



**OSCE Human Dimension Implementation Meeting (HDIM)**

Warsaw, 25 September 2013

Working session 5 on Fundamental freedoms (II)

Statement by the Netherlands

Mr/Madam Moderator,

“Each individual has the right to be him or herself. It’s not up to the authorities to intervene in the rights of the individual. On the contrary: it is up to us, representatives of the OSCE participating States to defend these rights. Such a tasking is not for the state’s benefit, but for those who long to be who they are.”

Those were the words, used by Dutch Foreign Minister Timmermans during the Ministerial Council meeting in Dublin, in December last year, while looking ahead at the challenges the OSCE countries remain to face. And his words are still valid today.

In line with the EU statement, it is up to us to defend those rights and freedoms – in a concerted effort with civil society and human rights defenders. A vigorous and independent civil society is essential to make the OSCE area a secure region in the world. Since, non-governmental organizations and human rights defenders help us mirroring and provide information which is relevant for assessing our human dimension commitments.

The Netherlands is especially concerned about the oppression and restrictions faced by NGO’s and human rights defenders in several OSCE countries, such as Russia. For example by restrictions created on receiving and accessing funds from abroad. This curbs the right of human rights defenders to freedom of association and their efforts to protect human rights.

The Netherlands also wants to express its concerns on intended or adopted legislation banning ‘homosexual propaganda’ in several states and regions in the OSCE area. The implementation of such laws not only reinforces discrimination and violence against LGBT people, but limits the rights and freedoms of all people, in particular by limiting the freedom of expression and the freedom of association and assembly.

As the Venice Commission of the Council of Europe concluded, this recently adopted LGBT and NGO legislation does not comply with the European Convention on Human Rights.

The Netherlands would like to encourage all OSCE states to create a safe and enabling environment for all people. It is worth reminding ourselves that every participating State, including the Netherlands, has room for improvement. Improvement on adhering to commitments made on human rights, fundamental freedoms and the rule of law. We are pleased to witness such a varied and dedicated group of non-governmental partners, present here in Warsaw. We look forward to working with you as partners, in our joint effort to make the OSCE area a secure region where all fundamental freedoms are respected.