

Reporting by the Chair of the Human Dimension Committee

**Human Dimension Implementation Meeting
Opening Session
24 September 2012
Ambassador Thomas Greminger**



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Mandate



Decision no. 17/06, Improvement of the consultative process:

- Discuss human dimension issues, including implementation of the commitments
- Support the preparation of the HDIM and other human dimension meetings
- Consider cross-dimensional issues with a particular connection to the human dimension, when so requested by the Chairmanship in consultation with participating States
- Discuss recommendations to the Permanent Council on the programme of work, including actions to follow up on recommendations made at the human dimension meetings;

Main objectives for 2012 HDC

- Consolidate the functioning of the HDC based on a **substantive work plan** and a **structured agenda**
- Contribute to building **trust and confidence** among participating States through a **balanced work plan**
- Achieve the necessary **formal PC decisions** on dates/agendas of human dimension events **in a timely and efficient manner**
- Contribute to obtaining **relevant MC decisions in targeted areas**
- Support the process on **the review of human dimension events** effectively

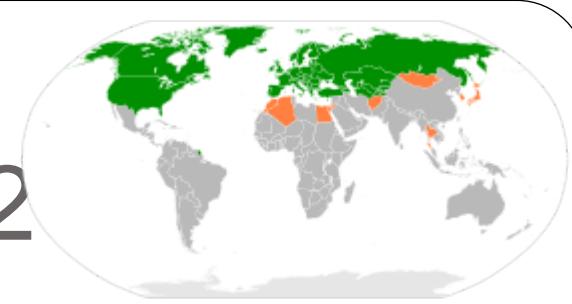
Structured agenda

- (1) Main topic,
- (2) Preparation of and follow-up to Human Dimension events,
- (3) Voluntary reports by the participating States on implementation of commitments and follow-up to recommendations,
- (4) Briefing by OSCE executive structures
- (5) Any other business

HDC work programme 2012

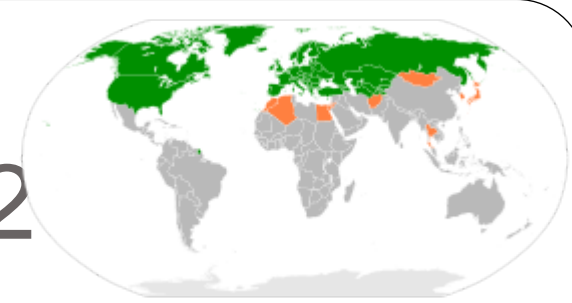
<p>Durable solutions for refugees and IDPs in Western Balkans <i>UNHCR SE Anne Willem Bijeveld</i></p>	<p>Gender issues <i>OSCE Gender Adviser Mira Beham</i> <i>OSCE SR June Zeitlin</i></p>
<p>Freedom of the media <i>OSCE RFoM Dunja Mijatovic</i></p>	<p>Human rights education <i>ODIHR, Pavel Chacuk</i></p>
<p>Tolerance and non-discrimination <i>Personal Representatives on Tolerance and Non-Discrimination</i></p>	<p>War crime justice project <i>ODIHR, Head of democratization Dpt, T. Vennen</i></p>
<p>Review of human dimension events <i>Ximpulse, Swiss think-tank</i></p>	<p>Hate crime <i>OSCE Field mission in Kosovo</i></p>
<p>Combating torture <i>UN SR Juan Méndez</i> <i>M. Thomson, APT</i></p>	
<p>Freedom of association and peaceful assembly <i>UN SR Maina Kiai</i> <i>Michael Hamilton, ODIHR Advisory Panel</i></p>	<p>Combating trafficking in human beings <i>OSCE SR Maria Grazia Giammarinaro</i></p>
<p>Economic, social, and cultural rights <i>Eibe Riedel, International law expert</i></p>	<p>Right to a fair trial <i>ODIHR</i></p>
<p>Human rights of IDPs <i>UN SR Chaloka Beyani</i></p>	<p>Death penalty <i>ODIHR</i></p>
<p>Human rights and national minorities <i>Professor Thürer, International law expert</i></p>	<p>Roma and Sinti <i>ODIHR Contact Point for Roma and Sinti, Andrzej Mirga</i></p>

HDC outcomes 2011-12



- 26 regular HDC meetings, 5 special HDC meetings
- Structured agenda
- Substantial exchanges on all relevant HD topics
- Preparations of HD events and their follow-up

HDC outcomes 2011-12



- 35 voluntary reports by 25 participating States
- Regular and extensive interaction with the OSCE executive structures
- Process of review of human dimension events launched and supported
- Creation of a constructive spirit without finger pointing
- Disappointing 2011 ministerial outcome in the human dimension.

Voluntary reports by participating States

- 35 voluntary report by participating States (2011-12)
 - Elections - follow-up given to ODIHR's reports:
 - Albania Estonia
 - Austria Denmark
 - Finland Poland
 - Moldova
 - Netherlands
 - Switzerland
 - Commitments related to equality, tolerance, and non-discrimination
 - Canada Multiculturalism and diversity
 - Croatia Reform of penal code and hate crime
 - Croatia Hate crime
 - United Kingdom Combating hate crime
 - Poland Prevention of hate crimes,
 - Turkey Tolerance and non-discrimination (victims of holocaust)
 - Best practices and implementation of commitments:
 - Albania right of the Child
 - Germany Freedom of assembly
 - USA Combat trafficking in persons
 - USA Freedom of assembly
 - USA Women, Peace and Security
 - Azerbaijan National Action Plan on HR
 - Belgium Counter-trafficking
 - Georgia Freedom of the media
 - UK Combating torture
 - Lithuania Domestic violence
 - Portugal Gender /CT
 - Ukraine Public information (legislation)
 - Serbia National human rights institution
 - Switzerland Implementation of UN Resolution 1325



HDC highlights 2011-12

Freedom of association and assembly

Panel discussion with UNSR Kiai, Michael Hamilton, member of the OSCE/ODIHR Panel of Experts on the Freedom of Assembly and ODIHR

Insights gained:

1. Freedom of assembly is an issue relevant for all participating States.
2. States have a positive obligation to actively protect associations and peaceful assemblies and allow for protests and use of the public space.
3. Restrictions should not be based on the content of the demonstration
- > lawfulness and peacefulness.
4. The OSCE/ODIHR Guidelines on Freedom of Peaceful Assembly are the most advanced set of good practices available to date -> replicate

HDC highlights 2011-12

Combating torture



Panel discussion with UNSR Méndez, Mark Thomson, SG APT, Maria Grazia Giammarinaro, OSCE SR CTHB

Insights gained:

1. Acts of torture and other cruel, inhuman or degrading punishment or treatment continue to exist -> need to deal effectively with torture.
2. States have a legal obligation to take effective legislative, administrative and judicial measures to prevent torture.
3. Global and regional efforts are needed to combat impunity and provide victims with effective remedies and adequate reparation.
4. OSCE should strengthen its work to combat torture through the ODIHR and the field operations.

HDC highlights 2011-12

Human rights of IDPs

Panel discussion with Dr. Chaloka Beyani, UN Special Rapporteur on the human rights of IDPs and Mr. Claus Neukirch, Deputy Director for Operations Service, CPC.

Insights gained:

1. With 2,5 million IDPs in the OSCE region, internal displacement constitutes a pressing human dimension concern.
2. OSCE comprehensive concept of security and commitment to human rights = good framework to enhance the protection of the human rights of IDPs.
3. States should implement the Guiding Principles which were formatted to look at the needs of IDPs in all phases of the conflict.
4. States should adopt comprehensive domestic measures on internal displacement.

To conclude...

HDC = Relevant OSCE instrument

Dialogue platform:

- Substantial discussion on all HD issues
- Exchange between OSCE institutions, field missions and participating States
- Voluntary reporting (soft peer review mechanism)
- Strengthened link between HD events (improved monitoring of commitments).