

## COMPILATION OF WRITTEN RECOMMENDATIONS

*(Covering Working Sessions 1-3)*

*This compilation contains recommendations submitted to the HDIM Documentation Centre in accordance with the established procedure. The compilation is organized by Working Sessions and by what was submitted by Delegations / International Organizations / NGOs to participating States and, separately, to OSCE Institutions / Field Missions or other International Organizations. Recommendations are compiled in original language. This compilation contains recommendations from all documents received at the HDIM Documentation Centre by the end of Working Session 3; documents received after this time will be included later in the Consolidated Summary.*

**Monday, 22 September 2014**

### Opening Plenary Session

#### Recommendations to participating States

##### **Canada**

We call on Russia to cease its aggression against Ukraine and to adopt a cooperative approach in which peace and security, democracy, human rights, fundamental freedoms and the rule of law are not mere words to be repeated by a state-controlled press, but real values and principles upon which we can build true security for all in the OSCE region.

**Monday, 22 September 2014**

### WORKING SESSION 1: Democratic institutions

#### Recommendations to participating States

##### **Canada**

- For participating States to consider appropriate measures to support ODIHR financially and to engage in genuine dialogue for improving, not weakening, ODIHR's election observation activities.

##### **Western Thrace Minority University Graduates Association**

Western Thrace Turkish Minority recommends Greece,

- To abolish 3% electoral threshold for the minorities and independent candidates on national and European Parliament elections.
- To take special measures for the political representation of the Turkish Minority of Western Thrace.
- To regulate the legislation in conformity with the international standards.

## **Latvian Human Rights Committee**

- Grant non-citizens of Latvia the right to vote in the municipality and European elections
- Simplify and accelerate the naturalization procedure
- Interpret the Constitution as non-prohibiting massive liquidation of the humiliating statelessness status
- Interpret the Constitution statement about the special role of ethnic Latvians and the Latvian language as non-restricting the opportunity to use other languages along with the Latvian language in public education and in communication between residents and authorities
- Restore the efficient mechanisms of direct democracy
- Impose no pressure on the activities of human rights defenders who protect the interests of the most vulnerable population groups in accordance with the requirements of a democratic society.

## **Baltic Center of Historical and Socio-Political Research**

Региональная конференция российских соотечественников Эстонии, Латвии и Литвы призывает:

- Добиваться ликвидации без всяких предварительных условий массового безгражданства в Латвии и Эстонии.
- Добиваться придания русскому языку статуса официального в соответствии с требованиями международного права в области защиты прав человека. В качестве первоочередных задач:
- Добиваться обеспечения, в зависимости от спроса в конкретных населенных пунктах, дошкольного, школьного или высшего образования на языках меньшинств либо преподавания этих языков в публичных учебных заведениях. Обеспечить равное отношение к частным учебным заведениям вне зависимости от языка обучения.
- Обеспечить возможность обращения на языках меньшинств в органы власти тех государств и в органы тех местных самоуправлений, где более 20 % населения указывает соответствующий язык как родной язык (язык семьи и т. п.), получение информации на соответствующем языке от них, а также от распространителей лекарств в данных странах.
- Если государство считает целесообразным вводить требования к владению официальным языком для каких-либо должностей или профессий, обеспечить соразмерность этих требований общественным нуждам и приоритет обучающихся мер над карательными при воплощении этих требований в жизнь.
- Обеспечить по возможности более близкое к оригинальному написание имен и фамилий лиц, принадлежащих к меньшинствам, в официальных документах.
- Добиваться уважения права работодателей выбирать, владение какими языками требуется от работников, общающихся с клиентами.
- Обеспечить возможность размещать надписи на топографических указателях наряду с официальным языком также на языках национальных меньшинств в местах их компактного проживания.
- Добиваться озвучивания фильмов в прокате наряду с официальными языками также и на языках национальных меньшинств.
- Добиваться от Латвии и Эстонии отзыва ограничительных деклараций и оговорок к Рамочной конвенции о защите национальных меньшинств. При решении вопросов соблюдения прав национальных меньшинств в странах Прибалтики

опираться на принципы Охридских соглашений, которые выработаны при урегулировании межнационального конфликта в Македонии.

- Способствовать присоединению Литвы и Эстонии к Конвенции ЮНЕСКО о борьбе с дискриминацией в области образования.
- Добиваться от Латвии и Литвы признания за Комитетом по ликвидации расовой дискриминации права рассматривать индивидуальные жалобы на нарушения Международной конвенции о ликвидации всех форм расовой дискриминации.
- Добиваться придания ветеранам Антигитлеровской коалиции официального статуса и льгот.
- В интересах становления Латвии и Эстонии как демократических государств необходимо НЕЗАМЕДЛИТЕЛЬНО приступить к ликвидации в этих странах массового безгражданства и вернуться к практике проведения выборов во все органы власти на основе всеобщего избирательного права.
- Призываю конференцию ОБСЕ по человеческому измерению поддержать данное заявление и безотлагательно принять все необходимые меры для проведения в Латвии первых после 18 марта 1990 года выборов на основе всеобщего избирательного права, что послужит действенной преградой для дальнейшего наступления правительства Латвии на права человека.

#### Конференция призывает власти Российской Федерации

- признать предстоящие в Латвии 4 октября с.г. парламентские выборы не отвечающими принятым в Европе стандартам демократии, поскольку в них не сможет принять участие 287 тыс. постоянных жителей (более 14 % населения);
- осуществлять эффективную защиту прав соотечественников, проживающих за рубежом, на основе возвращения в межгосударственных отношениях к так называемому «пакетному принципу», т.е. к развитию любого вида сотрудничества только при условии соблюдения прав национальных меньшинств, включая права русского национального меньшинства;
- расширить поддержку деятельности правозащитных организаций Эстонии, Латвии и Литвы, в том числе в части проведения в 2015 году в Риге международной конференции, посвященной 40-летию Хельсинкского Заключительного Акта СБСЕ 1975 г.
- открыть во взаимодействии с местными властями в Эстонии, Латвии и Литве Центров науки и культуры Российской Федерации;
- открыть Фонд по поддержке СМИ на русском языке.

#### Recommendations to the OSCE

##### **Canada**

- For ODIHR To continue Strengthening and improving its election observation activities and methodology to ensure it remains a global leader in this field;
- For ODIHR To work In close Cooperation with other Governmental and non-governmental organizations, such as the European Endowment For Democracy, To support Efforts where Democracy is Most deeply Threatened by Subversive foreign Forces in Eastern Europe;

- For ODIHR And OSCE Field Operations To continue Their efforts To strengthen Democratic institutions Through the Provision of advice, legislative review and training;

### **International Association of Independent Democrats Against Authoritarian Regimes**

Recommendations for ODIHR-OSCE:

- На следующем Совещании, в 2014, если ему не помешает всемирная атомная война, развязанная диктатором Путиным:
- Для обсуждения таких "неважных" вопросов как Демократия на национальном, региональном и локальном уровне отвести только 60 минут, а можно вообще исключить из повестки Совещания. – It will be the “good” continuation for today policy of OSCE

### **European Center for Artsakh (EUCFA)**

To conclude, I would like to recommend:

- to the ODIHR to co-operate with non-governmental organizations throughout the entire OSCE area, regardless of the status of the country and engage in best practices exchange on elections and election monitoring.

### **Civil Network OPORA**

- Также хочу подчеркнуть, что ОБСЕ/БДИПЧ необходимо продолжить практику по наблюдению за выборами и политическими процессами в Украине. Отчеты ОБСЕ/БДИПЧ предоставляют исчерпывающую информацию о соответствии избирательных процессов в Украине международным стандартам, а также отмечают направления для усовершенствования.

**Tuesday, 23 September 2014**

## **WORKING SESSION 2: Fundamental freedoms I, including freedom of expression**

*Recommendations to participating States*

### **European Union (EU)**

Our recommendations to participating States in relation to this session are:

- Ensure the enjoyment of the fundamental freedoms of expression, opinion, peaceful assembly and association as essential means of supporting and enabling democratic governance.
- Ensure freedom of the media in the interests of allowing for an equal playing field for campaigning for all candidates and as a means of providing access to proper information for voters.

- Adopt a non-discriminatory and inclusive approach towards democratic participation by supporting the involvement of under-represented groups and by advancing women's political participation.
  - Foster an environment where independent civil society can freely contribute to the strengthening of democratic governance.
  - Extend early and unrestricted invitations to ODIHR to observe their elections in line with OSCE commitments.
  - Make full use of the reports and recommendations of ODIHR Election Observation Missions in an effort to ensure full compliance with their OSCE election related commitments.
  - Constructively engage with ODIHR on follow-up activities to Election Observation Mission reports including by making voluntary updates to the OSCE Human Dimension Committee.
- 
- Ensure respect for the right of every individual to seek, receive and impart views and information.
  - Ensure media freedom and media pluralism so that individuals can freely choose their sources of information.
  - Ensure that the internet remains an open and public forum for freedom of opinion and expression.
  - Draw on the expertise of the RFoM and her dedicated team and make full use of her reports and recommendations.

### **Set My People Free**

We speak a lot about the protection freedom of speech of individuals from the state what about threat coming from non-state actor which try to limit freedom of speech.

- We should protect the freedom of speech of the individual from the attacks from non state actor, which uses the pretext of defaming Islam; To threaten any critical thinking Black mail to get it's way and oppress people; Murder individuals, journalists, artists and writers and attacks newspapers offices and publishing houses or media outlets which oppose it's ideology. This led many x-muslims to go into hiding even in the west for rejecting Islam.
- We should not trade our freedom of speech based on values of freedom, equality and justice for the sake of tolerance. Because prohibiting freedom of speech will lead to intolerance.
- We should not lose separation of religion from state for the sake of political correctness.

### **Canada**

- For participating States to Fully respect Their OSCE Commitments and international Obligations with regards to freedom of assembly and freedom of expression, both online and offline.

## **Western Thrace Minority University Graduates Association**

In this context, we would like to recommend Greece,

- To respect the right to freedom of expression of all segments of the society especially of the Turkish minority.
- To respect and to implement the provisions of international standards that she is a party.
- To revise the legislation in conformity with the international standards.

## **European Center for Artsakh (EUCFA)**

To participating states and OSCE institutions:

- Take adequate measures to ensure the safety of the representatives of civil society and journalists participating in peaceful initiatives.
- Contribute to the restoration of people-to-people contacts between the civil society representatives of the conflicting sides

## **OSCE Parliamentary Assembly**

- It is in this context that I appeal for the immediate end of all such practices. Participating States must make a firm commitment to prevent the erosion of media freedom and the culture of impunity that has led to journalists being threatened, abducted or killed. Furthermore, I urgently call for the release, without delay, of all journalists who have been imprisoned for having done nothing more than carry out their profession.

## **United Kingdom**

- We again call on all OSCE participating States to acknowledge that human rights including the freedom of expression apply with equal force online as they do in the off-line world.

## **Austria**

We would, in conclusion, like to offer the following recommendations:

- Participating States must step up efforts to bring the perpetrators of crimes against journalists to justice,
- PS shall step up preventive measures, among others through the exchange of good practises and cooperation with the OSCE representative on the freedom of the media.
- Participating States shall facilitate a vibrant and diverse media landscape, online as well as offline, by creating a transparent and clear legal situation, and overall climate, allowing independent media organisations and journalists to operate freely.
- Participating States should make fuller use of - voluntary - reporting to the HD Committee on these issues.

## Recommendations to International Organizations

### **Media Law Institute**

- We therefore would like to urge international community to call propagandists as they are - propagandists and Not media workers. And we are convinced that propaganda tools should Not be entitled to the privileges and guarantees which are originally foreseen for the true media, I mean for those outlets and journalists who act in a good faith and deliver on their important role in the democratic society.
- In this regard, we urge media community and the respective international organisations to publicly and openly condemn the propaganda widely practised by the Russian media representatives and to adequately respond to it, including denial or cancellation of membership in the professional journalist or media associations of those media workers who are deliberately violating professional and FoE standards.

## Recommendations to the OSCE

### **Canada**

- For The Representative On Freedom Of the Media To continue her efforts to stimulate the reflection and actions of participating States on how freedom of expression and media freedom can be advanced through the internet.
- For the Representative On Freedom Of the Media To continue To bring implementation Issues to the Attention of participating States, With a Focus on egregious and systematic violations of freedom of expression.

### **European Center for Artsakh (EUCFA)**

To OSCE representatives of freedom of the Media:

- Organize joint events on freedom of expression with journalists across different sides of the conflict in status neutral manner.

### **Aral-Jayqun Karakalpak Diaspora in Kyrgyzstan**

- Завершая свое выступление, хочу отметить, что сегодня впервые каракалпакский вопрос вынесен международный уровень. От имени гражданского общества Каракалпакстана и каракалпакских диаспор хочу призвать ОБСЕ, другие международные организации начать мониторинг ситуации с правами человека в нашей республики. Также призываю власти Узбекистана прекратить необоснованные репрессии и обеспечить условия для проведения под международным контролем гарантированного конституцией референдума о будущем нашей республики.

**Tuesday, 23 September 2014**

**WORKING SESSION 3: Fundamental freedoms I (continued),  
including freedom of peaceful assembly and association**

Recommendations to participating States

**Switzerland**

- Nous appelons tous les Etats participants à respecter et à mettre pleinement en oeuvre leurs engagements dans les domaines de la liberté de réunion pacifique et d'association ainsi qu'en matière de protection des défenseurs des droits de l'homme, Nous suggérons que les institutions pertinentes de l'OSCE coordonnent leurs efforts dans les domaines de la liberté de réunion pacifique et d'association de manière accrue avec les autres organisations régionales et internationales.

**Baltic Center of Historical and Socio-Political Research**

- Конференция призывает власти Латвии, Эстонии и Литвы и их представителей в Европейском парламенте подумать об интересах народов собственных стран, отказаться от антироссийской и воинственной риторики и выступить инициаторами возобновления нормального диалога с Россией.
- Конференция призывает провести всестороннее расследование трагедий на Площади Независимости в Киеве (февраль с.г.), в Одессе (2 мая с.г.), Мариуполе (3 - 9 мая с.г.), повлекших многочисленные человеческие жертвы.
- Конференция призывает власти Латвии, Эстонии и Литвы поддержать инициативы России по дипломатическому преодолению вооруженного конфликта на Украине, а также усилия активистов антивоенного движения из разных стран по недопущению эскалации риторики и практических действий, направленных на усиление военной напряженности в Европе.
- Конференция призывает Российскую Федерацию направить основные усилия в дипломатических отношениях со странами Прибалтики на заключение двухсторонних договоров (по образцу договора Польши и Литвы), гарантирующих сохранение и развитие образования на русском языке

**European Union (EU)**

Our main recommendations to participating States relating to Freedom of Peaceful Assembly are:

- Avoid excessive use of force in the policing of demonstrations.
- Ensure that any restrictions on assemblies are prescribed by law and consistent with international standards.
- Adopt laws and policies that clearly establish a presumption in favour of holding assemblies. Where excessive and inappropriate force is found to have been used, those responsible should be held liable and where appropriate brought to justice.
- Take advantage of OSCE tools and assistance such as the ODIHR/Venice Commission Guidelines on Freedom of Assembly, ODIHR's handbook on the Monitoring of Freedom of Assembly.



In relation to the Freedom of Association our main recommendations are:

- In accordance with the OSCE Copenhagen Document, permit organisations and individuals associated with them to seek, receive, manage and administer financial support from domestic, foreign and international entities without undue restrictions.
- Allow organisations the freedom to maintain contacts and co-operate with members of organisations within and outside the countries where they are based, as well as with foreign governments and international organisations.
- Ensure that any laws or administrative measures regulating associations protect and facilitate, not impede the peaceful operation of associations. Any registration requirements should be simple, fair, prompt, inexpensive, and transparent and enforced consistently.

### **Norwegian Helsinki Committee**

- Freedom of assembly is a cornerstone in any democracy. We therefore urge OSCE member states to raise this issue with Central Asian governments whenever possible, and for local OSCE offices to closely monitor developments and to immediately report on violations of citizens' constitutional right to freedom of assembly.

### **International Partnership for Human Rights (IPHR)**

The Central Asian states should, in particular:

- Review draft legislation and legislation in force that affect the right to freedom of association to ensure consistency with relevant international human rights standards, and amend or repeal any legal provisions that directly or indirectly criminalize activities protected by international standards. They should consult with civil society and seek international assistance, including from the ODIHR in this regard. (Compare OSCE Guidelines, articles 24 and 64.)
- Ensure that the exercise of freedom of association in their countries is not contingent on the registration of organizations; promptly remove any offences related to activity on behalf of unregistered organizations from their legislation; and ensure that laws and procedures for NGO registration are clear, simple and non-discriminatory. (Compare OSCE Guidelines, articles 65, 66 and 67.)
- Refrain from imposing undue, burdensome and discriminatory requirements on NGOs, including with respect to obtaining funding, as well as from interfering with their internal affairs, management and implementation of activities. Any inspection of NGOs should be carried out in a transparent manner on the basis of an exhaustive list of the possible grounds for such inspections laid down by law. (Compare OSCE Guidelines, articles 67, 68 and 73.)
- Give adequate warnings to NGOs that are found not to have met reasonable and legitimate requirements regarding their operation to enable them to make corrections, and ensure that any sanctions against NGOs are proportionate. In accordance with this, the Central Asian states should ensure that national legislation does not allow for suspending or closing down NGOs for unsubstantial reasons, such as failure to meet requirements of a technical nature, and that any decision to impose penalties on NGOs is subject to judicial review in accordance with fair trial principles. (Compare OSCE Guidelines, article 69.)

- Ensure that national security concerns are not exploited to justify measures unduly impeding human rights activities; refrain from engaging in smear campaigns, negative portrayals or stigmatization of human rights groups and activists; and publicly acknowledge the importance of the work of human rights defenders, and condemn discrimination, hostility and violence targeting them. (Compare OSCE Guidelines, articles 37, 38, 39 and 43.)
- Put an end to intimidation and reprisals against human rights defenders, including those based in exile and their families; protect defenders from acts of harassment by non-state actors; and take steps to prevent abuses against defenders and to investigate and punish the perpetrators of such acts. (Compare OSCE Guidelines, articles 12 and 13.)
- Ensure that human rights activists and lawyers are not subject to retaliatory and arbitrary arrest, prosecution or deprivation of liberty because of their work, including cases they work on and, in the event that charges are brought against them, that they are granted fair proceedings and equal access to justice and defence. In accordance with this, the Central Asian states should promptly review the cases of defenders who have been locked up following processes falling short of international standards, including the cases outlined in our intervention, and release all individuals who are held on grounds of their exercise of freedom of association, freedom of expression and other fundamental rights. (Compare OSCE Guidelines, articles 23, 30, 36.)
- Guarantee that human rights defenders deprived of their liberty are treated in accordance with international standards, without discrimination of any kind, and that allegations of torture and ill-treatment against defenders – including in the cases mentioned in our intervention – are promptly, thoroughly and independently investigated and the perpetrators held accountable and given penalties commensurate with the gravity of the offence. (Compare OSCE Guidelines, articles 13, 14, 34.)

All OSCE participating States should:

- Promote awareness of the Guidelines on Human Rights Defenders; carry out reviews, in consultation with civil society, of national laws and practices affecting human rights defenders in the light of the Guidelines; and report to the ODIHR on measures taken to implement the Guidelines, thereby also setting a good example for other participating States. (Compare OSCE Guidelines, articles 93, 96 and 104.)
- Establish and implement appropriate instruments and mechanisms for the support and protection of human rights defenders in other OSCE participating States; raise instances of human rights violations against human rights NGOs and defenders with the states concerned (such as those described in this document), among others at high-level meetings and international forums; and take action through diplomatic missions to support human rights defenders in other states, in particular those at imminent risk of persecution. (Compare OSCE Guidelines, articles 97, 98 and 99.)
- Support the initiative underway by the ODIHR and the Venice Commission to develop Guidelines on Freedom of Association and commit themselves to working for the realization of these guidelines once they have been adopted – both at home and in other participating States.

### **European Organisation of Military Association (EUROMIL)**

EUROMIL therefore particularly calls upon states:

- to allow members of the armed forces to join a professional association or a trade union representing their interests;

- to consult military associations or unions on issues concerning the conditions of service of members of the armed forces and engage with them in a regulated social dialogue;
- to lift any restriction on freedom of association that is not prescribed by law, necessary, proportionate and non-discriminatory;
- to forbid disciplinary actions against members of the armed forces in connection with their participation in activities of lawfully established military associations.

### **Western Thrace Minority University Graduates Association**

We, the members of the Turkish Minority of Western Thrace would like to recommend Greece,

- To respect the fundamental freedoms that were expressed in all the international documents as well as the OSCE commitments.
- To respect the ethnic denomination of the Turkish Minority of Western Thrace.
- To guarantee the full enjoyment of the freedom of peaceful assembly and association for the Turkish Minority of Western Thrace.

### **Freedom House**

- We also urge the aforementioned participating States to simplify registration and reporting procedures for nongovernmental organizations; repeal statutory limitations on the ability of nongovernmental organizations, registered or not, to receive funding from abroad; abandon the disgracing practice of using smear campaigns in the media against human rights defenders and other civil society activists and organizations.

### **International Federation for Human Rights (FIDH), France**

- In view of the situation of human rights defenders in the OSCE area, the Observatory for the Protection of Human Rights Defenders urges OSCE Participating States to:
- Guarantee in all circumstances the physical and psychological integrity of human rights defenders in the OSCE Participating States, including by ensuring that all human rights defenders under detention are granted access to appropriate medical care;
- Put an end to the continuous repression and harassment of human rights defenders and their organisations;
- Release immediately and unconditionally all human rights defenders since their detention is arbitrary and only aims at sanctioning their human rights activities;
- Carry out immediate, thorough, impartial and transparent investigations into the threats, attacks and acts of intimidation mentioned above, in order to identify all those responsible and sanction them according to the law;
- Fully recognise the vital role of defenders in the promotion and consolidation of democracy and the rule of law;
- Review their national legislation to conform with international and regional human rights instruments, in particular regarding freedoms of association and assembly;
- Comply with the provisions of the OSCE/ODIHR Guidelines on Human Rights Defenders and of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly;

## Recommendations to the OSCE

### **International Partnership for Human Rights (IPHR)**

The ODIHR, incoming OSCE Chairmanships and other OSCE institutions should:

- Continue to engage in close cooperation with civil society on issues related to freedom of association and other fundamental rights and maintain the good practice of holding civil society consultations to this end, such as those held in the context of the elaboration of the new ODIHR guidelines, as well as the regional civil society consultations organized by the Swiss Chairmanship this year.

### **International Federation for Human Rights (FIDH), France**

With respect to the implementation of the OSCE/ODIHR Guidelines on Human Rights Defenders, the Observatory also calls upon:

- The OSCE Chairmanship to nominate an OSCE Personal Representative on the situation of human rights defenders, who could be in charge of:
  - monitoring the implementation of the Guidelines;
  - raising individual cases of violations with national governments
  - undertaking country visits
  - publishing periodic reports
- The OSCE Chairmanships to publish, at the end of their presidency, a self-assessment on its degree of implementation of the OSCE/ODIHR Guidelines
- OSCE Participating States to develop protection mechanisms both nationally and in third-countries, through their diplomatic representations, in coordination, where required, with mechanisms that already exist on the basis of the EU, Swiss and Norwegian Guidelines
- OSCE Participating States to make public pledges on their commitment to implement the OSCE/ODIHR Guidelines
- OSCE Participating States to systematically raise cases of violations of the Guidelines within the framework of the OSCE weekly Permanent Council in Vienna, and ensure regular follow-up.

### **Freedom House**

- Considering the gravity of the situation and the multi-year decline of freedoms of association and assembly, Freedom House strongly encourages the OSCE to establish the mandate of a Representative on Freedoms of Association and Assembly to provide oversight in accord with the Helsinki principles and flag violations of these fundamental freedoms in the participating States.