

COMPILATION OF WRITTEN RECOMMENDATIONS (Covering Working sessions 10-15)

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 / civil society 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 NN; documents received after this time will be included later in the consolidated summary.

Monday, 17 September 2018

Working session 10: Fundamental freedoms I (continued)

Recommendations to participating States

Ukraine

To Russia:

- We demand from the Russia to execute its humanitarian and human rights obligation in Crimea, refraining from punishing Crimean residents for acts committed or opinions expressed before the occupation also as for social media comments or posts that do not constitute calls for discrimination or violence and to release all Crimean residents detained for such acts.
- We also demand from the Russia to execute its humanitarian and human rights obligation in Crimea and in waters of Black and Azov Seas guaranteeing the safety of Ukrainians engaged in shipping and fishery and to release all Ukrainian fishermen detained by Russia as hostages in 2018.
- We demand from the Russia to stop the ban and discrimination the independent and pluralistic media outlets and civil society organizations, to ensure the unimpeded access of Ukrainian and foreign journalists, human rights defenders and other civil society actors to Crimea, to ensure freedoms of expression, peaceful assembly, association, thought, conscience and religion can be exercised by all in Crimea, without discrimination on any grounds.
- We demand from the Russia to stop the policy of arbitrary illegal violation of the freedom of movement between Crimea and mainland Ukraine, including detaining, threats, total corruption, mental and physical violence from Russian punitive bodies' representatives; to stop the policy of the arbitrary illegal deportations of Ukrainian citizens from Crimea.

To participating States:

- We recommend for the OSCE participating States to fix and evaluate the violation by Russia the OSCE standards in Crimea in particular the oppression of the freedoms of expression, freedom of peaceful assembly, freedom of movement, with special attention to the coherent recommendation of the 2015 Report of the Human Rights Assessment Mission on Crimea, prepared by ODIHR and the OSCE HCNM, that were still not executed by the aggressor-State.
- We recommend for the OSCE participating States to pay special attention on the situation with current politic activities of Russian Ombudsman related to the events in

Crimea and to the Crimean prisoners and hostages being under Russian control that are totally not in compliance with OSCE standards.

Russian Federation:

To participating States:

- Мы вновь призываем Украину и ряд других государств-участников ОБСЕ прекратить гонения на журналистов и порочную практику «зачисток» информационного пространства от средств массовой информации, неугодных властям.

Buergerbewegung (Citizens' Movement) PAX EUROPA e.V.

To Germany:

- Repeal the Netzwerk DG. This would restore freedom of speech.

To participating States:

- remove all restrictions and barriers to the free flow of information to restore freedom of speech
- Return to the already present laws against harassment, etc., as so-called hate crimes are actually crimes against public morality, as defined by lawmakers.

Charitable Women's Foundation Astra

To Russia:

- Обеспечить свободу ассоциации для участия секс- работников в политической и общественной жизни, включая роль секс-работников на всех уровнях законодательной и исполнительной власти.
- Отменить дискриминационное решение Министерства юстиции, которое не позволило Серебряной Розе представлять интересы секс-работников и их союзников и зарегистрироваться.

European Center for Artsakh (EUCFA)

To participating States:

- Take necessary and adequate measures to ensure the safety of journalists, human rights activists and representatives civil society involved in peace initiatives;
- Promote and facilitate contacts and inclusive dialogue between journalists and civil society representatives representing all parties to conflict;
-

Human Rights Watch

To participating States:

- We urge all OSCE participating the renew and demonstrate their commitment to implement the recommendations of such bodies and revise legislations that deeply affect their compliance with their obligations on freedom of association.

Political Movement "Group 24"

To participating States:

- Not to believe fabricated charges issued by the Tajik government toward members of the Group 24.
- We kindly request from the international community to pressure the Tajik government to release political prisoners such as Maksud Ibragimov, Umedjon Solikhov, Ekhsan Odinaev etc...

To Russia:

- We kindly request from the Russian Federation to investigate in Mr. Maksud Ibragimov's case who had Russian citizenship and release political activists such as

Zulfiqahor Kholov, Saidmatzoda Olimjon, Davlatov Shokir, Nuriddin Bafoev, Qamarov Nizomiddin, Kholov Fakhridin, Sharipov Saidamir etc...

To Turkey:

- We kindly request from the Turkish authorities to release Mr. Suhrob Zafar and reveal the assassin identity of Mr. Umarali Kuwatov.

Redut Law Company

To Ukraine:

- We recommend that the relevant Ukrainian authorities prosecute the members of the Municipal Guard of Odessa for their illegal actions and to prohibit, at the legislative level, the right of the municipal authorities of all Ukraine to form their own municipal guards.

Western Thrace Minority University Graduates Association

To Greece:

- Ensure that the right to freedom of peaceful assembly and association is enjoyed by the whole society, either individually or as a group, without discrimination and restriction on the basis of ethnic or social origin,
- To respect and implement the provisions of the international human rights instruments in which the freedom of assembly and association is safeguarded.

Recommendations to the OSCE Institutions

Ukraine

To OSCE Representative on Freedom of Media:

- We recommend for the OSCE Representative on Freedom of the Media to enforce monitoring and reaction on the media situation in the occupied Crimea and for OSCE High Commissioner on National Minorities to evaluate the situation with the Indigenous Peoples, National Minorities and ethnic Ukrainians in Crimea.

To Special Monitoring Mission in Ukraine:

- We recommend for the OSCE Special Monitoring Mission in Ukraine, whose mandate covers the whole territory of Ukraine, including Crimea; make closer attention to the above problems of the oppression of the freedoms of expression, freedom of peaceful assembly, freedom of movement by Russian occupation powers in territories adjacent to the occupied Crimea.

To ODIHR:

- We do strongly expect from ODIHR OSCE finalized recommendations elaborated on grounds the OSCE expert meeting held on the current human rights situation in Crimea and the challenges faced by human rights defenders working on and in Crimea on 14 June 2018 in Kherson by the OSCE ODIHR in co-operation with our Mission.

Center for Security Policy

- The Center for Security Policy urges the OSCE, ODIHR, and this HDIM 2018 meeting to reaffirm their own long-asserted commitment to freedom of speech, unconstrained by capricious submission to suppression of free, honest, open expression of our sincerely held beliefs, opinions, and positions on the issues of such importance before us today.

European Center for Artsakh (EUCFA)

To OSCE Representative on Freedom of Media:

- Consider inviting to its freedom of expression and media freedom events participants from all parties to conflict in a status-neutral manner.

Gatestone Institute

To OSCE Chairmanship:

- Gatestone Institute recommends the OSCE Chairmanship should place restrictions on Turkey's participation by excluding them from consensus decision-making until the Turkish government releases all jailed journalists and guarantees the right to free speech for all citizens of Turkey.

Legal Information Centre for Human Rights

To OSCE:

- Обращаем внимание ОБСЕ на признаки наличия «двойных стандартов» в правоприменительной практике не только в отдельных государствах, но и в международных правозащитных организациях.
- ОБСЕ, как организация, стоящая на страже защиты от проявления всех форм ксенофобии и дискриминации по этническому признаку, должна выразить обеспокоенность в связи с возрастающим числом проявлений практической русофобии не только при решении проблем в отдельно случаях в отдельных государствах, но и в международных правозащитных организациях, а также в правозащитной среде в целом, и принять соответствующие меры.
- Обращаем внимание на ситуацию с наличием произвольных «чёрных списков» в государствах Балтии, которая не способствует соблюдению норм и принципов международного и европейского права.

Salut et Misericorde

To ODIHR:

- L'association Salut et Misericorde souhaite que le BIDDH rappelle aux Etats européens le devoir de respecter la liberté d'expression, et organise avec eux une réflexion au sujet de propos du président Erdogan annonçant que L'islam est l'avenir d'Europe, et ce en regard du jugement de la CEDH déclarant la charia incompatible avec les droits de l'homme

Secure Freedom

To OSCE :

- That OSCE allow those concerned about Sharia “to participate in the discussion of the selected topics and to provide their suggestions and recommendations;
- The OSCE Ministerial require ODIHR to allow freedom of thought, belief, conscience, and expression, especially with respect to concerns about Sharia, which is incompatible with democratic institutions, as the European Court of Human Rights has ruled;

To ODIHR:

- That ODIHR staff think seriously about whether they can in good faith continue to sacrifice Fundamental Freedoms of those critiquing Sharia on the altar of Sharia itself.

Salut et Misericorde

- La CEDH doit bientôt rendre des jugements importants sur l'application de la charia dans la région grecque de thrace occidentale, et sur le droit de critiquer et caricaturer Mahomet. C'est pourquoi l'association Salut et Misericorde que l'OSCE intervienne pour que M. Gutteriez soit remplacé par l'initiateur et le précédent rapporteur de ce projet, M. Pieter Omtzigt (Omchirt)

Monday, 17 September 2018

Working session 11: Fundamental freedoms I (continued)

Recommendations to participating States

United States of America

To Russia:

- We repeat our call for the release of Memorial’s imprisoned Chechnya office head Oyub Tityev. We also call for an end to the prosecution of Yuriy Dmitriev, the head of Memorial’s Karelia office and a renowned historian of the Soviet gulag.

Russian Federation

To Bulgaria, Estonia, Latvia, Sweden and Ukraine:

- Призываем власти перечисленных государств перестать прикрываться ссылками на право на свободу выражения мнения и на свободу мирных собраний и перестать потакать праворадикалам, а также поддержать в ходе 73-й сессии Генассамблеи ООН проект традиционной резолюции о борьбе с героизацией нацизма.

Ukraine

To Russia:

- to invite an OSCE Human Rights Assessment Mission to thoroughly examine the situation and elaborate respective recommendations in line with the OSCE commitments and international standards;
- demand from the Russian Federation the immediate and unconditional release of Oleg Sentsov and other Ukrainian citizens, who are political prisoners. Among them also Roman Sushchenko – a Ukrainian journalist, sentenced to 12 years in prison on fabricated charges of “espionage”.

Center for Civil Liberties

To participating States:

- stop referring to civil society groups critical of government policies as political tools of foreign interference in domestic affairs,
- refrain from describing civil society groups critical of government policies as a threat to “traditional values” and stability,
- stop engaging in smear campaigns and making discrediting statements against civil society groups and activists;
- repeal “foreign agents” laws” and lift restrictions on international funding of civil society activities;
- promptly and effectively investigate all attacks against civil society activists and bring their perpetrators and masterminds to justice,
- stop conflating civic activism and extremism and imposing excessive and disproportionate restrictions of freedoms of association, assembly, and expression in the name of security, including countering terrorism,

- stop criminalising non-violent expression to suppress critical voices and prevent accountability of governments,
- recognise and support the role civil society plays in combating radicalisation and violent extremism by reaching out to include citizens and residents from minority groups,
- stop using the judicial system as a means of repression and pressure on civil society, including through unfair trials, politically motivated convictions, approval of surveillance and travel bans (denial of exit from the country),
- stop using economic mechanisms, including tax, financial, anti-money-laundering, and other regulations, to restrict civil society activities,
- stop using “collective punishment” to intimidate and repress civil society activists by targeting their relatives, and vice versa, support them in every possible way.

Human Rights Movement "Bir Duino-Kyrgyzstan"

- We urge Central Asian governments to create a safe space for critical and constructive dialogue with civil society actors.

Hungarian Helsinki Committee

To participating States:

- Continue monitoring the situation of human rights defenders and independent civil society organisations in Hungary and in the OSCE region and intensify efforts to empower and support them, including through political, legal and financial assistance.
- Consider advancing existing Human Dimension commitments, especially those with regards to the enabling and safe environment conducive for human rights work with particular attention given to the need for participating States making positive and proactive steps to advance the environment.
- Review how the the OSCE Guidelines on the Protection of Human Rights Defenders are implemented and, if necessary, review the existing framework for implementation of the OSCE Guidelines to foster more effective implementation.
- Urge the Government of Hungary to fully implement the OSCE Guidelines on the Protection of Human Rights Defenders. Most notably, the government should be urged to refrain from using accusatory and labelling rhetoric against human rights defenders and independent civil society organisations; instead, it should be encouraged to take proactive steps to counter discrediting of human rights defenders and independent civil society organisations by political leaders and in the media.
- Engage with the Government of Hungary to encourage meaningful dialogue between the Government and civil society, in order to ensure that institution-building, development and other programmes are human rights compliant.
- Explore and strengthen non-governmental, alternative sources and means of funding for independent civil society, with a view to ensuring free and non-politicized access to funding for all civil society organizations.
- Monitor the impact of legislation as well as other measures and related actions (including communication) by state actors and the media targeting the funding and operations of civil society organisations in Hungary.

Newspaper Public Surf - Obshestvennyi Priboi

To Ukraine:

- Несмотря на опубликованные материалы и обилие доказательств вопиющих и незаконных действий со стороны «Муниципальной стражи», в частности Евгения Мирошниченко, Приморская прокуратура Одессы до сих пор не вручила

подозрения лицам, которые участвовали в похищении и избиении. По неизвестным мне причинам прокуроры Анатолий Хаменчук и Юрий Реут затягивают расследование этого резонансного дела. Прошу представителей Украинской делегации поставить под контроль расследование этого дела и не дать представителям местной власти спустить дело на тормозах. В конце хочу повторить своё первоначальное предложение о запрете на законодательном уровне «Муниципальных страж» на территории Украины. Сегодня эти структуры представляют из себя частные вооружённые армии и являются реальной угрозой для граждан Украины.

Sea Jay Foundation

To participating States:

- That the “necessary restrictions” on free speech be paired back drastically
- That the whole concept of “hate speech” be recognized as unworkable
- That to restore public civility, there needs to be return to the Golden Rule

Secure Freedom

- That America, Hungary, Slovakia, Czechia, Poland, Austria, and Italy speak out in favor of free speech and their own policies on terror and migration.

Shah-Aiym Public Association

To Russia, Kyrgyzstan and Tajikistan

- Implement the UN recommendations to decriminalize sex work, introduce mechanisms for monitoring violence against sex workers by the police
- Terminate the practice of police and public raids in places where sex workers are located
- Respond to the appeals of sex workers about crimes committed against them, conduct thorough checks and investigations on these cases, and bring to justice those responsible
- Recognize the crimes committed against sex workers as hate crimes
- Thoroughly investigate of discrimination of sex workers in other spheres and bring to justice those responsible
- Taking effective measures to reduce stigma against sex workers among the population

Unconstrained Analytics, Inc

To participating States:

- reconsider the corrosive nature of the dominant “diplomatic speak” on the legitimate aspirations and requirements of the nations they represent? In truth and in fact, national identity is not racism and a healthy patriotism and national pride is not bigotry.

Western Thrace Minority University Graduates Association

To Greece:

- To respect the right to self-identification of the persons belonging to Turkish minority whose rights are protected by the 1923 Peace Treaty of Lausanne and other international human and minority rights instruments and to promote the collective usage of this right;
- To discontinue dictating newly created identities to the members of the Turkish Minority and respect and safeguard the individual and collective rights of its members;
- To implement the decisions of the European Court of Human Rights regarding re-opening the Turkish Associations without any further delay;
- To allow the establishment of new associations containing the word “Turkish” or “Minority” and respect the choices of the founding members while defining their associations either ethnic or any other type;

- To respect the freedom of expression of the Turkish minority in order to protect and promote the diversity of opinions;
- To amend the recent law regarding the associations that was put into practice on 13th October 2017, in such a way that it allows the implementation of the European Court of Human Rights' decisions related to the freedom of association.
- To ratify, without delay and reservations, the Council of Europe's Framework Convention for the Protection of National Minorities that Greece signed in 1997.

Recommendations to the OSCE Institutions

Ukraine

- To the OSCE Chairmanship, its Special Representatives, and the OSCE Institutions to use all available assets and instruments to monitor and react to the developments in Russia.

Center for Security Policy

- The Center for Security Policy once again urges the OSCE ODIHR and this HDIM 2018 conference to stay true to your and our own principles as articulated from Helsinki, through Paris, Istanbul and Astana. We must hold fast together against the Organization of Islamic Cooperation (OIC)'s rejection of the United Nations Universal Declaration on Human Rights and in defense of individual liberty, equality before man-made law, government by consent of the governed, and the right to speak freely, whether or not such speech might be perceived as "offensive" by some.

Hungarian Helsinki Committee

To ODIHR:

- Closely follow the developments with regards to freedom of association as well as the environment in which civil society organizations operate, and provide support and assistance to Hungary to promote an operational environment that is in compliance with Hungary's OSCE human dimension commitments.
- consider mapping the situation of human rights defenders and the operating environment of civil society organizations in the OSCE region in order to identify best practices and positive examples with regards to an enabling environment, including registration and reporting requirements, government responses to protect human rights defenders against media smear-campaigns, the inclusion of CSOs and human rights defenders in the legislative procedures with regards to regulations that affect their work, and funding.
- The EU's Fundamental Rights Agency launched its civil society report in January 2018. We recommend ODIHR to consider a report on legal and practical obstacles that hinder the work of human rights defenders in the OSCE region and how the better implementation of the Guidelines on the Protection of Human Rights Defenders.

International Association of Independent Democrats Against Authoritarian Regimes

To ODIHR:

- OSCE, ODIHR has the obligations to respect NGOS and OSCE, ODIHR must explicate the new activity, first of , the reason for news method holding of HDIM.
- OSCE, ODIHR must stop all case aggressions of the state delegation to NGOs.
- OSCE, ODIHR don't forget about Human Rights Education and support t have it for states-members.

- OSCE, ODIHR must see the problem the chauvinism in states members, in states of EU, first of all.

Legal Information Centre for Human Rights

To OSCE:

- Обратить внимание ОБСЕ на различия в юридическом статусе неграждан в разных странах Европы.
- Поддержать петицию, поданную в Комитет по петициям Европейского парламента о правах неграждан Эстонии и Латвии.
- Добиваться уравниения прав неграждан Эстонии и Латвии с правами других лиц, относящихся к категории долговременных жителей Европейского Союза.

Secure Freedom

To ODIHR:

- Permanently rescind content-based speech restrictions in the HDIM Code of Conduct;
- Acknowledge that restrictions on fundamental freedoms violates the OSCE Code of Conduct for Staff/Missions;

Shah-Aiym Public Association

To OSCE:

- in the guidelines and programs on gender equality the sections on measures to prevent and to protect sex workers from violence
- in the programs for the humanization of police work the sections on the observance of the human rights of sex workers

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Working session 12: (specifically selected topic): Rights of migrants

Recommendations to participating States

Norway

To participating States:

- We urge all participating States to contribute to the follow-up of the Astana Declaration, and to identify areas where the OSCE uniquely can contribute. In this way, we can ensure complementarity and avoid overlap with the work of other multilateral organizations.

Russian Federation

- Мы призываем государства-члены Евросоюза обеспечить адекватные условия содержания детей-мигрантов и беженцев, их доступ к медицинскому обеспечению и образованию, а также скорейшее воссоединение с родственниками. Напоминаем, что обеспечение наилучших интересов ребенка прописано во всех

основных профильных международных договорах, а также в обязательствах в рамках ОБСЕ.

Holy See

To participating States:

- That participating States further consider how to implement the existing OSCE commitments on migrants

OSCE/ODIHR

To participating States:

Objectives for Safe, Orderly and Regular Migration

- Collect and utilize accurate and disaggregated data as a basis for evidence based policies
- Minimize the adverse drivers and structural factors that compel people to leave their country of origin
- Provide accurate and timely information at all stages of migration
- Ensure that all migrants have proof of legal identity and adequate documentation
- Enhance availability and flexibility of pathways for regular migration
- Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work
- Address and reduce vulnerabilities in migration
- Save lives and establish coordinated international efforts on missing migrants
- Strengthen the transnational response to smuggling of migrants
- Prevent, combat and eradicate trafficking in persons in the context of international migration
- Manage borders in an integrated, secure and coordinated manner
- Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral
- Use migration detention only as a measure of last resort and work towards alternatives
- Enhance consular protection, assistance and cooperation throughout the migration cycle
- Provide access to basic services for migrants
- Empower migrants and societies to realize full inclusion and social cohesion
- Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration
- Invest in skills development and facilitate mutual recognition of skills, qualifications and competences
- Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries
- Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants
- Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration
- Establish mechanisms for the portability of social security entitlements and earned benefits
- Strengthen international cooperation and global partnerships for safe, orderly and regular migration

Charitable Women's Foundation Astra

To Russia:

- Implement the recommendations of the UN Committees on the decriminalization of sex work, introduce mechanisms for monitoring of violence against sex workers by the police.

- To stop the practice of police and public raids.

Public Organization "Public Advocacy"

To participating States:

- provide real practical support to the religious leaders of the Middle East, in particular to John X, Greek Orthodox Patriarch of Antioch and all the East, Ignatius Aphrem II, Syrian Orthodox Patriarch of Antioch and all the East, who promote the ideas of peaceful coexistence of different religions and can effectively contribute to the improvement of the situation in the region;
- develop effective programs and projects for the restoration of the countries of the Middle East and return migrants to their historical homeland.

Sea Jay foundation

To participating States:

- The Sea Jay Foundation recommends that the OSCE participating states reexamine their multicultural assumptions. Several decades of experience should provide enough data from which to make a sound and realistic judgment.

Secure Freedom

To participating States:

- That OSCE participating states revisit commitments to “the right of migrant workers to express freely their ethnic, cultural, religious and linguistic characteristics,” to recognize instead multiculturalism’s utter failure and the value of integration and unity or repatriation instead; and
- That it is necessary in order to meet new risks and challenges to further develop OSCE commitments with respect to rights of migrants, and thus that the incoming Slovakian Chairmanship, and all those in the agenda-setting process for it, choose to focus on commitments to address “concern at mass migratory movements” (Budapest 1994).

Recommendations to the OSCE Institutions

Holy See

To ODIHR:

- That ODIHR in its future work on issues facing migrants give due attention to respect for the cultural and religious diversity of migrants

Charitable Women's Foundation Astra

To OSCE:

- We appeal to the OSCE to recognize crimes against sex workers as hate crimes.

Human Rights Movement "Bir Duino-Kyrgyzstan"

To OSCE:

- Необходимы широкие диалоги и консультации внутри КР для адаптирования, (локализации) ключевых принципов миграционной политики ОБСЕ в рамках министерских договоренностей и руководящих принципов по продвижению и обеспечению безопасности женщин и детей мигрантов

- Мы призываем ОБСЕ проводить ежегодный follow up тех ключевых рекомендаций странам грубо попирающих права мигрантов и членов их семей, что сделано по выполнению обязательств по Человеческому измерению, включая фундаментальное Право граждан, Право на Жизнь.

Recommendations to the International Organizations

Unite States of America

- United States reiterates its position that UNHCR, IOM, ICRC, and other relevant international organizations and civil society groups must play the principal roles supporting the efforts of sovereign states to address their immigration issues. The OSCE can continue to play a helpful, complementary role by discussing trends that affect countries and by empowering OSCE field missions to play a supporting role in their host countries.

Tuesday, 18 September 2018

Working session 13: (specifically selected topic): Rights of migrants

Recommendations to participating States

United States of America

To participating States:

- All states should work to strengthen their border security capabilities and enforcement activities, to support the humane return of foreign nationals who are ineligible to remain in host countries and can safely return to their places of origin, to provide relevant protections to those fleeing persecution and torture, and to work together to seek political solutions to conflicts around the world that cause displacement.

Ukraine

To Russia:

- to the delegation of the Russian Federation not to mislead HDIM participants on “2 million Ukrainian refugees” as a result of ongoing Russia’s aggression against my country as, according to the Federal Service of State Statics of the Russian Federation, there are only 166 refugees from Ukraine registered in Russia as of January 1, 2018.

Proactiva Open Arms

To participating States:

- To use all its capacity to contribute to stop, prevent and fight the criminalization of human rights defenders.
- To ensure the right for the people in movement to claim asylum, respect the principle of non-refoulement and the right of the rescued migrant people to disembark as soon as possible to a place of safety
- To protect and contribute to ensure the continuation of NGO’s Search and Rescue activities at sea in the Central Mediterranean.

To Italy:

- We formally ask to the Italian delegation about the need to stop the members of Italian Parliament's members showing to its citizens the false idea of Libya as safe port and place of safety: UNHCR declares Libya a place of high risk for the migrant people, which has been denounced from several NGO's reports as well.

Quaker Council for European Affairs

- The Quaker Council for European Affairs calls on European governments to have the political and moral courage to end the detention of child migrants, and to humanise Europe's borders, as a matter of urgency and in the name of human rights.

Secure Freedom

To participating States:

- Participating States focus on the rights of OSCE-region native-born populations, rather than facilitating mass migratory movements and focusing on the rights of migrants who are disproportionately convicted of terrorist crimes in America, and/or jihadis, who kill an ever-more-wildly disproportionate share of Europeans.

Unconstrained Analytics, Inc

- Unconstrained Analytics recommends that the OSCE and all participating States – respect the genuine and legitimate rights of a people, a nation, to express its identity in its own nation; recognizing that they have the right not to participate in “international” machinations that seek a form of cultural genocide through withering dialectics of negation seeking that end.

Vasa prava BiH

- we call for strengthening and upholding the solidarity and burden-sharing principles between countries. Neither Bosnia and Herzegovina, nor any other country, should be forced to endure the harsh winter of a humanitarian crisis alone.

Recommendations to the OSCE Institutions

Russian Federation

To OSCE:

- ОБСЕ также могла бы разрабатывать документы, посвященные миграции, развивать контакты со странами-партнерами из Южного Средиземноморья и Афганистаном. Исполнительные структуры ОБСЕ могли бы изучать ситуацию и формулировать рекомендации по соблюдению прав человека для стран, которые принимают беженцев из соседних с ОБСЕ регионов. Убеждены, что активизация подобных совместных усилий позволила бы серьезно продвинуться в работе на миграционном треке.

Ukraine

- to the Italian OSCE Chairmanship to convene a conference to analyze the status of implementation of the respective OSCE commitments and guarantees of existing international human rights and humanitarian law relevant to IDPs – 3 million citizens of participating States;
- to the OSCE Secretariat, ODIHR and other OSCE Institutions to use UN/IOM definitions of “migration” and “migrant”;

- to the OSCE Secretariat to analyze and share the best practices of the OSCE field missions on supporting of the IDPs;
- To ODIHR in cooperation with other OSCE Institutions and executive structures to assist participating States in support of the sustainability of the national bodies and local communities with the big influx of IDPs due to natural disasters or political reasons.

Secure Freedom

To OSCE:

- The OSCE Ministerial Council replace the Porto 2002 OSCE CHARTER ON PREVENTING AND COMBATING TERRORISM,” p. 9, paragraph 2 with a measure that acknowledges that today by far and away the greatest driver of what the West calls terrorism, as well as of the loss of the rights of migrants and all other citizens as well, is Sharia

Wednesday, 19 September 2018

Working session 14: Humanitarian issues and other commitments

Recommendations to participating States

United Kingdom

To participating States:

- That all OSCE participating States demonstrate their commitment to Ending Forced Labour, Modern Slavery and Human Trafficking by joining the UN Call to Action, launched last year by our Prime Minister and the UN Secretary General;

Uzbekistan

To participating States:

- В качестве рекомендации Узбекистан предлагает государствам членам ОБСЕ организацию диалоговой площадки по обмену лучшими практиками для судей и прокуроров на пространстве ОБСЕ в сотрудничестве с ШОС.

Holy See

To participating States:

- That participating States continue to discuss how to deal with the many migration related issues on which the OSCE has a complementary role to play, ensuring that these issues are not excluded due to politicization;
- That the participating States that the OSCE executive structures have the necessary funding and staff to comply with the tasking given to these structures in last year’s two MC decisions on anti-trafficking efforts;

Center of political analysis and forecasting "Crimea"

To participating States:

- Разработать План действий по улучшению положения крымскотатарского народа в регионе ОБСЕ;

- Включить вопрос защиты прав представителей коренных народов и национальностей в Крыму (прежде всего крымских татар и украинцев) в повестку дня официального диалога СЕ – ОБСЕ;
- Необходимо создать системный диалог ОБСЕ с другими международными организациями и органами (ООН, ЮНЕСКО, Совет по правам человека ООН, СЕ) по ситуации с правами человека в Крыму с целью обеспечения синергии усилий;
- Разработать План гуманитарного реагирования по Крыму

To Ukraine:

- Разработать Национальный план действий по улучшению положения крымскотатарского народа в Украине;
- Создать территорию администрирования Автономной Республики Крым в Херсонской области, с целью восстановления всех органов государственной власти Украины в АРК, а также предоставить благоприятные условия для возвращения крымских татар из мест депортации на данную территорию.

To Russia:

- Исполнять все свои обязательства как оккупирующей державы, осуществляющей фактический контроль над Крымом, в соответствии с применимыми нормами международного права;
- Исполнить промежуточное решение МС ООН, от 19 апреля 2017 года т.е. отменить решение Верховного Суда России о запрете Меджлиса и позволить ему работать в качестве законного представительного органа коренного крымскотатарского народа на территории Крыма;
- Обеспечить беспрепятственную работу представительным органам крымскотатарского народа Курултаю и Меджлису и другим органам Курултая;
- Прекратить преследования крымскотатарского народа и распространения языка вражды;
- Прекратить преследование и незаконное задержание всех жителей Крыма, которые выступают против незаконной оккупации полуострова;
- Освободить политических заключенных в Крыму;
- Исключить из официальных документов и учебных пособий элементы языка ненависти в отношении крымскотатарского народа и украинцев.
- Расследовать насильственные исчезновения Эрвина Ибрагимова и десяти других крымских татар;
- Прекратить процесс замещения населения Крыма.

Human Rights without Frontiers

To Poland:

- to publicize accurate and reliable statistics concerning the number of North Korean workers still employed in Poland;
- to abide by the UN and EU sanctions;
- to abide by International Labour Organization standards;
- to stop granting new work visas to North Korean workers;
- to give a date by which the employment of North Korean workers in Poland will end.

Kerk van de Almachtige God (Nederland) (the Church of Almighty God

To Germany:

- We urge the German authorities not to deport the members of The Church of Almighty God but to grant them political asylum. None of them has committed any illegal act in Germany. At the same time, we call for the support of OSCE, to ensure our basic human rights in Germany and other OSCE participating states.

Luhansk Oblast Human Rights Center "Alternative"

Our recommendations to parties of armed conflict in selected districts of Donetsk and Lugansk regions:

- To waive to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population;
- To waive the use of non-selective attacks and non-selective weaponry against objects not used for military purposes;
- To respect the property of civilian objects and not use it for military purposes. Do not place personnel and military equipment at their territory

Raoul Wallenberg Institute of Human Rights and Humanitarian

Recommendations concerning how States may address the particular needs of persons with disabilities in the asylum system:

- Operate a functioning system to identify asylum seekers with disabilities at the very outset of the process, including asylum seekers with invisible impairments. The experience of most persons with disabilities, is that disclosure of impairment leads to discrimination rather than accommodations. Hence, it must be made clear that impairment functions as a ground for accommodation. If such assurance is not given, impairment is unlikely to be disclosed. Identification as a person with disabilities remains crucial for accessing needed accommodation and support.
- Develop expertise amongst professionals working in the RSD process. Training must be provided which cover the entire range of impairments. Persons with mental impairments such as PTSD are often the most at risk of having their substantive right to seek asylum infringed through lack of competence by officials and adjudicators. This happens when decision makers do not understand how mental impairment negatively affects the recollection and presentation of facts by the asylum seeker.
- Develop mechanisms to address the needs of persons with disabilities in the asylum process, with the aim of ensuring equal access to and throughout the RSD process. Physical accessibility and communication needs of persons with visual and hearing impairments must be met in order for persons with disabilities to have an equal chance to apply for protection and to get a fair evaluation, based on all relevant facts. In relation to mental and intellectual impairments, legal and other support exceeding that provided to asylum-seekers in general must be provided when this is necessary to create a level playing field in accessing international protection.

The Smile of the Child

To participating States:

- More and more systematic effort should be made by competent authorities, but also by relevant companies and by civil society organizations to train staff and volunteers in recognizing indicators of trafficking: police, airline and shipping crews, educators, etc. At our organization we have embarked on a training program for staff and eventually volunteers, to sensitize them and to enhance their ability to identify potential or real cases of trafficking. This is an elementary ingredient in a successful prevention policy.
- Prevention of trafficking, particularly in the case of children -which is the angle of our organization -, is best promoted when children at risk, whether from a migration background or not, are being taken care of in a holistic way, catering not only for their basic material needs, but also creating for them an environment of well-being and emotional safety. At the Smile of the Child, we have raised nearly 900 children over two

decades, in a holistic way, and we have not had to deal with runaway situations. The correlation is clear, we dare conclude.

- Serious reflection is needed about what to do with children who live under protection, at the moment that they reach the age of 18. At The Smile of the Child, we do not expell them, we keep supporting them, to study, to work, until they are and feel actually fit to spread their wings and fly out. This is fully in line with what a family does with its children; and we want to be the reconstitution of a family for those children, who have lost their initial biological family to abuse, violence, migration or for whatever other reason. The question is not irrelevant at all in the context of the present exchange on human trafficking.
- Cross-border cooperation among civil society organizations is crucial in order to contribute effectively to the protection and the recovery of children which have fallen victim to trafficking. It is therefore important that States and multilateral organizations also encourage and support the creation and maintenance of transnational networks, in which relevant civil society organizations can share good practices, coordinate their respective modus operandi and exchange case related information.
- Similarly, cooperation of relevant civil society organizations and public authorities is of crucial importance, especially at the level of prevention. From year long experience we know that in a case of a child going missing, the first 24 hours are of crucial importance for the success of the search and rescue operation. In order to maximize chances, smooth and well-oiled communication and operational follow-up needs to be in place among all players, including the national emergency line operator, police force and other authorities playing a role in the search and rescue.
- Complementarily to the latter point, it is also of considerable importance that authorities involve systematically and in a timely way the potential of relevant civil society organizations to contribute to the prevention of specific cases of trafficking and to the protection of victims. Although our working relationship with police and other competent authorities in Greece is open, structured and constructive, we evaluate that at local level and in specific cases there often is still room for substantial improvement, and we sense that this is the case in other countries as well. Sensitization of all actors, not only at policy level, but also at the local and operational level, of the need to cooperate, involve all capacities and share information, is an objective that in our perception does deserve to receive more policy attention at the public level.

Recommendations to the OSCE Institutions

United Kingdom

- That within the OSCE we focus on implementing existing commitments, looking to ODIHR and the Office of the SR for Combatting Trafficking in Human Beings for technical support and capacity building, and using the OSCE platform to share best practice and lessons learned. ODIHR's National Referral Mechanism Handbook, once completed, is an example of a practical tool to support states and civil society in our efforts to tackle modern slavery and ensure a survivor centred approach.

Holy See
To ODIHR:

- That ODIHR continue its engagement with civil society, including religious organizations, in advancing a broad and multi-stakeholder effort aimed at preventing and combating trafficking in human beings and providing assistance to victims.

Human Rights without Frontiers

To OSCE:

- to collect data from its Participating States regarding the issuance of work visas to North Korean citizens and the status of their workplace conditions; Russia is still hiring North Korean workers at an alarming rate, according to a recent report of the South Korean NGO, North Korea Database (NKDB).

Non-Government and Non-Commercial Organizations' Association, Kyrgyzstan

To OSCE:

- I recommend that the OSCE also consider issues of environmental security, the basic human right to life, clean water, and clean air. Massive ill-conceived logging of 20-year trees for industrial purposes in Central Asian countries, Kyrgyzstan in the first place - is becoming a source of accelerated melting of glaciers in the zone of Kyrgyzstan and Tajikistan, as a result of a decrease in ascending airflows. Accordingly, the water level drops in the lower reaches. Water leaves. As an example – the disappearance of the Aral Sea and the growth of dust-salt storms which reaches glaciers and accelerates its melting. Reducing the water level in the region in the water arteries is a dangerous indicator that can lead to an ecological and water disaster in the countries of Central Asia with the emergence of dangerous conflicts.
- I recommend to OSCE initiating the Summit on the issue of water security in the OSCE region; due to growing threats of geophysical and ecological nature, leading to the loss of water resources in the countries of the region. Initiate meetings between academics and new technologies specialists to help restore glaciers. The threat of accelerated melting concerns the glacial zones of the Alps, leads to forest fires and practically affects all countries of our region in the next decade. As the beginning of our dialogue, I ask you to distribute this video on the problems of the Aral Sea. Disappearance of the Aral Sea is equivalent to the loss of the lung, the main respiratory organ.

Recommendations to the International Organizations

Human Rights without Frontiers

To European Commission:

- to start a full investigation on the situation in Poland and then, if necessary, to move on to the next level and start an infringement procedure against Poland in line with the legal avenues at its disposal.

Wednesday, 19 September 2018

Working session 15: Tolerance and non-discrimination II (continued)

Recommendations to participating States

Holy See

To participating States:

- that OSCE participating States advance effort within the Organization to use an adequate and clear language regarding “gender equality” which complies with the common, ordinary and generally accepted understanding of the expression.]

Kazakhstan Feminist Initiative "Feminita"

To Kazakhstan:

- Разработать расширенную и детальную антидискриминационную правовую базу, которая прямо включала сексуальную ориентацию и гендерную идентичность в список запрещенных оснований для дискриминации;
- Установить ответственность за дискриминацию и нарушения прав человека, связанных с сексуальной ориентацией и гендерной идентичности, государственным чиновникам;
- Организовать и провести работу по повышению информированности и чувствительности кадров к разнообразию сексуальных, гендерных и иных идентичностей граждан Казахстана.

Shah-Aiym Public Association

We call on Governments of Kyrgyzstan, Russia and Tajikistan to implement UN Committees recommendations:

- to decriminalize sex work
 - to terminate police raids and forcibly testing on HIV and sexually transmitted infections
 - to introduce mechanisms for monitoring violence against sex workers by the police
- Also, we call on Governments of our countries to make decisions and to develop laws related to sex workers with their meaningful participation

Recommendations to the OSCE Institutions

Holy See

To ODIHR:

- that the Office for Democratic Institutions and Human Rights, in its next publication on violence against women or discrimination against women, devote particular attention to the harmful impact that today’s hyper-sexualized culture has on women, especially on young women and girls.

Human Rights Movement "Bir Duino-Kyrgyzstan"

To ODIHR:

- Рекомендуем БДИПЧ ОБСЕ содействовать экспертной и технической помощи ГАМСУМО в реализации ключевых рекомендаций Комитета для обеспечения Равенства в КР в рамках продвижения Целей устойчивого развития

- Мы также, просим оказать БДИПЧ ОБСЕ техническую и экспертную помощь Парламенту КР по принятию Антидискриминационного Законопроекта “О Равенстве” в КР.

Shah-Aiyem Public Association

To OSCE:

- To assist OSCE member countries in fulfilling commitments to achieve gender equality and eliminate violence against all groups of women, including sex workers