



Address by Ambassador Janez Lenarčič,  
Director of the OSCE Office for Democratic  
Institutions and Human Rights (ODIHR)

at the  
944<sup>th</sup> Meeting of the Permanent Council

Vienna, 14 March 2013

Check against delivery!

Excellencies,

Ladies and Gentlemen,

It is a pleasure to report to the 944<sup>th</sup> Meeting of the Permanent Council on the activities undertaken by ODIHR over the past year.

I would like to summarize the most prominent issues that have occupied us during the last year and present you with an overview of activities planned for 2013.

Furthermore, I also wish to make a few remarks on several forward-looking issues of importance to our Office: these include the prospects for adoption of the decisions on the Human Dimension events, the possibility of creating a new contingency fund for ODIHR election-related activities, and the need for participating States to review their practices regarding the secondment of long- and short-term observers for election observation missions.

\*\*\*

Ladies and Gentlemen,

In 2012, ODIHR conducted **election** observation or assessment activities in 15 OSCE participating States. In doing so we deployed **6 Election Observation Missions (EOMs)**, **3 Limited Election Observation Missions (LEOMs)**, **4 Election Assessment Missions (EAMs)** and **two election expert teams (EETs)**.

Last year ODIHR published **64 election-related reports** in line with fulfilling its mandate in a transparent and accountable manner. These include needs assessment mission reports, interim reports, statements of preliminary findings and conclusions, final reports and legal reviews.

We already **started our activities** in this area by sending an EET to Monaco and an EAM to the Czech Republic; we also began on setting up LEOM to Italy which I will discuss in more detail and had an EOM to Armenia. Currently, we are deploying

missions to the former Yugoslav Republic of Macedonia (EOM), Malta (EAM) and Montenegro (LEOM).

We have **recently deployed Needs Assessment Missions** (NAMs) to Albania, Iceland, and our newest participating State, Mongolia. With the NAM to Mongolia, ODIHR has now engaged in some election-related activity in 56 of our 57 participating States.

We are also looking ahead to **other elections** later this year, in Austria, Azerbaijan, Bulgaria, Georgia, Germany, Norway, Tajikistan, and Turkmenistan.

Let me take this occasion and again highlight that to facilitate ODIHR's planning of its election observation activities, **early invitations** to observe elections or to conduct NAMs are crucial. We, of course, understand that there is always the possibility of unexpected, early elections in a number of countries and we continue to follow developments closely to be able to respond to any such eventualities.

As many of you will know, ODIHR was forced to **cancel the LEOM to Italy** due to insufficient secondment of long-term observers (LTOs) by participating States. Following a NAM report that recommended an LEOM and two separate *nota verbale* with a request to participating States to second 10 LTOs, ODIHR received only one nomination.

I have to emphasize that the involvement of LTOs permits observation of the administrative preparations for the elections, the campaign, adjudication of complaints, and the media landscape, and gives all participating States the opportunity to take part in election observation missions, as part of their common commitment to each other. As such, ODIHR appeals to the participating States to review their rules, policies, and practices regarding the **seconding of long-term and short-term observers** so as to enable ODIHR to observe elections throughout the OSCE area, in line with the 2010 Astana Commemorative Declaration that reiterated that "all OSCE principles and commitments, without exception, apply equally to each participating State."

Overall, in terms of secondments, ODIHR **in 2012 requested 394 LTOs** but only **274 were seconded**, or 69.5 per cent. For **STOs, 2,030 were requested** but only **1,427 seconded**. This is only 70 per cent of the requested number.

We would like to appeal to participating States that if they cannot second observers for a particular mission, they are most welcome to provide us with **financial means** that would allow us to send adequate numbers of STOs and LTOs. One way to do that is to support the Fund for the Diversification of Election Observation Missions.

In 2012, 42 LTOs and 36 STOs were deployed from the 17 countries currently eligible for support under the **Diversification Fund**. Additionally, ODIHR has also continued its training for LTOs and STOs from the Diversification Fund countries; 61 STOs and 31 LTOs from participating States were trained. Four Tunisian participants also attended training, supported by separate extra budgetary (ExB) funding.

To promote more effective **follow-up**, ODIHR now regularly presents its final reports with findings and recommendations ‘in country’ following each election process. Such follow-up visits serve to allow discussion of the ODIHR’s election recommendations as well as possible areas of future co-operation and assistance. Most recently, visits to present final reports have taken place in Kazakhstan (September 2012), Serbia (September 2012), Spain (November 2012), Georgia (January 2013), Ukraine (February 2013) and Belarus (March 2013). Visits are scheduled for the United States of America, Lithuania, the Netherlands, and Romania during the upcoming months.

Last year I introduced ODIHR’s **e-learning course for short-term election observers**. It is my pleasure to inform you that this course, which was supported by generous extra-budgetary contributions, has now been publicly available to users for eight months and has attracted some 3,000 active users from more than 150 countries of the world, including almost all OSCE participating States. About 2,800 individuals have registered for the English-language-based platform and 200 to use the Russian-language-based platform, and almost 400 certificates of completion have been issued. We would encourage participating States to use this tool as part of their training events for observers that they second and deploy.

Our Elections Department will in 2013 carry out an extra-budgetary project, a **“Review of Electoral Legislation and Practice in OSCE participating States”**, following a 25 January request from the Ukrainian Chairmanship. The aim of this project is to strengthen implementation of OSCE commitments undertaken by participating States by reviewing major areas of electoral legislation and practice in the OSCE. We are grateful for the broad support we have received for conducting this study and, in particular to Kazakhstan, Norway, Switzerland and Turkey for pledging ExB resources. This project will give us the opportunity to synthesize the key findings and recommendations on the basis of our comprehensive final reports produced over the past few years.

\*\*\*

Ladies and Gentlemen,

With regard to our **democratization** activities we are implementing an innovative **project on National Human Rights Institutions** and their role in protecting and promoting women's rights and gender equality. Based on good practices collected from NHRIs across the OSCE region, ODIHR published a *Handbook for National Human Rights Institutions on Women's Rights and Gender Equality* in November 2012.

ODIHR has increased its activities to **strengthen democratic and representative parliaments** in OSCE participating States. In close co-operation with OSCE field operations, as well as the OSCE Parliamentary Assembly, ODIHR has been building its capacity to respond to requests for expertise from field operations working with parliaments as well as with parliaments themselves. A key focus area in 2013 will be to continue supporting parliamentarians in efforts to reform parliamentary conduct and ethics regimes. To this end, ODIHR published a *Background Study: Professional and Ethical Standards for Parliamentarians*, which draws on academic and practical experience from across the OSCE region.

In the spirit of strengthening co-operation among Parliaments in the OSCE region and highlighting the importance of credible codes of ethics for parliamentarians in building trust, **ODIHR hosted 18 parliamentarians** from Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro and Serbia in **Warsaw on 5-6 March** with a view to exchanging experiences and good practices between the Polish Parliament and those of South-Eastern Europe.

In 2012, ODIHR expanded its programming to **focus on women in parliaments**, in line with the Office's mandate to serve as a "knowledge hub" in the area of parliamentary support. To this end, ODIHR implemented a project on "*Strengthening Parliamentary Structures for Women MPs in the OSCE Region*", in co-operation with the OSCE Parliamentary Assembly and the OSCE PA's Special Representative on Gender Issues. Based on responses received from 37 parliaments, the Office is currently finalizing a comparative study on women's parliamentary bodies, which will serve as a tool for parliaments interested in establishing or revitalizing such bodies as a means to promote gender equality and women's substantive representation. During a workshop and study tour organized in Vienna on 10-11 December 2012, ODIHR presented the draft report to more than 50 participants, including 29 women parliamentarians, with a view to incorporating their practical experiences and tailoring the study to their needs.

ODIHR continues to promote **women's participation in political and public life across the OSCE region**. To this end, in 2012, the Office presented the Baseline study "*Gender Equality in Elected Office: A Six-Step Action Plan*" at high-level conferences and events in Baku, Belfast, Copenhagen, Dublin, Istanbul, Kyiv, Krakow, Tbilisi, Warsaw and Yerevan, and will continue to promote the study in 2013.

ODIHR also continues to implement the **project "Women in Political Parties"** aimed at building the capacity of political party stakeholders to apply voluntary measures to promote women's political participation. To this end, ODIHR is finalizing a *Handbook on Women in Political Parties*, which focuses on how political party leaders, women with political ambitions and civil society organizations can work to promote greater gender equality within parties. Within the framework of this

project, four training events were held in 2012 in Albania, Georgia, Kazakhstan and Moldova. A fifth training session will be organized in Kyrgyzstan in April 2013.

ODIHR recently contributed its expertise to and organized **the Kyiv Dialogue Forum on Gender Politics on 5-6 March 2013** in co-operation with the Ukrainian Chairmanship, its Special Representative on Gender Issues Ms. June Zeitlin, and the OSCE Project Co-ordinator in Ukraine, to raise awareness of OSCE commitments on gender equality and to promote women's participation in politics.

Our Office will continue to promote **synergies between its work on political party regulation and women's political participation**, in order to provide a more level playing field for both men and women in politics. Just **yesterday, on 13 March 2013**, ODIHR held a **Roundtable in Tbilisi**, organized jointly with the Netherlands Institute for Multiparty Democracy (NIMD), and the International Foundation for Electoral Systems (IFES), to evaluate lessons learned from the 2012 Georgian parliamentary elections, and discuss international standards as well as Georgian experiences in political party financing and women's participation in elections and political life. This event is an example of ODIHR's follow-up to EOM recommendations and support provided to an OSCE participating State in its efforts to implement them.

In the area of Rule of Law, ODIHR **launched two trial monitoring tools** on the margins of the 2012 Human Dimension Implementation Meeting (HDIM): "*Trial Monitoring: A Reference Manual for Practitioners*" (revised), and "*Legal Digest of International Fair Trial Rights*" These tools aim to maximize OSCE expertise in monitoring trials, contribute to the sustainability of OSCE trial monitoring programs, and build the capacity of partner NGOs by enhancing their substantive and methodological skills. Using these tools, ODIHR continued strengthening the capacity of OSCE field operations and NGOs in carrying out trial monitoring exercises.

An example of ODIHR's support to OSCE participating States in the field of trial monitoring is the **trial monitoring activity in Georgia** for the trials of former senior Georgian officials, which **commenced on 20 February 2013**. A team of

international ODIHR monitors will assess the compliance of relevant domestic law and trial proceedings with international fair trial standards. ODIHR will release a final report describing the findings of the monitoring activities and provide recommendations aimed at enhancing the administration of criminal justice in line with OSCE commitments.

Complementary to its **Trial Monitoring methodology** ODIHR continues to work on a **Handbook for Monitoring Administrative Justice** with the Folke Bernadotte Academy from Sweden, to will be launched in 2013. The Handbook is meant to provide OSCE field operations and civil society with a tool to carry out monitoring of administrative justice procedures in OSCE participating States.

ODIHR, together with the OSCE Centers in Ashgabat, Astana, and Bishkek, the OSCE Office in Tajikistan, and the OSCE Project Co-ordinator in Uzbekistan, organized the **Fourth Expert Forum on Criminal Justice for Central Asia in Almaty, Kazakhstan** from 29-31 October 2012. The Forum gathered some 100 high court judges, prosecutors, policymakers, members of parliaments, lawyers, representatives of civil society, and academics from Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan. During the event, experts shared lessons learned and discussed the latest reform efforts in light of international standards, including on topics such as control of pre-trial proceedings and the respective roles of the judge and the prosecutor, rules of evidence, plea and confession bargaining and abbreviated procedures, torture allegations in criminal proceedings, and criminal law reform. The Expert Forum on Criminal Justice, which was initiated in 2008, was once again well received among the participants who welcomed the organization of such events and requested that this activity be continued in the future.

Based on the interest demonstrated by a number of participants at the Forum, ODIHR, in co-operation with OSCE field operations, intends to **follow-up with a regional Expert Roundtable in 2013** on the latest national efforts and international good practices in developing legal aid mechanisms and supporting the development of the legal profession.



ODIHR **continued its work on the promotion of judicial independence** in support of reform efforts of OSCE participating States in 2012. Along with international standards that are part of the OSCE commitments, the “*Kyiv Recommendations on Judicial Independence*” and other recommendations formed the basis for country-specific discussions with decision-makers, academics and members of legal communities. Building on conclusions from such country-specific discussions, ODIHR offered specialized technical assistance in relation to the independence and accountability of judges. More work will be done in 2013 to strengthen judicial independence in Armenia, Kyrgyzstan, Ukraine and Moldova.

ODIHR was **invited to present** the “*Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia*” at an event on judicial reform organized by the **Council of Europe in Tbilisi in 2012**. In April, ODIHR will organize an event on judicial reform jointly with the Council of Europe in Yerevan. This event will focus on a number of issues the Government of Armenia has committed to implement in its National Strategy on Judicial and Legal Reform (2012-2016).

Interest in the *Kyiv Recommendations* **appears to be growing also** in countries of **South-Eastern Europe**: the OSCE Mission to Serbia invited ODIHR to present them at a regional conference on judicial ethics and accountability in November 2012 and a number of participants noted their relevance in their national context.

ODIHR continued its contribution to advancing the capacity of domestic justice systems to process serious violations of international criminal laws in South-Eastern Europe through the continued **implementation of the second phase of the War Crimes Justice Project (WCJP)**, building on some of the major achievements of the first phase, which was concluded in October 2011. WCJP-Phase II will further strengthen the institutional capacity of training institutions and other legal practitioners this year, through peer-to-peer meetings and targeted training based on ICTY expertise and curriculums developed under the previous project.

ODIHR continues to provide **legislative support** to participating States, upon request, in all areas of the human dimension, and has particularly focused on

legislation related to gender, freedom of assembly, access to information, the rule of law and the judiciary, population registration, political parties, and freedom of religion or belief over the reporting period.

I would like to invite all participating States to access ODIHR's **online legislative database** ([legislationline.org](http://legislationline.org)), which provides direct access to key international human rights norms and standards, as well as domestic legislation and other documents of relevance.

The ODIHR **Guidelines on Freedom of Assembly** and **Guidelines on Political Party Regulation**, in combination with the expertise provided under ODIHR auspices by the Panel of Experts on Freedom of Assembly and the Core Group of Experts on Political Party Regulation, constitute internationally recognized tools to support OSCE participating States' reform efforts in these two key areas.

ODIHR continues to follow-up on EOM recommendations by providing assistance to OSCE participating States in the area of **population registration**, which serves as the basis for the reform of voter lists to increase their accuracy. To this end, in 2012 ODIHR supported the authorities in Moldova, Tajikistan and Kyrgyzstan by promoting the strengthening of linkages between voter and population registration. ODIHR assistance includes in-depth assessments of data collection and maintenance systems in central voter registers, as well as the provision of expertise in developing reform policies to increase the accuracy of personal information collected in the process of population registration as the basis for increasingly accurate voter lists.

ODIHR will continue to promote OSCE commitments on **freedom of movement and human contacts**. In 2013, ODIHR will develop and present a "*Baseline Study on Cross-border Mobility in the OSCE region*". The study will provide an overview of freedom of cross-border movement in the OSCE region and will focus on visa application mechanisms in the instances where visa regimes exist, their impact on cross-border mobility, and good practices in facilitating applications for visas and their processing.

Last year we had **intense and fruitful collaboration** with **Mediterranean Partners for Co-operation**, in line with MC Decision No. 5/2011 and ODIHR's mandate. Within this framework, ODIHR implemented the 2012 project "*Promoting democratic structures among OSCE Mediterranean Partners for Co-operation*", which enabled ODIHR to follow-up on recommendations produced at the 2011 Mediterranean Partner Countries' Civil Society Conference in Vilnius to enhance engagement by OSCE participating States with Mediterranean Partners for Co-operation, including through support programmes, expertise, and training. Throughout the year, ODIHR's assistance took a balanced approach between contributions to ongoing local activities and activities specifically tailored and implemented in Tunisia upon request, and events aimed at engaging government officials and civil society actors in all Mediterranean Partners countries with OSCE representatives.

In doing so, ODIHR in 2012 **compiled and presented 4 legal opinions** on Tunisian legislation pertaining to elections, freedom of assembly, judiciary, and political parties, contributed its expertise to **4 national and regional events** on women's political participation and political party regulation, ensured the participation of **51 civil society and government representatives** from the Mediterranean Partner countries in OSCE Human Dimension events and ODIHR trainings and workshops, and translated and **disseminated 8** of ODIHR's **key publications** in the field of elections and democratic governance as a basis for the exchange of good practices and transfer of knowledge from the OSCE region.

The 2013 project "*Consolidating and promoting democratic structures in Tunisia and among OSCE Mediterranean Partners for Co-operation*" builds on ODIHR's past engagement in order to insure coherence in the support provided. The project aims at further enhancing the OSCE's co-operation with the Mediterranean Partners by broadening dialogue, intensifying political consultations, strengthening practical co-operation and further sharing good practices and experience.

We stand ready to provide support, upon request, based on ODIHR's established methodologies and tools within the human dimension, including in the areas of

democratic governance, legislative assistance, elections, women's political participation, human rights, tolerance and non-discrimination.

\*\*\*

Ladies and Gentlemen,

In the field of **human rights**, the past year has been marked by very serious challenges across the OSCE region and, in some cases, a decline in compliance by participating States with the detailed and extensive commitments they have undertaken to respect, protect and promote universal human rights. In a number of participating States, this has included legislative changes restricting freedom of peaceful assembly and the operation of civil society organizations and their ability to raise funds. Declining financial resources and austerity measures have affected human rights protection, including the ability of state bodies to fulfill their human rights protection mandates.

In line with its mandate, ODIHR has continued to assist participating States in the implementation of their human dimension commitments through its monitoring efforts, capacity-building activities and development of practical tools and resources. In this effort, ODIHR has engaged extensively with governmental authorities, national human rights institutions and civil society alike.

In November 2012, ODIHR released a report on **Monitoring the Freedom of Peaceful Assembly in Selected OSCE participating States**. This report, published on the margins of last year's Supplementary Human Dimension Meeting on Freedom of Assembly and Association, is the result of ODIHR's human rights monitoring work carried out in 11 participating States from May 2011 to June 2012. Over the life of this project, ODIHR monitored 27 assemblies, demonstrations and counter-demonstrations. Of these, 15 took place in Croatia, Hungary, Switzerland and the United States of America. The main goal of the monitoring was to identify gaps and challenges, as well as examples of good practices, in how participating States meet their commitments on freedom of peaceful assembly. The ensuing report includes the findings of the assembly observation, as well a set of recommendations

to participating States aimed at promoting full compliance with OSCE human dimension commitments. It concludes that, in some cases, assemblies have been unduly restricted or even banned. Notification procedures for assemblies have sometimes been abused and law enforcement agencies have resorted to disproportionate use of force. In many cases, nevertheless, authorities have successfully and effectively facilitated assemblies, even in challenging circumstances involving multiple large events or significant security considerations. ODIHR is currently planning follow-up activities stemming from the first monitoring cycle, to promote exchange of good practices in facilitating and policing assemblies, as well as the next monitoring cycle, that will cover events taking place this year and possibly in early 2014.

ODIHR has continued to monitor the situation of **human rights defenders**. Also in response to calls from participating States and civil society organizations, and on the basis of 1994 Budapest Document, ODIHR is preparing to conduct an ExB project to draft **Recommendations on the Protection of Human Rights Defenders** to support participating States in implementing relevant human dimension commitments. ODIHR will use this opportunity to consult broadly with human rights defenders, civil society, governments and other stakeholders to identify gaps, challenges and good practices in relation to the protection of human rights defenders in the OSCE area, and to consider what steps participating States have taken to create an enabling environment for human rights defenders. The Recommendations will be accompanied by an Explanatory Report and will be published in 2014.

To promote effective **human rights education** and to support OSCE participating States in the implementation of their human dimension commitments, ODIHR published two sets of guidelines on **human rights education** in 2012. *The Guidelines on Human Rights Education for Law Enforcement Officials* and *the Guidelines on Human Rights Education for Secondary School Systems* were developed in recognition of the key role law enforcement officials' play in safeguarding human rights and of the importance of schools in helping young people better understand and defend their rights.

The **role of police agencies** in the provision of systemic and effective human rights education for their personnel and effective implementation of the Guidelines for law enforcement officials was further discussed in December 2012 in Istanbul, at a **meeting organized by ODIHR and the Strategic Police Matters Unit of the OSCE Transnational Threats Department**, with the support of the Turkish National Police.

**Human Rights Education Guidelines for health professionals and human rights defenders** are currently being finalized and will be published this year.

In 2012 ODIHR, in partnership with the OSCE Office in Tajikistan, completed a **project to support Tajik law-enforcement institutions to develop a training programme on the protection of human rights while countering terrorism**. Placing particular emphasis on local ownership, the relevant curriculum was developed by a group of 10 experienced trainers from the Academy and Training Center of the Ministry of Internal Affairs of Tajikistan and the Higher School of the State Committee on National Security of Tajikistan. Pilot training at the Academy and the Higher School was delivered in November 2012 in Dushanbe, and it is expected that the course will be integrated in the regular curriculum of both institutions. ODIHR also provided **a series of country-based training events on the protection of human rights while countering terrorism** (in Georgia, Turkmenistan and Ukraine).

As a part of its work to promote respect for human rights in the fight against terrorism, ODIHR has been following the **situation of detainees in the Guantanamo Bay Naval Base** of the United States and, in particular, the institution, practices and legal framework governing the military commissions. In consultation with US authorities, ODIHR is planning an initial visit in the first half of this year. The purpose of the visit is to prepare the ground for the possible future deployment of ODIHR monitors to observe proceedings.

Throughout 2012, ODIHR delivered training on **human rights and border security** during the periodic annual courses of the OSCE Border Management Staff College, and trained future instructors at the college. In March 2012 ODIHR also

conducted a week-long training programme on the protection of human rights while countering terrorist threats at borders. The training sessions aimed at providing officials from border and customs agencies from OSCE participating States and Partners for Co-operation with a human rights-based approach to securing borders.

In January 2012, ODIHR launched the **Human Rights, Gender and Security programme** (HRGS), which builds on ODIHR's earlier work with the security sector. A **mapping exercise** was carried out in 2012 to help identify current gaps when promoting and protecting human rights and women's rights, as well as when seeking to achieve gender equality and ethnic diversity in the security sector. It identified **significant potential** for the HRGS programme to conduct a wide range of activities that would help **build bridges between civil society and state actors** and **share good practices on issues** such as **anti-discrimination mechanisms** and **human rights monitoring of the security sector**.

Last year ODIHR continued to provide **training on gender in the security sector** to a variety of actors in OSCE participating States. Based on the Gender and Security Sector Reform Toolkit, ODIHR last year delivered seven training sessions, with a total of 172 participants. Training was delivered in Georgia, Kyrgyzstan, and at the OSCE Border Management Staff College in Tajikistan. The training covered a range of issues related to the integration of a gender perspective in security sector policies and institutions, gender and border management and police responses to domestic violence. Participants included representatives of police forces, border security agencies, and other State bodies.

In March 2013, ODIHR also convened a **first expert meeting to strengthen capacities to monitor human rights in the armed forces** in the OSCE region. The meeting brought together civil society organizations, mainly, but also national human rights institutions and other experts, active in the field of monitoring the rights of women and men serving in the armed forces.

ODIHR continued its activities to promote **access to justice and effective remedies for victims of trafficking**. In particular, it facilitated the exchange of

strategies and information among lawyers and legal practitioners involved in the provision of free legal advice and representation to trafficked persons.

In July 2012 ODIHR began implementation of a **project focusing on human rights protection for trafficked persons and vulnerable groups in Central Asia**. The three-year project focuses on three main areas: the development of National Referral Mechanisms for the identification of and assistance to the victims of trafficking, enhancing access of victims to justice and effective remedies, including compensation, and the distribution of small grants to local NGOs. Between July and December 2012, ODIHR carried out inception visits in Kazakhstan, Kyrgyzstan and Tajikistan. The visits were aimed at defining the focus and modalities of country-specific and regional activities, through consultations with governmental agencies, intergovernmental organizations and NGOs.

\*\*\*

Ladies and Gentlemen,

In the field of **freedom of religion or belief**, I am pleased to inform you that ODIHR has appointed a new **Advisory Panel of Experts on Freedom of Religion or Belief**. The composition of the Panel, which was created in 1997, had barely changed since then. The membership of the Panel, at 60 members, was also too large to be workable. In addition, there was also a limited geographical diversity among active members and lack of gender balance overall. This is why ODIHR made the decision to renew the Panel as a 12-person body, similar to other ODIHR's Advisory Panels, such as the Advisory Panel of Experts on Freedom of Peaceful Assembly. One of the key aspects of the work of the new Panel will be to assist in the elaboration of an update to ODIHR's existing Guidelines on Legislation pertaining to Religion or Belief to further clarify OSCE commitments on this issue and point to good practices in this area. I wish to recall that participating States are encouraged "to seek the assistance of the ODIHR and its Panel of Experts on Freedom of Religion or Belief" (MC Decision No. 4/2003). ODIHR will also ask the Advisory Panel to provide advice on ODIHR legal reviews. I am confident the new Panel will allow



ODIHR to sustain the high level of its assistance. ODIHR is planning to organize the first meeting of the new Advisory Panel in early summer in Warsaw.

I wish to highlight that much remains to be done in the **area of freedom of religion or belief**. The requirement for registration of religious and belief communities has been repeatedly noted in ODIHR's law reviews in recent years. In the Vienna Document, participating States promise to “*grant upon their request to communities of believers, practicing or prepared to practice their faith within the constitutional framework of their States, recognition of the status provided for them in their respective countries.*” Many OSCE participating States, however, still punish ‘unregistered activity’ by religious communities, and make the enjoyment of their other freedom of religion or belief commitments dependent on prior registration. As stated in the Copenhagen Document, individuals and religious communities have the freedom to “*manifest [...] religion or belief, either alone or in community with others, in public or in private, through worship, teaching, practice and observance*” and registration should not be required for this purpose.

Legislation in this area should change. ODIHR is working on joint draft guidelines on recognition of religious or belief communities together with the Council of Europe's Venice Commission. The document will serve as an update to the 2004 *Guidelines for Review of Legislation pertaining to Religion or Belief* in the area of recognition, and will include both international standards and good practices. In 2013, ODIHR plans to present and discuss the draft document at consultation events in Almaty in June, in Kyiv in July, and in Brussels in September. ODIHR and the Chairmanship will also jointly host the meeting of the European Council of Religious Leaders on 7 and 8 May in Vienna focusing on the “Freedom of Religion or Belief – a Right and a Commitment.”

ODIHR continues to serve “as a collection point for information and statistics on **hate crimes**.” In 2012, ODIHR published again the annual report *Hate Crimes in the OSCE Region: Incidents and Responses*, documenting numerous cases of intimidation, threats, vandalism, assaults, arson and murder throughout the OSCE region. The report stressed, once again, that a main challenge to understanding the scope and prevalence of hate crime remains the absence of reliable data. In 2012, 36

participating States provided information to ODIHR for the annual hate crime report, of which 24 submitted data on hate crimes within their jurisdictions and five reported on proposed or amended hate crime legislation. Information was received from 72 NGOs, seven OSCE field operations, UNHCR field offices covering 24 locations and 10 IOM field offices. A few weeks ago, ODIHR issued a new call for submission of information by participating States, OSCE field operations and civil society. The deadline for submission of information is 5 April 2013. In order to make information from the annual hate crime report available to a broader audience, ODIHR is developing a web version of this document. Following an intense drafting process, ODIHR will publish two documents: *Prosecuting Hate Crimes: a Practical Guide* and *Hate Crime Data Collection and Monitoring Systems: a Practical Guide* in the fall of 2013. Final consultation events will take place this spring.

Support to law enforcement agencies to combat hate crime remains high on ODIHR's agenda. In 2012, ODIHR's **Training against Hate Crime for Law Enforcement (TAHCLE) programme** was delivered in Bulgaria, Croatia, Poland and Hungary. After ODIHR signed a Memorandum of Understanding to train law enforcement personnel in Ukraine, ODIHR is working with the Ministry of Interior to customize a training curriculum and deliver the training seminars to law-enforcement officials this year. The needs assessment missions to assess the capacity of law enforcement to implement TAHCLE took place in Albania in February, while preparations are ongoing to conduct needs assessments in Montenegro and Italy. In April, ODIHR will train the representatives of the police colleges, which are the members of the Association of European Police Colleges (AEPC). ODIHR needs additional funding to respond to numerous requests and welcomes extra-budgetary contributions for this programme. Additional funding will enable ODIHR to more effectively assist participating States in their efforts to combat hate crime.

In order to assist the efforts of participating States to promote **mutual respect and understanding**, ODIHR undertook a number of activities in 2012. ODIHR organized two roundtables to promote the use of *Guidelines for Educators on Countering Intolerance and Discrimination against Muslims* in Vienna, on 6 September, and Paris, on 5 November. These events will be followed by a third and final roundtable, which is scheduled to take place in spring this year. ODIHR held a

workshop in co-operation with the International Holocaust Remembrance Alliance to explore the relationship between education on combating anti-Semitism and education to promote Holocaust remembrance. In May this year, ODIHR will organize a consultation event with experts to present teaching materials recently developed in Austria, Finland and Spain and to promote examples of teacher training activities carried out recently in Sweden.

\*\*\*

Ladies and Gentlemen,

Access to quality education for Roma and Sinti children remained a priority for ODIHR's **Roma and Sinti programme** last year. ODIHR conducted a field assessment visit to the Czech Republic in order to assess the measures introduced by the government in follow-up to the 2007 ruling of the European Court of Human Rights (*D.H. and Others v. the Czech Republic*) that authorities had discriminated against Roma children by segregating them into special educational schools.

The concluding report finds that Roma children are still placed in specialized primary schools and that much more needs to be done to abolish the inequality and discrimination against Roma and Sinti children with regard to their right to education. The recommendations of the report "*Equal Access to Quality Education of Roma Children – Fields Assessment Visit to the Czech Republic*" are relevant to many other countries where Roma children face similar discriminatory patterns.

**This year**, ODIHR will mark the 10<sup>th</sup> **anniversary of the OSCE Action Plan on Improving the Situation of Roma and Sinti** within the OSCE Area. We will present our **second Status Report on the implementation of the Action Plan** by providing an analysis of policy instruments and good practices.

Further, ODIHR will focus this year on promoting the **empowerment of Roma youth** and will launch a **Roma youth initiative** to encourage voluntary and grassroots engagement, as well as promoting Roma youth and women role models in Roma communities. ODIHR published an open call on its webpage inviting Roma

and Sinti youth, student organizations and civil society actors with a proven record of involvement in Roma youth development activities to compete with their creative projects for limited financial support.

Moreover, we wish to further **raise awareness** about Roma and Sinti issues and challenges regarding their human rights situation. On 8 April, the international Roma Day, ODIHR will co-organize a conference with Harvard University on “*Realizing Roma Rights: Addressing Violence, Discrimination and Segregation in Europe*”. Among the speakers of this conference will be Mr. Amartya Sen, Nobel Prize winner and *Professor of Economics and Philosophy, Harvard University*.

With regard to the extra-budgetary Best Practices for Roma Integration (BPRI) project that ODIHR started last year with funding from the European Union and some participating States, and in co-operation with the OSCE field operations in South-Eastern Europe, we placed **25 Young Roma Professionals** in the OSCE field operations and in Croatia’s Office for National Minorities in January 2013. Most will work for five months in the relevant field operation and then five months in a government ministry or similar institution. The project aims to contribute to the professional development of these promising young Roma and, thereby, to enhance their opportunities for future employment, especially in government administration.

Within the BPRI project, we are also working on issues of **Roma housing and legalization of Roma settlements, anti-discrimination**, awareness-raising on **new legal provisions concerning documents** (in co-operation with UNHCR) and support for a **free legal aid network** in the Western Balkans – WEBLan.

\*\*\*

Ladies and Gentlemen,

I hope that you are aware that overall demands for ODIHR activities last year exceeded available resources (due in particular to the high requirements for election observation activities), but we were able to meet most of the demands through careful planning and prioritization.

ODIHR continues to rely on needs assessment, intensive planning, and consultation with host countries, OSCE field operations, other international organizations and with civil society actors in order to identify added value and to avoid duplication. We provide both immediate and longer-term assistance to participating States in line with their own priorities and in order to enhance effective implementation of their human dimension commitments in the areas of Elections, Democratization, Human Rights, Tolerance and Non-Discrimination, and Roma and Sinti Issues.

We have noticed that ODIHR expertise and involvement continue to be in high demand but, on the other hand, we also see that various factors still constrain our ability to fulfil our mandate. Among them is the fact that only few participating States are willing and able to nominate qualified candidates for seconded positions in ODIHR. To this we could also add unpredictability of election calendars that keeps us from precisely planning activities and rising costs of operational activities.

I would like to recall the absence of a positive response to a request for supplementary budget resources that ODIHR submitted in September that prevented deployment of the recommended LEOM to one participating State. Last year an LEOM in another participating State fell substantially short of seconded long-term observers and a gap was closed only partially through deployment of observers funded through the Diversification Fund, not to mention again this year's cancellation of LEOM to Italy.

For this reason, ODIHR will continue to seek a change of category of seconded to contracted positions and participating States may wish to review their policies and practices with regard to secondments of observers to election observation missions.

Participating States may also wish to consider the possibility of authorizing a contingency fund to address unexpected developments, including but not limited to election-related activities (to be funded, for example, through retention of savings from any years when demand for activities may be lower than budgeted resources). ODIHR will also review the extent to which the potential of the above-mentioned Fund for Diversification of Election Observation Missions may be further enhanced.

\*\*\*

Excellencies,  
Ladies and Gentlemen,

I have tried to provide you with an overview of our main ongoing activities and recent work. This year will certainly be another busy one.

We look forward to working with the Ukrainian Chairmanship on different human dimension events this year. My Office is ready to provide all the necessary support in organization of the events. With this, I would here issue what has become a **traditional appeal** to the Permanent Council for **timely adoption of the decisions on the Human Dimension** Seminar and the Human Dimension Implementation Meeting. As you remember, last year, the agenda of the Human Dimension Seminar was adopted only 14 working days before the event, not to mention the unexpected change of the topic. Late adoption of decisions creates certain management problems in terms of ensuring the availability of quality speakers and it poses great challenges to many participants with their travel and visa arrangements.

Let me take this opportunity to once again thank you for co-operation and in particular to express our appreciation to those participating States that support our work through voluntary contributions. We at ODIHR look forward to working closely with all of you.

Thank you.