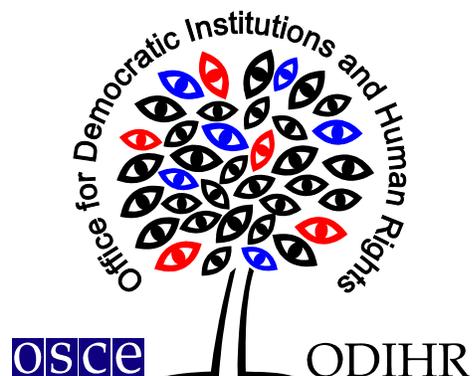


Address by Ambassador Christian Strohal,  
Director of the OSCE Office for Democratic  
Institutions and Human Rights (ODIHR)

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Excellencies,  
Ladies and Gentlemen,

I am glad to report to the Permanent Council on the OSCE's Eighth Human Dimension Implementation Meeting, which took place from the 6<sup>th</sup> to the 17<sup>th</sup> of October in Warsaw. The HDIM is the major occasion to review the implementation of the Human Dimension commitments in the whole OSCE area; it also provides an opportunity for the exchange of ideas and suggestions on specific topics of particular relevance. Presentations, interventions and discussions covered an enormous range of issues, some referred to encouraging achievements, others to areas of concern.

The HDIM was now for the second time organized under the new modalities adopted in 2002, allowing for a more specific thematic focus during the second week of the HDIM. Suggestions were, however, made in view of even further enlarging and focussing debate and discussion.

To make the HDIM successful, strong and active involvement from participating States, International Organizations, OSCE institutions and representatives of civil society is an absolute pre-requisite. I am therefore pleased that this year's HDIM was able to attract some 800 participants.

Of these, 280 were representatives of more than 200 NGOs who made use of the opportunity to contribute to the discussions on an equal footing with government representatives, thus enriching the debate and making exchanges more relevant and constructive. I would like to take this opportunity to thank participating States who made particular efforts to ensure that a large number of independent voices were heard for their contributions.

30 representatives of International Organizations were present, often making valuable contributions on the work done by their Organizations in the Human Dimension field and thus facilitating a coordinated approach of international actors. The presence of staff from OSCE field missions and other institutions was also of great value for these discussions.

51 participating States were represented at the meeting, and I am grateful in particular to those who were able to send larger delegations, including experts from capitals who are so necessary for a focussed debate. Sadly, not all participating States were represented, and although a number of issues concerning the situation in Turkmenistan were raised, Turkmenistan chose not to be represented at the HDIM for the third consecutive year. As cooperation and dialogue are the basis for our Organization's success, I appeal to all participating States to participate in such fora aimed at advancing human security in the whole region.

In this regard, it was important to discuss the most recent application of the Moscow mechanism and we benefited from Prof Decaux' presence and presentation, as well as from his recommendations to build on the lessons learnt from this exercise. Further follow-up is necessary, in this specific case, but also in general regarding this particular mechanism.

## **The state of human rights and democracy in our region**

During the first week discussions focussed on the implementation of OSCE commitments in the Human Dimension. Delegates reviewed the state of human rights and democracy in the OSCE region and covered almost the entire spectrum of human dimension concerns. As all recommendations from the meeting will be found in the Consolidated Summary, allow me to highlight several key recommendations that I regard as particularly relevant for follow-up in the coming year.

- **Elections** As was already expressed last year, the need to follow up and implement the recommendations of ODIHR Election Observation Missions was repeatedly underlined and several participants called for the topic to be dealt with at a separate meeting. Moreover, a more active role of the Permanent Council in monitoring their implementation was called for. Also, recommendations were made on further meetings to follow-up on the ODIHR's progress report on "Existing Commitments for Democratic Elections" to be endorsed at Maastricht.
- **Freedom of Expression, free media and information** Participants expressed broad support for the work of the RFoM, in particular as a valuable early warning system. A number of interventions called for the abolition of all criminal defamation laws and for the replacement of such provisions by civil laws where necessary. The harassment and intimidation of media professionals in a number of participating States was a source of concern. Increasing attention was paid to the provision of unrestricted access to the internet, which has yet to be realized in all participating States. The need to ensure that the internet is not used for activities threatening human rights – such as pedo-pornography and racism – was another focus of this year's meeting.
- **Freedom of association and the right to peaceful assembly** Participants expressed concern over threats to freedom of association. Contributions highlighted cases of arbitrary detentions, judicial and administrative harassment, closing down of NGOs, and persecution for participation in peaceful street actions in some participating States. Some participants proposed Freedom of Assembly as a topic for one of next year's SHDMs. It was suggested that Participating States should take up the issue of freedom of association of active military personnel. The need to increase the monitoring of the situation of human rights defenders in the region by creating regional mechanisms was also put forward.
- **Roma and Sinti** Delegations reiterated their resolve to finalizing the OSCE Action Plan on Improving the Situation of Roma and Sinti for adoption at the Maastricht Ministerial Council in December. Participants highlighted the need to ensure an effective implementation of the Action Plan by providing the ODIHR with sufficient resources and staff to carry out new tasks and responsibilities. Among other issues we shall be addressing this during the ongoing discussions on the 2004 budget. Concerns were also raised over the plight of Roma in post-conflict situations in South East Europe.

- **Migration, refugees and displaced persons** Discussions uncovered a number of difficulties faced by the great majority of OSCE Participating States to ensure security for refugees. Some Delegations voiced support for the idea of holding a supplementary human dimension meeting on IDP issues in 2004.
- **International Humanitarian Law** A number of participants called on participating States to promote the ratification of the Treaty on the International Criminal Court and to ensure that domestic legislation effectively guarantees the implementation of its provisions. Some participants also urged participating States to refrain from applying the provisions of international humanitarian law to situations that do not amount to armed conflict.
- **Capital punishment** Participants criticized the lack of information surrounding the use of the death penalty in some of those States that still retain this form of punishment. The ODIHR was called on to continue to facilitate exchange of information on the question of the abolition of the death penalty.
- **Prevention of torture** Torture continues to be one of the most egregious human rights violations and the eradication needs to be made a priority. The importance of political will was highlighted as was the importance of national preventive mechanisms. The discussion will continue in the last SHDM of the year on 6-7 November in Vienna.
- **Trafficking in Human Beings:** The proposal for a new OSCE mechanism to be created in order to raise the political profile of the combat against trafficking received considerable attention and support. Many participants called for increased attention to the implementation of the recently adopted OSCE Action Plan to Combat Trafficking in Human Beings. NGO representatives called for more political commitment to improve human rights protection for victims of trafficking in countries of destination. My Office will continue to raise awareness and engage in anti-trafficking work in the whole region, placing special emphasis on the needs of victims.
- **Equal opportunities for women and men** Participants emphasized the need for concrete action by the participating States as well as all OSCE institutions to implement gender equality commitments and to recognize that all forms of discrimination including gender discrimination constitute a threat to security. The forward-looking recommendations from the Human Dimension Seminar on the Participation of Women in Public and Economic Life reinforce the call for gender equality to be an integral part of the OSCE's politico-military, economic and human dimensions.
- **Rule of Law** Participants repeatedly emphasized that the right to a fair trial is a fundamental human right. This right must be ensured not only by strong and independent judiciaries but also through active efforts by the participating States to bring all stages of the legal process into compliance with their international commitments. The ODIHR will continue to render assistance to the participating States to improve access to justice and fair legal process. We were also all reminded of the need for legislative transparency as a vital element of democratic governance and the rule of law.

- **Human Rights Education and Training** The importance of education, in particular human rights education and tolerance education, as a means to further the implementation of the OSCE commitments on tolerance and non-discrimination was highlighted by many speakers and was also a subject of some interesting side-events. The need to increase human rights training activities was another recurrent theme of the discussions. The ODIHR has made human rights education and training one of its priority areas of work. It was also recommended by some that one of the human dimension meetings in 2004 could focus on human rights education and training.

### **Moving ahead with the human dimension agenda**

During the **second week of the HDIM**, discussions focussed on three specifically chosen topics, namely the Prevention of Discrimination, Racism, Xenophobia, and anti-Semitism; National Minorities; and Migrant Workers.

Following the different OSCE events on Roma and Sinti, Freedom of Religion and Belief, Anti-Semitism and Racism, as well as on Xenophobia and Discrimination, an entire day was devoted to discussions on discrimination-related issues. They are complex problems demanding complex responses.

The trend identified, in recent years, of an increase in anti-Semitic and other discrimination-related violence and manifestations remains of particular concern for all of us, and we should pay attention to all existing monitoring mechanisms and take their findings more comprehensively into account.

I was particularly glad to note the energy with which civil society in our region pursues these cancerous weaknesses of our societies, reminding governmental bodies and institutions of their duties to ensure equality and do everything to stem new tides of discrimination. Our attention was also drawn to the activities already undertaken by international actors in our region, among them the Council of Europe ECRI, the European Union's Monitoring Centre, as well as the relevant work of the United Nations.

Participating States were urged to take stronger legislative measures and to ratify the Convention on the Elimination of Racial Discrimination. Participants also welcomed the readiness of Germany to host a follow-up conference in Berlin on this year's Conference on Anti-Semitism, and called also for a follow-up conference on this year's Conference on Racism, Xenophobia and Discrimination.

The OSCE and in particular the ODIHR and other institutions were urged to intensify their monitoring of these phenomena and to work closely with other political actors in this field. Several delegations demanded a stronger focus on discrimination and hate speech on the internet and suggested holding an event on this issue next year.

Participants highlighted the important contribution **national minorities** can make to a richer economic, social cultural and political identity and expressed appreciation of existing international instruments and bodies on this issue as a contribution to stability and peace. Particular attention was drawn to the importance of political participation

of national minorities, as to ensuring equal education opportunities. To this end, it was observed that the provision of documentation and allowing people from minority groups to register is imperative to their enjoying political participation and other rights.

On the issue of **migrant workers**, participating States were urged to exchange best practices on the integration of foreign migrant workers and to combat their discrimination. Participating states were also urged to ratify the Palermo Convention against organized crime and its protocols. ODIHR was called on to reinforce activities in this field, supporting participating States in meeting their commitments on the rights of migrant workers as well as in combating their discrimination.

### **The HDIM as a forum for dialogue and exchanges**

Overall, the HDIM 2003 was an excellent opportunity for dialogue among all participants, in particular through the strong presence of representatives of civil society throughout the region. Certain issues and concerns were able to be pursued more in-depth at numerous side-events. It was also an occasion for the ODIHR to reach out to its partners among governments, civil society, international organizations and other OSCE components. Among the latter, the OSCE field missions are partners for us in implementing activities in the field, as well as in arranging assessment and observation missions. Increasingly, the OSCE field missions look to the ODIHR for substantive guidance in the fields of human rights, elections and democratization. I am grateful that so many missions as well as the CPC were able to send representatives to the meeting.

To further develop these relations, one day at the HDIM was devoted to discussing the OSCE's field activities, with a special focus on projects. We have started a process of adapting the relationship with OSCE missions in a new spirit. A relationship which, as was stated repeatedly during the discussions, should go beyond cooperation in planning and implementing projects.

A number of ideas were voiced on the role to be played by ODIHR in this regard, ranging from developing a support base for missions' activities in the Human Dimension to the review and evaluation of their projects in this field. Generally, it was acknowledged that a compilation of lessons learnt in the generation and implementation of projects could lead to a significant improvement of existing programmes and activities.

As we have increasingly realized, there is a move away from discussing individual projects and start taking a much broader and more co-ordinated approach to our work. Projects are important, but they are only one of the tools to achieve our overall goals. I will therefore continue to organize meetings with the ODIHR and field missions to discuss country approaches and a joint vision of our work. The ODIHR will also continue to strengthen its co-operation, co-ordination and partnership with the host countries on human dimension activities and overall programme planning.

I am also grateful for the positive feedback we received on the ODIHR's work to develop guidelines on how to handle and respond to individual complaints of human rights violations. We were able to present to you a new handbook for field missions

on this subject. In the coming months, training on this, as well as other human dimension issues for OSCE field staff will be strengthened.

As the result of two weeks of intensive, constructive and highly fruitful debate, we have come up with a long list of recommendations of which I have only been able to give you a short overview. It is my firm conviction that we must now ensure their timely implementation. Too many conferences have ended as dusty reports in the bookshelves of history. We have a duty to Organization, recognized by many as one of the most operational in the world, to now take these recommendations into the field.

To this end, we will have to ensure follow-up to this years discussions and I am grateful to those Delegations who have already volunteered to host conferences taking up some of the issues mentioned. I have also to thank those delegations that have provided ideas and thoughts for next year's Human Dimension events, many of which I have just listed. As for the many encouraging recommendations regarding the work of my office, I am confident that participating States will take these into account in the upcoming discussions on next year's budget, ensuring that sufficient resources are available to ODIHR in order to meet your high expectations.

Our budget submission not only reflects our ongoing efforts to strengthen focus, capacity and structure of my office; it also aims at preparing for next year's priorities as they emerge from your discussions and decisions.

Finally, let me at this point extend my most heartfelt thanks to the Delegation of the Chairmanship, in particular to Ambassador Justus de Visser and to Christophe Kamp for the great support they have provided in the preparations for and the conduct of this HDIM. I look forward to now taking the outcome of the meeting forward into the next year. For this I again count on you, Ambassador de Visser, as well as on the incoming Bulgarian Chairmanship and all participating States so that we can convert the results of our deliberations into concrete action.