



Address by Ambassador Janez Lenarčič,  
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at the  
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Check against delivery!

Excellencies,  
Ladies and Gentlemen,

It is a great pleasure to report to the Permanent Council on the activities undertaken by ODIHR since my last appearance here in March. I would like to outline the most prominent issues that have occupied us during the last half a year and provide an overview of planned activities for the coming months.

I already had an opportunity to present to you a report about where participating States stand with the implementation of their human dimension commitments not so long ago at the Review Conference in Warsaw. This and discussions there showed that the work of institutions such as ODIHR is as relevant as ever. And ODIHR, as always, stands ready to assist.

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## 1. Elections

ODIHR attaches great importance to the implementation of MC Decisions, and in particular MC.DEC/19/06. In this decision, ministers tasked ODIHR to “put into practice the improvements and recommendations concerning election related activities.” (para 13). This year, we have made another important step in fulfilling this tasking by launching the 6th edition of the election observation handbook in Copenhagen in June. In the latest edition, we have addressed methodological issues related to voter registration, campaign finance, and new voting technologies. The latter was also the subject of very useful discussions at the Chairmanship seminar on e-voting that took place in September.

Since March, we have concluded 12 **election-related activities**. These include:

- Election Assessment Missions to Hungary (parliamentary, 11 April), Austria (presidential, 25 April), UK (general, 6 May), the Netherlands (parliamentary, 9 June) and Slovakia (parliamentary, 12 June);
- Election Observation Missions (EOMs) to Georgia (municipal, 30 May), Bosnia and Herzegovina (general, 3 Oct.), Kyrgyzstan (parliamentary, 10 October);
- Limited Observation Missions to Kyrgyzstan (referendum, 27 June) and Latvia (parliamentary, 2 Oct.);
- an Election Support Team to Afghanistan (parliamentary, 18 September); and
- an expert visit to Chelyabinsk to look at new voting technologies in the context of the 10 October local elections in the Russian Federation.

We have currently deployed EOMs to Azerbaijan (parliamentary, 7 November) and Moldova (parliamentary, 28 November), as well as an Election Expert Team to Ukraine (local, 31 October). We are also planning for the deployment of an Election Expert Team to Turkmenistan (local, 5 December).

As you all know, Belarus has invited ODIHR to observe the presidential election on 19 December, two days after the date was announced. A needs assessment was conducted immediately; it recommended the deployment of an Election Observation Mission. ODIHR is prepared to send the EOM, but lacks sufficient funds at the moment. I therefore hope that the supplementary budget in the amount of 306,800

EUR that is currently under discussion in the ACMF will be approved shortly, so that we can deploy next week.

Thirteen long-term observers and 17 short-term observers benefited from the **Diversification Fund** since March, and two STO trainings for countries eligible to benefit from the Diversification Fund took place. All this is thanks to the generosity of countries contributing to the Fund, and we hope we can count on this support also in the future.

ODIHR continues to make efforts to enhance the professionalism of election observers, in line with Ministerial Council decision 19/06 through **supporting national training efforts** and extra-budgetary projects. In this context, I would like to mention training of diplomatic staff of the Russian federation, Azerbaijan and Armenia in co-operation with the Diplomatic Academy in Moscow. We have just completed our second annual training for short-term observers in Sarajevo, for the 17 participating States eligible to benefit from the fund for diversification. In early December, we intend to organize – for the first time – training for long-term observers. It is also worth mentioning that we conducted a two-day training on election observation upon the request of the Organization of the Islamic Conference (OIC) in Jeddah in July, and are envisaging next training for the OIC next year.

As we indicated previously, we are paying increased attention to the **follow-up of recommendations** included in our final reports, in line with the 1999 Istanbul Charter for European Security. In this context, we visited Armenia, Kyrgyzstan (between the referendum and the parliamentary elections), Romania, and Ukraine. Follow-up visits to Georgia and Tajikistan are planned for later this year.

In addition, ODIHR undertook **legal reviews of electoral laws** of Belarus, Georgia, Moldova, Montenegro, and Turkmenistan, as well as a number of legal opinions on aspects of legislation, such as for example on the electoral legislation of Norway.

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## 2. Democratization

I have previously reported that we are weaving our democratization work more tightly into the texture of election observation follow-up. We see election observation recommendations as an important input for tailoring the wider range of ODIHR's democracy assistance activities in fields such as gender equality, democratic governance, rule of law, legal reform and population registration.

Let me first mention the fact that the text of **ODIHR's Guidelines on Political Party Legislation** has been finalized, based on numerous consultations, including with the Council of Europe's Venice Commission. The draft Guidelines were presented at the Review Conference in Warsaw, and were endorsed by the Venice Commission in mid-October.

Also, the second edition of the **Guidelines on the Freedom of Peaceful Assembly**, prepared by the ODIHR Panel of Experts on Freedom of Assembly together with the

Venice Commission, has been launched on the margins of the Review Conference in Warsaw. The Guidelines were endorsed by the Venice Commission in June 2010.

Putting the guidelines into practice, ODIHR has continued to build the capacity of civil society actors to monitor assemblies. A monitoring project has been carried out in Kazakhstan, and another one is planned for Georgia, following a training of monitors to be delivered by ODIHR, jointly with the Council of Europe and local legal experts.

In the field of **strengthening parliaments**, ODIHR has been building a partnership with AGORA, a new global web portal for parliamentary development. ODIHR's involvement and support for AGORA will ensure that this online reference centre and hub for knowledge on parliamentary development will be accessible and relevant to the OSCE region and to OSCE staff working on strengthening parliaments.

ODIHR continued assisting participating States in implementing their commitments related to **women's participation in politics**. A Supplementary Human Dimension Meeting on Gender Balance and Women's Participation in Political and Public Life was held in Vienna in May 2010. ODIHR organized a series of activities in Ukraine, Belarus and Moldova to increase participation of women in local democratic governance, including trainings, forums and a study visit to Austria. A Handbook of Good Practices on Increasing Women's Participation in Political Parties will be developed in 2011.

ODIHR continues to support participating States, upon their request, in reforming their **residency and civil registration systems** aiming to remove remaining obstacles to free movement of populations within state borders. Based on recommendations by election observation missions, this support further extends to assistance in developing residency registration systems that are capable of providing national election authorities with reliable and accurate data. In this context, ODIHR currently assists the State Registration Service of Kyrgyzstan in developing a strategy for reforming its population registration system. ODIHR also stands ready to support processes that simplify procedures for cross border travels in line with existing commitments.

ODIHR has also undertaken work to assist participating States in meeting relevant OSCE commitments on **migrant integration and civic participation of migrants**. Support has also been provided to the Office of the Co-ordinator of Economic and Environmental Activities in the development of a Gender and Labour Migration Trainer's Manual. Work will continue on facilitating access of relevant authorities of OSCE participating States to examples of good practices for integration of migrants in general as well as for participation of migrants in public affairs in particular. Efforts will be made to strengthen dialogue between state institutions and civil society organizations on these issues.

In the Rule of Law area, I would like to highlight the **Kyiv Recommendations on Judicial Independence in Eastern Europe, South Caucasus and Central Asia** that were issued in August, together with the Max Planck Institute. The recommendations followed an extensive research phase, an expert meeting in Kyiv and also discussions at this year's Human Dimension Seminar on Strengthening Judicial Independence

and Public Access to Justice. They tackle important issues such as judicial administration with a focus on judicial councils, the selection of judges and their accountability. We invite participating States to study the recommendations carefully and implement them as appropriate.

Following up on the final report on the **trial monitoring** project in Armenia, which was published in March, we organized, together with the OSCE Office in Yerevan, two roundtables on pre-trial related issues and judicial issues including judicial conduct, disciplinary proceedings, access to courts and court security, which took place in April and July. We are encouraged by the responsiveness of the Armenian authorities and will continue our support regarding the review of amendments to the criminal procedure code and the drafting of the new code.

This year's **Annual Expert Forum on Criminal Justice for Central Asia** took place in June in Dushanbe and attracted more than 120 participants from four countries of the region. Among the topics discussed were the division of competencies between law enforcement, courts and prosecutors, and the reform of laws on administrative offences. ODIHR presented the findings of two major assessment exercises it undertook in co-operation with the Supreme Court of Kazakhstan regarding jury trials and judicial authorization of pre-trial-detention in the country.

A major regional activity, the **War Crimes Justice Project**, was officially launched in Belgrade in September. The 4-million Euro project, funded by the EU and implemented jointly with OSCE field operations in the region, is carried out by ODIHR in partnership with the ICTY and the United Nations Interregional Crime and Justice Research Institute (UNICRI). As already reported, the project is aimed to strengthen the capacity of justice systems in the region to conduct war crimes trials in an effective and fair manner, consistent with the highest international standards of due process. It showcases how ODIHR supports participating States in meeting capacity needs they themselves have identified and in implementing shared commitments to the rule of law which are tested on a daily basis in courtrooms across the OSCE region. Major achievements so far include the first peer-to-peer meetings for judges, the provision of support staff to institutions in the region, and the transcription of 6,000 pages of court records into local languages.

Since March 2010, ODIHR has prepared and submitted numerous **reviews of draft legislation** or legislation ranging from freedom of association to hate crimes to various rule of law topics and constitutional matters, upon request of OSCE participating States or OSCE field operations. The reviews aim at providing OSCE participating States with recommendations on how they can meet the international standards and commitments that they have undertaken. Many of these requests resulted from recommendations received from ODIHR election observation missions or the work of other ODIHR departments or units. Where feasible and desired, follow-up events to law reviews were organized. In this way, the ODIHR continues to assist participating States in their reform efforts by not only drafting legal opinions, but importantly supporting consultations with local stakeholders and bringing international expertise and experience to the table. Work with the Council of Europe's Venice Commission continued, in particular on reviewing legislation related to freedom of assembly issues.

ODIHR also continues to offer **expert assessments** of participating States' legislative processes. Recent developments in this field include a legislative roundtable in Albania in May 2010, as well as an expert trip to Moldova to conduct an assessment of the legislative process there. Finally, ODIHR's legal resource website for lawmakers ([www.legislationline.org](http://www.legislationline.org)) has been updated as far as certain domestic legislation related to freedom of association, freedom of religion and belief, and anti-terrorism is concerned.

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### 3. Roma and Sinti

Last week, the Secretary General of the Council of Europe organized a high level meeting on Roma in Europe. No-one in this room needs any special explanation of the situation of Roma in the region. **The Council of Europe "Strasbourg Declaration"** now includes guiding principles and priorities on a non-discrimination and citizenship, on social inclusion, including education, housing and healthcare, and on empowerment and better access to justice. ODIHR was invited to contribute to this meeting and the Declaration makes, of course, reference to the cooperation with the OSCE.

ODIHR and its Contact Point for Roma and Sinti Issues are actively engaged in assisting participating States to improve the situation of Roma and Sinti. At the core of the Contact Point's work remains the 2003 Action Plan on Improving the Situation of Roma and Sinti and subsequent MC decisions.

ODIHR participated in the creation of the *International Task Force on Roma Education and Youth* in co-operation with Council of Europe, EU, UNICEF, UNESCO, Roma Education Fund, and the Step by Step organization. Further, ODIHR closely liaises with the European Commission, including on the situation of Roma in pre-accession countries in the Western Balkans and Turkey.

In all its activities, ODIHR seeks close consultation with Roma and Sinti representatives. At the recent Review Conference in Warsaw a consultation meeting was held with around 40 Roma and Sinti organizations which resulted in the adoption of the "*Roma Warsaw Declaration*". In order to enhance public participation of Roma and Sinti, the CPRSI continues its support for capacity building for these communities.

The Contact Point has compiled a **comparative report on participation of Roma and Sinti children in early education**. This report will be made available to OSCE participating States by the end of this year.

Together with the OSCE SPMU, a **manual on best practices on building trust between police and Roma and Sinti** was published and launched. It is planned to translate the manual into several languages to increase its impact.

ODIHR continued its engagement to find sustainable solutions for **Roma in post-crisis situations** with co-organizing a roundtable in April, in co-operation with the Serbian authorities, to discuss challenges and durable solutions for Roma, Ashkali

and Egyptians displaced by the conflict in Kosovo. Attention is also paid to the repatriation of Roma from Western European countries to post-conflict areas, from the perspective of existing human rights standards.

Following up on the field assessment visit to **Hungary** in 2009 and the ensuing report on addressing violence and promoting integration of Roma, we are planning, together with the Hungarian authorities, a round-table discussion on the report's findings and recommendations to be held in Budapest later this year.

Special emphasis will continue to be put on promoting **equal access to early education and quality education** for Roma and Sinti children and - in co-operation with other institutions - to assist participating States in combating acts of discrimination and violence against Roma and Sinti and to counter negative stereotypes of Roma and Sinti in the media.

Following this year's initiative with Europe's Roma youth on remembering the Roma genocide, ODIHR will support a similar event dedicated to the remembrance of the Roma persecution under the Nazi regime this year. Also, on 27 January 2011, ODIHR in co-operation with the Council of Europe will launch a website to promote awareness of the genocide of Roma and Sinti people during World War II ([www.romagenocide.org](http://www.romagenocide.org)).

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#### **4. Human Rights**

In the field of human rights, ODIHR has intensified its support to **national human rights institutions** (NHRIs). NHRIs in Azerbaijan, Bosnia and Herzegovina, Kazakhstan and Uzbekistan benefited from legislative and technical assistance in the form of training sessions, workshops and expert advice. ODIHR has also undertaken a survey on the important co-operation between NHRIs and civil society actors which will be published in 2011.

With regard to **freedom of association**, ODIHR is finalizing an online guidebook on freedom of association to be launched in January 2011. Aimed at lawmakers, government officials, lawyers, judges, and NGO practitioners, it will outline international standards, jurisprudence, soft law and good practices. ODIHR will also be organizing a regional roundtable on government-NGO cooperation in Central Asia on 16-17 November in Almaty.

ODIHR held a second capacity-building workshop on **human rights education** in Istanbul in September for OSCE staff working in the field of human rights education, using the *Compendium of Good Practices in Human Rights Education* as a reference tool. Following a request by the government, the Compendium will also be presented in Turkmenistan this year. We have also initiated a process to develop standards for human rights education programmes that will be applicable in various participating States across the OSCE region.

In the area of **human rights and anti-terrorism**, our Office has continued training law enforcement officials on human rights and anti-terrorism, with training sessions

based on the ODIHR training manual “Countering Terrorism, Protecting Human Rights” scheduled to be delivered in Turkmenistan, the former Yugoslav Republic of Macedonia, as well as in Pristina. ODIHR will continue its co-operation with the Action Against Terrorism Unit and the Council of Europe Committee of Experts on Terrorism. In early 2011, ODIHR, together with the OSCE Office in Tajikistan, will start the implementation of a project aimed at developing and integrating a targeted human rights and anti-terrorism course into the regular curriculum of the Police Academy of Tajikistan.

With regards to **anti-trafficking**, we continued to work with participating States to increase respect for trafficked persons’ rights and combat human trafficking through strengthening human rights protection. Significant challenges in translating commitments into practice have been identified, especially in relation to human rights based victim identification and assistance, as well as effective access to justice, including compensation, in particular in cases of labour exploitation. ODIHR is currently finalizing guidance for practitioners and policy makers on human rights protection in the return of trafficked persons, which will be available early next year. We also continued to support activities on access to justice and compensation for trafficking victims, including training seminars and expert meetings for criminal justice actors, such as police, prosecutors, judges and lawyers, as well as civil society organisations.

In the area of **human rights and the armed forces**, we continue to promote the *Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel*. In May 2010, the Handbook was translated into Serbian and this version was launched and discussed by governmental officials and non-government organizations in Belgrade, and we have scheduled further similar events for the former Yugoslav Republic of Macedonia, as well as Azerbaijan, Albania and Turkmenistan in the upcoming months in cooperation with the Geneva Centre for Democratic Control of Armed Forces and local partners.

In the area of **women and security**, the recent Russian translation of the *Toolkit on Gender and Security Sector Reform* was presented during the Review Conference. Further trainings based on this toolkit will be organized in the coming year. Before the end of the year, ODIHR plans to follow up on the establishment of a Southeast Europe Women Police Officers Network, in close co-operation with the Southeast Europe Police Chiefs Association.

I am also pleased to say ODIHR has established a good relationship with the **OSCE Border Management Staff College**, co-organizing a training on “Human Rights and Border Control” in September and cooperating on course on human rights and gender-mainstreaming to be delivered in December 2010. Our Office has developed a Human Rights Monitoring Training for OSCE field operations which has so far been delivered to the OSCE Office in Tajikistan and is available upon request to all interested field operations.



## 5. Tolerance and Non-discrimination

This year, tolerance and non-discrimination has featured prominently on the OSCE agenda. ODIHR has worked closely with the Chairmanship on organizing **the High-level Conference on Tolerance and Non-Discrimination** held in Astana in June. Additionally, ODIHR has provided support to the Personal Representatives of the CiO in the framework of their visits to Georgia, the EU institutions, Germany, the United Kingdom and Sweden.

Based on contributions from OSCE participating States, inter-governmental organizations and NGOs, ODIHR's **annual report on hate crimes** will be launched on 16 November at the Annual Meeting of the National Points of Contact on Hate Crime in Warsaw. In the last six months, ODIHR has developed and published specific **booklets on hate crimes**, in close co-operation with the OSCE field operations in Bosnia and Herzegovina and in Kosovo. Additionally, ODIHR has provided training on hate crime for field staff from the OSCE, UNHCR and IOM. Finally, ODIHR, in co-operation with the International Association of Prosecutors, is in the process of developing guidelines for prosecutors on how to respond to hate crimes.

Following the tasking by the Athens Ministerial Council, ODIHR has continued to conduct activities exploring the potential link between **hate on the Internet and hate crimes**. After the successful meeting held in Warsaw in March, two further meetings were held in Amsterdam and in Brussels with Internet service providers as well as representatives of Microsoft. These meetings generated a number of recommendations and potential areas for follow-up activities, which are summarized in ODIHR's report, circulated this week, and will be followed up next year.

As regards **teaching materials on anti-Semitism**, ODIHR convened a meeting in Berlin in May, which explored ways to improve ownership of the materials by the relevant authorities. Also, ODIHR is holding a meeting for participating States' Ministries of Education representatives in Vienna on 8 November where these teaching materials will be presented as good practices in tackling intolerance in educational settings. ODIHR has also begun to develop an online version of its teaching materials to combat anti-Semitism.

Following positive feedback, ODIHR is currently developing **guidelines for educators** on how to address **intolerance against Muslims** in close co-operation with the Council of Europe and UNESCO. In collaboration with Switzerland's Federal Commission on Combating Racism, ODIHR convened on 23 October a conference for Swiss Muslim organizations to explore the potential benefits of creating an umbrella group representing domestic Muslim communities' interests.

ODIHR has continued to work with its Advisory Panel of Experts on updating ODIHR's **Guidelines on Freedom of Religion or Belief** with the view to publishing a second edition in 2011. In this regard, ODIHR continues to work closely with the Venice Commission. ODIHR is in close contact with the Chairmanship regarding the third Supplementary Human Dimension Meeting on 8 and 9 December that will be preceded by a seminar for civil society representatives.

Ladies and Gentlemen,

This was by no means a full account of all ongoing activities. I merely intended to give you a few highlights of our plans and priorities. In conclusion, allow me to express our gratitude for the excellent co-operation we are experiencing with a large number of participating States. I also wish to use this opportunity to express our appreciation to those States which support our work through extra-budgetary contributions, or secondments to the Office or election observation missions.

Thank you.