaceful religious expression;
- request that the three Personal Representatives report in person to the annual OSCE ministerial meetings, and that the OSCE Chairman-in-Office invite the three Personal Representatives to participate on his or her official visits and refer to their work and conclusions in speeches and other presentations;
- encourage OSCE participating states and the 18 OSCE Field Presences to invite the Personal Representatives on official visits;
- convene on a regular basis public review meetings to assess compliance by OSCE participating states of their commitments to combat discrimination, xenophobia, and anti-Semitism;
- assist ODIHR in making it possible for the OSCE Field Presences and the ODIHR to hold public roundtables with local government officials, NGOs, and community leaders to discuss commitments on freedom of religion or belief, as well as the concept and definition of hate crimes and the implementation of hate crimes legislation;
- provide voluntary, extra-budgetary funding for additional staff to deal with freedom of religion or belief, working within the ODIHR Human Rights Program, and encourage the ODIHR Tolerance Program staff take part in ODIHR training of Field Presences and other OSCE staff;
- provide the ODIHR with the necessary mandate and adequate resources, as part of the Unified Budget, to hire experienced staff at the working level, to direct the Tolerance Program, to monitor compliance with OSCE obligations on freedom of religion or belief, and to combat discrimination, xenophobia, and anti-Semitism; and
- provide funding for the translation of additional ODIHR Tolerance Program reports into OSCE languages, particularly Russian, and for the employment of at least one ODIHR Tolerance Program staffer with Russian-language capability.

- **Приоритетные Рекомендации:** Таджикистан является стратегически важной страной для Соединенных Штатов. Таджикистан разделяет протяжённую границу с Афганистаном, где этнические таджики играют ключевую роль. Американское правительство должно обозначить Таджикистан страной вызывающей особую озабоченность и привлечь таджикское правительство к принятию конкретных реформ. При этом правительство США должно оказывать влияние в отношении таджикских чиновников и проводить работу с гражданским обществом для того чтобы привести соответствующие законы в соответствие с международными обязательствами Таджикистана. Посольство США

должно наблюдать за судебными процессами в отношении лиц обвиняемых исключительно по религиозным убеждениям или совершению религиозной практики; и призвать к освобождению таких заключенных. США должны сотрудничать с международным сообществом для обеспечения подготовки судей и прокуроров в области гражданского права и прав человека. Официальные лица США должны публично критиковать нарушения со стороны таджикского правительства их международных обязательств и обязательств по правам человека Организации по Безопасности и Сотрудничеству в Европе (ОБСЕ).

В свете проблемы свободы вероисповедания в стране, Правительство США должно:

- Настаивать на том чтобы Беларусь отменила ограничительный закон о религии от 2002 года, покончила с практикой отказа в регистрации мирным религиозным группам; предоставила право проводить религиозное образование и распространение религиозных материалов, а также предоставила гарантии того, что никакая религиозная община не будет иметь привилегированный статус, который ведет к дискриминации в отношении других групп;
- Посредством общественной и частной дипломатии содействовать защите свободы вероисповедания в Белоруссии, включая усиление контроля и публичной отчётности со стороны Государственного Департамента США, Посланника по Борьбе с Антисемитизмом, и Посла по Особым Поручениям по Вопросам Свободы Вероисповедания.
- Координировать с ЕС введение финансовых санкций и запретов на визы высокопоставленным белорусским чиновникам, в частности, тем лицам ответственным за нарушения прав человека, и сотрудничать с международными партнерами, чтобы восстановить положение Специального Докладчика ООН по Ситуации Прав Человека в Белоруссии.
- Предпринять меры для того чтобы деятельность по продвижению демократии утверждённая Актом о Демократии в Белоруссии, и Белорусскими программами гражданского общества Национального фонда за демократию, включали право на свободу религии или религиозных убеждений и содействие религиозной терпимости.
- В ответ на продолжающиеся нарушения религиозной свободы в России, правительство США должно:
- Принять закон Сергея Магнитского (S. 1039, далее законопроект Магнитского) Закон об ответственности от 2011 года и ввести визовые санкции США и заморозку банковских активов в отношении указанных российских должностных лиц, включая президента Чечни Рамзана Кадырова по обвинению в области нарушения прав человека и нарушения религиозной свободы;
- После того как законопроект станет законом Магнитского, снять торговые санкции против России, включенные в 1974 году в Поправках Джексона Вэника связывающие торговые отношения с ограничениями на свободу эмиграции, как это было сделано в отношении семи из 15 стран

с нерыночной экономикой изначально цитирующихся в Поправках Джексона Вэника;

- Рекомендовать включение президента Чечни, Рамзана Кадырова, и других соответствующих российских чиновников обозначенных в законопроекте Магнитского в список политически значимых государственных должностных лиц, чьи банковские активы должны быть заморожены из за их коррупции и грубых нарушений прав человека;
- Обозначить вопросы свободы религии или религиозных убеждений, прав человека и проблемы безопасности как ключевую проблему в Американо Российских отношениях, и настаивать на том чтобы Россия реформировала свой закон об экстремизме, и добавила критерии связанные с пропагандой или использования насилия для того чтобы впредь закон не был применен против мирных религиозных общин;
- Ввести в силу Поправку Смита включенную в 2010 финансовом году в Закон Консолидированных Ассигнований о запрете финансовой помощи США правительству Росской Федерации в связи с официальной политикой Росии в отношении ненасильственных религиозных групп, особенно касательно Закона об Экстремизме;
- Включить большее количество мусульман и представителей других религиозных меньшинств из регионов России в программы обмена участников финансируемых США и инициировать программы Международных Посетителей для российских должностных лиц по вопросам предупреждения и судебного преследования преступлений на почве ненависти;
- Ввести запрет на выдачу виз и заморозить банковские активы президента Чечни Рамзана Кадырова в связи с его продолжающимися грубыми нарушениями прав человека и предполагаемых связей с политически мотивированными убийствами, и призывать европейских партнеров предпринять подобные меры.

Order of Saint Andrew The Apostle Conclusions and Recommendations

- We recognize the drastic change of the political and social climate in Turkey that is currently taking place and the readiness of the government to adhere, observe, and apply the principles of OSCE through bold reforms. However, in view of past and long-standing failures, we ask that OSCE and its Committees vigorously approach it and request the following:
 - Continue the reform process in connection with the election of a new Ecumenical Patriarch and, ultimately, abstain completely from any interference.
 - Accord recognition of the Ecumenical Patriarchate and other religious denominations and faiths in Turkey as legal entities, with rights to own, build, repair, and acquire property.
 - Allow, at long last, the opening and normal operation of the Theological School of Halki. Officially remove any legal restrictions in the use of the title “Ecumenical.”

- Complete the process of the return of seized properties of non-Muslim Foundations.

Center for Information and Analysis (SOVA)

- Legislatively establish the principle of exclusion of religious debate as such from the scope of the legislation that deals with incitement to hatred. As the Supreme Court of Russia correctly pointed out, criticism of religious beliefs, religious organizations and religious practices should not be considered a crime.
- Do not use lists of banned literature as an instrument for protecting tolerance, including religious tolerance. This instrument has already demonstrated its complete inefficiency; meanwhile, it generates a lot of human rights violations.
- Use more transparent decision-making processes with regard to religious organizations. When expecting a serious conflict over an issue, make these decisions only after a public debate.

Hayartun

In conclusion I would like to recommend to the Georgian Government:

- to return the property of the Armenian Church and of other religious minorities, confiscated during the Soviet period;
- adopt equal attitude towards religious denominations in the country.

Soteria International

- to responsibly consider the assessments of international institutions and independent bodies regarding the MISA case and to scrutinize their policies about the respect and recognizing of religious and spiritual movements on background of the concerns raised and to immediately stop any form of persecution or suppression of MISA and any other spiritual movements, and the unacceptable pressure created in society provoking phenomena of discrimination at work since to cases of dismissal from the work.
- to counter act the negative sentiment in Romanian society created by persecution and to compensate the victims, cooperating with international association and independent observers.
- to initiate an investigation regarding the claimed irregularities, non judicial involvement and discriminatory elements in the MISA case cooperating with international associations and independent experts.

Recommendations to the OSCE

HazteOir.org

- For OSCE to call upon media groups to show respect for religious beliefs (Christians in particular, as they are the preferred target of offensive contents) and take responsibility in maintaining an open, tolerant and free society.

- Raise awareness that the mocking of Christians and Christianity, the negative stereotyping by the media as well as the ridiculisation of Christians and Christian positions could possibly lead to hate crimes.
- To use all available OSCE means to work against intolerance against Christians, inter alia by encouraging the media not to spread prejudices against Christians, and by working more closely with representatives of Christian churches.

Center for Information and Analysis (SOVA)

- Summarize the law enforcement practice of the OSCE states, as it pertains to the relationship between freedom of expression and freedom of conscience and analyze it in the light of the OSCE commitments.

Soteria International

- Soteria International recommends ODIHR to increase the activity about transparency and dialogue between state and civil society, proposing and following bottom-up processes and sending or suggesting independent experts especially in the ex-communist area.

International Civil Liberties Alliance

Recommendations to ODIHR:

- To allow sincere and constructive dialogue and cooperation between state members, NGO's and exterior participants, ICIA ask ODIHR to systematically provide a precise definition of both the expressions "Islamophobia" and "religious hatred" each time they are used in a document and, in absence of precise definitions, to adopt a by-default non-receivability rule for all document containing one or both of those expressions.

Tuesday, 2 October 2012

WORKING SESSION 12: National Minority Rights

Recommendations to participating States

Hayartun

Our recommendations to the Georgian authorities would be:

- to increase the political participation of national minorities in Georgia at both local and central levels of government;
- to intensify efforts directed at teaching the State language in regions with dense minority population;
- to consider a possibility of allowing use of Armenian language at the level of local government in the province of Javakheti, where ethnic Armenians constitute 95% of the population;
- to elaborate and execute specific policies directed at fight against both direct and indirect discrimination, especially in the field of language rights, education and religion;

- to return the property of the Armenian Church and of other religious minorities, confiscated during the Soviet period.

Western Thrace Minority University Graduates Association

Western Thrace Turkish Minority calls upon the Greek State to:

- Respect Muslim Turkish Minority's identity and the collective usage of individual rights and recognise the existence of a Turkish minority in Greece.
- Take necessary steps to redress grievances of the application of Article 19 of the Greek Citizenship Code for all persons concerned, especially ethnic Turks.
- Take into account Turkish Minority's demand for the establishment of bilingual minority nursery school.
- Have a dialogue with the Turkish minority representatives for the improvement of the quality of the education in the Western Thrace Turkish Minority Schools.
- Recognize the minority status of Turkish people living in the Dodecanese islands.
- Ratify, without delay and any reservations, the Framework Convention for the Protection of National Minorities.

The Constantinopolitan Society

Due to significant restrictions and serious limitations on human rights which are threatening the sustainable vitality, survival and vibrant future of the Greek Minority in Turkey, OSCE / ODHIR is called upon to urge Turkey -as an OSCE participating State- to:

- Amend the Law on non-Muslim Welfare Foundations in such a way that would allow for, among others:
 - Putting an end to the fragmentation of minority Foundations as a result of the Wakifs system in force; allowing for the unification of the various Greek Minority Foundations is key to their survival as well as cost-effective functioning.
 - Returning those (24) fused Greek-Orthodox Foundations to their lawful owner,
 - Solving the question of property that was seized and sold to third parties, including by provide for proper compensations.
 - Recognizing the equality of the minority Foundations and all other Foundations, thus terminating discriminatory practices against them.
 - Resolving pending issues of Greek Minority cemeteries and recognize their ownership by their communities (as clearly stated in Art. 42 of the Treaty of Lausanne).
- Ensure that Greek citizens are able to fully enjoy their rights over inherited patrimonial property, by implementing as of March 2010 recommendations of the Council of Europe Venice Commission on the protection of property rights. Turkey should conform to the relevant rulings of the European Court for Human Rights.
- Lift all educational restrictions regarding the Greek Minority, specifically:

- Amend the Law on Private Schools Education, so as the diplomas of students of European and other nationalities are officially recognized and validated for their admittance in Turkish Universities etc.
 - Give decision-making power to the headmaster of minority schools.
 - Support financially minority schools, as it is foreseen by the Treaty of Lausanne.
 - Eliminate all anti-minority references in schoolbooks used for teaching in Turkey, as it forges historic realities, fosters discriminatory behavior against members of the minority and incites hate actions.
- Take specific measures to facilitate the return of the Greeks of Istanbul that have been forced to leave their homeland following systematic persecutions and violations of their human rights.
 - Allow the admission of minority members to posts in the administration, the police forces, the army or the judiciary.
 - Establish an effective national human rights institution, such as a national human rights commission or an Ombudsman, which –along with the civil society- may certainly enhance the ongoing efforts of promoting and protecting human rights and fundamental freedoms in Turkey. Such an institution may also contribute to the creation and effective implementation of a comprehensive anti-discrimination legislation that is necessary.
 - Give effect to ECRI's General Policy Recommendation N° 7 on National Legislation to combat Racism and Racial Discrimination (13/12/2002) and ratify promptly Protocol N° 12 to the European Convention on Human Rights.
 - Turkish government should spare no effort in identifying those shortcomings and reviewing accordingly both the relevant legislation and its implementation, with a view to eliminating racial discrimination in all areas and raising awareness for human rights in general.

Switzerland

La diversité des communautés et le plurilinguisme en particulier sont des atouts qu'il convient de sauvegarder et de promouvoir. A cette fin, nous recommandons aux Etats participants:

- de poursuivre leurs efforts pour mettre en oeuvre leurs engagements dans le cadre de l'OSCE relatifs aux droits linguistiques des minorités ;
- de poursuivre la recherche du juste équilibre entre la promotion des langues officielles et la protection des langues minoritaires ;
- de développer l'échange de bonnes pratiques en matière de sauvegarde et de promotion du pluralisme culturel.

Citizens advice bureau "Conscentia"

We recommend Latvia

- to rethink the language policy in light of OSCE and CoE recommendation and to make language policy effective for both majority and minority speakers;
- to include the term "bilingual education" as fundamental characteristic of Latvian educational system in the Law on education;
- to elaborate special procedure for non-citizens naturalisation and distinct the noncitizens from new immigrants.

Russian Federation

Призываем БДИПЧ и ВКНМ активизировать работу на данном направлении, Эстонию и Латвию – выполнять свои международные обязательства и снять оговорки к РКЗНМ, Литву – не игнорировать рекомендации Европейской комиссии против расизма и нетерпимости, а США – пересмотреть свою позицию по ст. 4 Конвенции о ликвидации всех форм расовой дискриминации. Обращаем внимание, что отсутствие реакции ЕС на дискриминацию нацменьшинств в трех странах Прибалтики дискредитирует декларации Брюсселя о приверженности правам человека.

Latvian Anti-Fascist Committee

Для исправления существующей в Латвии ситуации мы считаем необходимым:

- Неукоснительно требовать от Латвии полную ликвидацию института массового безгражданства.
- Настоятельно рекомендовать Латвийским властям отменить все оговорки к Рамочной конвенции о правах человека, навязанные Латвийским правительством при её ратификации.
- Страны Европейского союза должны отказаться от порочной практики «воздерживания» при голосовании на ассамблее ООН по т.н. «Антинацистским резолюциям», тем самым четко обозначив свое отношение к итогам Второй мировой войны и к этому же призвать и Латвию.

Recommendations to the OSCE

Citizens advice bureau "Conscentia"

We recommend OSCE

- to continue dialogue with Latvia about language policy in connection with rights of political participation of minorities;
- to shape dialogue with Latvia about educational policy with focus on multicultural and multilingual educational policy as whole and not only on particular adjustments for national minorities;
- to continue monitoring of minority rights situation in Latvia and Baltic countries;
- to organize conference about role of minority rights and interference with the concept of national state for representatives of parliament, governmental legal

experts, media, judges of constitutional court, high officers of education and culture ministries;

Human Rights Educational Center, Belarus

Рекомендации

- Предложить международным спортивным организациям не толковать широко понятие отсутствия политики на спортивных мероприятиях.
- Проводить мониторинг ситуации с правами лиц национальных меньшинств, недопущением шовинизма в Польше. Считать, что в группу национальных меньшинства, белорусов, входят также и белорусы-беженцы.
- Также напомнить Польше о своих обязательствах в рамках документов ОБСЕ, это почти все документы, где говорится о не дискриминации. Это например, документы, «Хельсинки 1975», глава VII; «Мадрид 1983», «Вена 1989», «Копенгаген 1990»,...Стамбул 1996», «Маастрихт 2003».