



Report by Ambassador Janez Lenarčič,
Director of the OSCE Office for Democratic
Institutions and Human Rights (ODIHR)

at the
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Excellencies,
Ladies and Gentlemen,

It is a great pleasure to report to you on the activities undertaken by ODIHR since my last appearance here about five months ago. While we are already approaching the second quarter of the year, this is my first opportunity in this forum to thank Ambassador Turunen and his team for the support they have provided to us throughout 2008. I also look forward to continue working with you, Madame Chairperson, and the Greek Chairmanship team in implementing the many activities we have planned for this year.

The intention of the present report is to outline the issues that have had the most prominence during the last few months and to give an overview of planned activities for this coming year. While it would be difficult to account for each and every ODIHR activity, I should be able to give you a comprehensive picture of the activities that have been and will be in the forefront of our attention, in particular taking into account the recently adopted decisions on the topics and dates for human dimension events.

My remarks will be guided by the human dimension commitments and the assistance that my office can provide to the participating States in implementing these commitments.

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Let me start with the activities in the area of **tolerance and non-discrimination**. Just recently, at the beginning of March, for the first time ever within an OSCE context, an expert discussion on intolerance and discrimination against Christians took place. Eminent academics and international experts, including members of the ODIHR Advisory Panel of Experts on Freedom of Religion and Belief, representatives of civil society, members of religious communities and associations and delegations of participating States contributed to the successful event. Besides identifying issues in connection to this topic, the meeting raised visibility and highlighted the relevance of the phenomenon of intolerance and discrimination against Christians. It also provided some additional ideas for dealing with it, which we will explore further.

Work has also progressed on developing teaching materials on anti-Semitism. Such materials have so far been launched in 5 countries, Poland having been the most recent one earlier this month. The Ukrainian Ministry of Education has also just approved the Ukrainian version of the teaching materials for use in schools. Similar materials are being developed in six other participating States. Two days ago, we organised a *Roundtable on Combating Anti-Semitism* here in Vienna with the aim of discussing recent trends and developments concerning hate crimes motivated by anti-Semitism and incidents across the OSCE region.

In December 2008 ODIHR organized its third civil society roundtable on combating intolerance and discrimination against Muslims, with a specific focus on youth and education. In addition to identifying challenges and good practices in this field, the roundtable allowed ODIHR to increase its partnership with key youth NGOs at the early stages of a new project seeking to develop educational tools to confront anti-

Muslim attitudes and behaviours. ODIHR is also supporting the development of country-specific resource guides on Muslims for interested countries. These guides will be practical reference tools including information on the historical background, demographic structure, and community organization of Muslims. They will also address the use of images, language and terminology to avoid stereotypes and generalizations. The *Reference Guide on Muslims in Spain*, to be launched in Madrid on 20 April, is the first in this series and we look forward to supporting the development of similar projects in other participating States.

ODIHR is convinced that the co-operation with the newly appointed three personal representatives of the Chairperson-in-Office dealing with the promotion of tolerance and non-discrimination in their respective areas is going to be as successful as with their predecessors. It is at this point that I wish to extend my gratitude to Mme. Crickley, Ambassador Orhun and Professor Weisskirchen for their dedicated work in the past four years.

In the area of combating hate crime, we will continue to provide assistance for legislators, law enforcement and authorities involved in data collection. We also started work on the *Supplementary Human Dimension Meeting on Hate Crimes* that is to take place soon after the spring recess.

As we will be commemorating the International Day for the elimination of racial discrimination on Saturday, let me also remind you that we are launching a *Practical Guide on Hate Crime Laws* today at 3.15pm here in the Hofburg. The *Guide* has already been used as the basis for legislative reviews and training, and has been translated into several languages, including French, Russian, German and Romanian. Tomorrow, a roundtable on '*Racism in the OSCE Region: Old Issues, New Challenges*' is taking place. I hope delegations will attend both events.

ODIHR also continues its work on providing legislative and practical assistance in the area of freedom of religion and belief, drawing on the experience of the Advisory Panel of Experts on Freedom of Religion and Belief, and will co-ordinate with the Chairmanship on preparations for the Supplementary Human Dimension Meeting on this topic in summer.

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In the area of **human rights**, I would like to highlight ODIHR's activities in providing advice, assistance, training, and capacity building to assist participating States in implementing their commitments in key areas:

- In the context of addressing the threat of terrorism in line with international human rights standards, ODIHR has contributed input outlining relevant activities and commitments as requested in the Helsinki Ministerial Council decision 10/08. Further, we are proceeding with follow-up to the *Istanbul Expert Meeting on Security, Radicalization and the Prevention of Terrorism* by exploring in more depth the areas highlighted at the meeting. We do so in order to support participating States in developing a better understanding of practice and challenges in these areas across the OSCE.

- Enabling exploited and trafficked persons to access justice is still a challenge for participating States throughout the OSCE region, and it remains one of the priorities of our Anti-Trafficking Programme. As a follow-up to the publication of the study *Compensation for Trafficked and Exploited Person in the OSCE Region* in May last year (I would like to note that the Russian version of the study is now available), we are conducting training workshops on compensation and other rights of exploited and trafficked persons in criminal, civil and labour law proceedings. In Albania, for example, these trainings are conducted with the support of the Training School for Magistrates and the Centre for Legal and Civil Initiatives. We also continue to draw States' attention to the need to ensure that the human rights of marginalized groups, such as migrants and minorities, are protected to prevent their exploitation and trafficking. We equally continue to assist participating States to identify and address gaps in their anti-trafficking policies, such as labour trafficking.
- We are in final stages of preparation of a *Compendium of good practices on human rights education* and we thank participating States that provided examples for this resource. In addition, to contribute to increasing effectiveness of human rights education for children and youth, we are organizing, together with the Lithuanian Ministry of Education, a Regional Forum "*Human Rights Education: Achievements, Lessons Learned and Perspectives*" in April in Vilnius.
- In line with our continued focus on support for translating commitments into practice at the national level, we are organizing implementation events on the basis of the *Handbook on Human Rights and Fundamental Freedoms of Armed Forces Personnel*, with a roundtable scheduled to take place in Armenia next month in co-operation with the OSCE Office in Yerevan and hosted by the Ministry of Defence of Armenia.
- Similarly, events in support of the practical application of gender mainstreaming in security sector reform are planned on the basis of the Toolkit on Gender and Security Sector Reform. Recognizing and addressing the different security-related needs of men and women ensures not only compliance with international legal standards, such as UNSCR 1325 and OSCE commitments, but also makes the security sector more effective and accountable. Awareness-raising events and trainings, based on the Toolkit, are planned in South-Eastern Europe and the Caucasus, targeting Parliamentarians and civil society. We are also working with the SEE regional policing association to integrate gender in their work. Translation of the Toolkit into Russian will be finalized by the end of the year.

In the time since my last appearance in the PC, we have celebrated the 60th anniversary of *Universal Declaration of Human Rights* that has been commemorated also in the Permanent Council under the auspices of the then Finnish Chairmanship and the then French EU Presidency. In this respect, let me mention the ongoing work of our Focal Point on Human Rights Defenders and NHRIs. In December, we launched our second *Report on Human Rights Defenders in the OSCE Region*. The report outlined a number of good practices in support of an enabling environment for defenders based on responses to a questionnaire from participating States (and international organizations, NGOs, and field presences). However, the report also showed a number of worrying trends. These trends serve as a basis for the work of the

Focal Point. For example, on freedom of assembly, the Focal Point continues capacity building activities at the national level. On freedom of association, an online guidebook on good practices related to legislation and practices affecting NGOs is under development.

I would like to use this opportunity to raise another issue of importance: as you know, ODIHR has been designated by participating States to provide support for the implementation of the Moscow Mechanism and to maintain a list of experts appointed by participating States. The situation is now critical as there are only 27 experts on the list and the Moscow Document stipulates that 45 experts are required to make the list of experts operational. I would therefore like to appeal to participating States to nominate candidates to the list of experts.

I concluded my last address to the PC back in October with updating you on the progress of preparations for the report on the human rights situation in war-affected areas following the conflict in Georgia. I would like to note here that many, if not all, recommendations in that report remain relevant and should be urgently followed-up. We hope this will be possible in whatever format agreed upon.

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The Ministerial Council meeting in Helsinki brought a new impetus to the implementation of the Action Plan on improving the situation on Roma and Sinti in OSCE area. Early education for Roma and Sinti children, as stated in the Helsinki Ministerial Council decision, is to be used as an instrument of preventing social exclusion and marginalization, and ODIHR is determined to follow-up on this issue.

ODIHR, through its **Contact Point on Roma and Sinti Issues**, continues to assist participating States in implementing the *Action Plan on Improving the Situation on Roma and Sinti within the OSCE Area*. A significant step in this direction was the launch of our Status Report, which sets the agenda for future CPRSI activities. The findings of the report helped to identify early education as a priority in this regard. Equal access to education and promotion of early education for Roma children, as stated in Helsinki Ministerial Council decision 6/08, shall be used as an instrument for preventing social exclusion and marginalization. A consultation meeting with relevant stakeholders will be held in Warsaw tomorrow and will identify concrete future activities in this area. In addition, the HDIM 2009 will host a Special Day on Early Education for Roma and Sinti Children, as decided by the PC.

One positive example of engagement was the visit of an ODIHR/HCNM delegation to Italy last year, in co-ordination with the Italian authorities. The purpose of the visit was to look into the situation of Roma and Sinti. The report of the visit, which includes a number of recommendations, was published earlier this month. We hope that the authorities will respond positively to our suggestion to hold a roundtable meeting.

ODIHR has also publicly commented on worrying trends in the last months regarding the emergence of a climate of hatred against Roma and Sinti in some OSCE participating States, which in some cases has led to violence and even deaths.

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ODIHR's **Democratization Department** is currently strengthening its offer of institution-building assistance and expertise to participating States – assistance which, in most cases, is delivered with and through the OSCE network of field operations. Democratic governance and participation in public affairs, with a special emphasis on women's participation, is becoming a major focus in line with recommendations made at Human Dimension meetings last year, in particular the SHDM on Democratic Law-making.

The provision of assistance to legislators in developing laws which are consistent with OSCE commitments remains at the centre of the department's work. This is supplemented by programmes addressing the wider issues of law-making. Such activities are being carried out at the invitation of a number of participating States such as Turkmenistan and the former Yugoslav Republic of Macedonia.

Also in the rule of law and legislative field, ODIHR has started preparations for the forthcoming seminar on '*Strengthening the Rule of Law in the OSCE Area, with a Special Focus on the Effective Administration of Justice*', on 12-14 May in Warsaw, taking into account the Helsinki Ministerial Council decision on Rule of Law.

On Tuesday, I was in The Hague where I met with the President of the ICTY and the Chief Prosecutor to discuss our joint project supporting the transfer of best practices from the Tribunal to domestic courts in South-Eastern Europe. Together with the relevant OSCE field operations and national authorities, we are currently indentifying concrete capacity building and knowledge transfer activities to be implemented from autumn of this year.

Following up on last year's conference on the implementation of the Optional Protocol to the Convention Against Torture (OPCAT) in the OSCE region, follow-up events are planned in April in Bishkek and Podgorica, to provide OSCE field operations with a forum for discussing how to better assist participating States in implementing the protocol. Our support to this process also includes an up-coming publication on torture prevention outlining the range of activities carried out by the OSCE to date in the fight against torture.

I would also like to draw the attention of Delegations to the *Expert Meeting on Population Registration*, scheduled to take place on 31 March here in the Hofburg which will provide a forum for policy-makers and experts from participating States to comment on, and enrich with national experiences, ODIHR's draft *Guidelines on Population Registration*. These Guidelines are being developed to underpin the Organization's work in support of effective and sustainable voter registration and to promote population registration practices which ensure freedom of movement.

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In planning its activities at the beginning of the year, ODIHR devotes particular attention to **human dimension events** scheduled for that year. As you all know, the Human Dimension Implementation Meeting is the most important event in the human dimension that gathers hundreds of participants from all participating States and

allows for an intensive exchange of views on the level of implementation of human dimension commitments. Let me, in this regard, note an important element in our human dimension events, notably the participation of civil society. The importance of participation of civil society representatives in OSCE events, in line with the commitments made in Helsinki 1992 (Chapter IV, para 15(2)), is apparent, and I believe this is an excellent opportunity for participating States to listen to and engage in dialogue with civil society groups.

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Finally, I would like to say a few words about ODIHR's **election-related activities**. ODIHR has recently deployed needs assessment missions to Iceland and Albania, and will send such missions to Lithuania as well as to Brussels in preparation of a possible observation of the European Parliament elections in June. We are, in this context, grateful for the efforts of the Czech EU Presidency to facilitate individual invitations which have started to come in. We have so far received less than half of the invitations and I would like to encourage the remaining EU Delegations to also forward their invitations.

I myself will travel to Skopje tomorrow, where presidential and local elections are taking place this weekend. We will also observe the early parliamentary elections in Montenegro on 29 March and the parliamentary elections in Moldova on 5 April. In all three cases, our Election Observation Missions were deployed weeks ago. We do hope to work closely with the OSCE Parliamentary Assembly in a common endeavour, in line with the OSCE Ministers' intention that our co-operation shall work as a partnership among equals. From Skopje, we have indications that our cooperation there is smooth. You will not be surprised to hear from me that I want this partnership to work, in order to continue to produce fact-based analysis and credible findings, the essence of our work.

Last week's meeting in Athens organized by the Chairmanship proved useful in identifying a number of areas in which the co-operation between our long-term observation presence and the parliamentary short-term observation component can be further improved. I wish to personally thank Ambassador Marinaki for her efforts to ensure the implementation of MC Decision 19/06. As I have said in Athens, I am committed to strengthen this partnership in the context of the upcoming observation missions but I also count on a similar commitment on the side of the OSCE PA leadership. I would like to add that I have received such a commitment from many members of the Parliamentary Assembly of the Council of Europe when I was invited to their Bureau meeting in Paris last week.

In the field of elections, I would also like to note the forthcoming presidential elections in Afghanistan. Following the conference of Asian partners for co-operation in Kabul last year, ODIHR has conducted training activities for election officials and for short-term observers and intends to organize a meeting in Warsaw in early April, to bring Afghan election stakeholders, representatives of international organizations in Kabul and ODIHR experts together to discuss recommendations formulated by the 2004 and 2005 OSCE Election Support Teams. We have also been in contact with international actors in Afghanistan – UN, EU, governmental and non-governmental organizations – to identify ongoing technical assistance activities and identify where

ODIHR expertise could be shared in an attempt to avoid unnecessary duplication and add value. Incorporating ODIHR expertise under an existing security umbrella should also be more effective and will save considerable funds for the Organization.

ODIHR also continues its work on election observation follow-up and we are happy to note positive responses from participating States for this endeavour. In particular, I would like to note here the ongoing follow-up process to the election observation of the 2008 parliamentary elections in Belarus. Early this year, ODIHR experts discussed at length the findings and recommendations included in ODIHR's final report with our Belarusian partners and we look forward to the next stage which hopefully will result in amendments to the election law in line with ODIHR recommendations.

Let me also report on this occasion that, in 2008, ODIHR deployed 10 needs assessment missions, 7 full election observation missions, 3 limited election observation missions, and 2 election assessment missions. We thank participating States for the secondment of observers to all these elections, and hope that the secondments for election observations will continue despite the increasingly difficult economic situation.

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Speaking about the economic situation, I would also like to repeat my appeal for looking favourably at ODIHR's request for **resources** for 2009, and to wish delegations and the chairmanship an early conclusion of negotiations on this year's Unified Budget.

Let me conclude by thanking participating States for their continued support to my Office and its activities and reiterate our wish to work and assist in the areas of promoting human rights, tolerance and non-discrimination and democratic processes throughout the OSCE area.

Thank you.