



# **Follow-Up on Recommendations in the OSCE PA's Oslo Declaration**

## **General Committee on Democracy, Human Rights and Humanitarian Questions**

### **Final Report for the 2011 Annual Session**

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## Contents

Introduction.....	2
Religious Freedom and the Separation between Religious Communities and the State .....	3
Protection of Investigative Journalists .....	5
National Minorities in Inter-State Relations .....	8
Internally Displaced Persons and Refugees .....	10
Women's Reproductive Health.....	12
Human Trafficking.....	13
The Human Rights and Fundamental Freedoms of Armed Forces Personnel.....	15

Note on sources: In December 2010, the International Secretariat circulated a questionnaire to OSCE PA Delegations, asking for information on the implementation of OSCE PA recommendations in the Oslo Declaration. This report offers citations of the responses provided by parliaments, which are available in electronic format from the OSCE PA International Secretariat. The International Secretariat wishes to thank the Delegations that provided answers, as well as the OSCE Secretary General for information provided on behalf of the OSCE.

## Introduction

Around 250 parliamentarians from 43 OSCE participating States met in Oslo from 6 to 10 July 2010 to assess developments and challenges relating to security and co-operation, focusing on the general theme of *Rule of Law: Combating Transnational Crime and Corruption*. In addition to addressing the human dimension of the general theme, the Third General Committee on Democracy, Human Rights and Humanitarian Questions passed resolutions dealing with, *inter alia*, religious freedom, the protection of investigative journalists, national minorities in interstate relations, women's rights and reproductive health, and human trafficking.

This Follow-Up Report considers actions taken by the OSCE, including Institutions and Field Operations, over the past year in relation to the OSCE PA's recommendations. Developments within participating States relating to the Oslo Declaration's recommendations are detailed in responses provided by national OSCE PA delegations on a voluntary basis, and are available in electronic format. The Secretariat wishes to extend sincere thanks to those delegations that took the time to respond in the interest of sharing best practices.

While the majority of the recommendations addressed here are found in the OSCE PA's Oslo Declaration of July 2010, key themes from past Declarations have also been considered, to ensure greater continuity and scope. The International Secretariat appreciates the input on their work within these fields provided by the OSCE Secretary General, the Representative on Freedom of the Media and the Director of the Office for Democratic Institutions and Human Rights.

## The Astana Summit

In December 2010, Heads of State and Government assembled in Astana in the first OSCE Summit meeting in 11 years, as had been called for by the OSCE parliamentarians in Oslo. The meeting was intended to bring renewed political impetus to the OSCE process. In a commemorative declaration, the leaders of the OSCE participating States reaffirmed their adherence "to all OSCE norms, principles and commitments, starting from the Helsinki Final Act, the Charter of Paris, the Charter for European Security and all other OSCE documents to which we have agreed, and our responsibility to implement them fully and in good faith."

While no specific new agreements were reached, participating States reiterated their commitment to comprehensive, co-operative, equal and indivisible security, which relates the maintenance of peace to the respect for human rights and fundamental freedoms, and links economic and environmental co-operation with peaceful inter-State relations.

## **Religious Freedom and the Separation between Religious Communities and the State**

### **I. Oslo Declaration**

Recognizing freedom of religion as a fundamental human right, the Oslo Declaration called for an extension of freedom of religion for individuals and communities, especially in light of increased religious diversity in the OSCE area, and due to the greater cultural diversity brought about, to a large extent, by migration flows.

The resolution stressed that religious freedom is “essentially connected to the respect for human dignity and reaffirming the value of the right to freedom of religion, as well as of the related rights to freedom of opinion and expression, assembly and association,” and called on participating States “to ensure within their societies a peaceful coexistence based on the principle of respect; a political order configured according to the principle of separation between religious communities and the State; and relations between public administrations and religious faiths inspired by the principle of co-operation.”

### **II. OSCE Initiatives**

#### *OSCE Supplementary Human Dimension Meeting*

The OSCE Supplementary Human Dimension Meeting on Freedom of Religion or Belief was held in Vienna on 9-10 December 2010. In three focused sessions, the meeting dealt with topics such as *OSCE Commitments on Freedom of Religion or Belief: Emerging Issues and Challenges*; *Education and Religion or Belief*; and *Religious Symbols and Expression*. The meeting brought together OSCE officials, members of civil society and high-level representatives of the United Nations' Office of the High Commissioner on Human Rights as well as the Council of Europe's Venice Commission.<sup>1</sup>

On the opening day of the meeting, Janez Lenarcic, the Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), and Heiner Bielefeldt, the UN Special Rapporteur on Freedom of Religion or Belief, called on States to remove undue restrictions on the fundamental freedom of religion or belief. Lenarcic and Bielefeldt warned that in many countries, individuals and communities still face impediments in enjoying freedom of religion or belief. The ODIHR Director noted that some participating States have a tendency of promoting tolerance and mutual understanding among major faith groups while neglecting their commitment to respect religious rights for all. “Fostering tolerance and dialogue among mainstream religions is to be encouraged,” he said, “but it cannot substitute for the protection of

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<sup>1</sup> “Schedule of Side Events to Take Place During the Supplementary Human Dimension Meeting on: ‘Freedom of Religion or Belief’,” 9-10 December 2010, <http://www.osce.org/odihhr/73963>

the freedom of religion or belief of all members of society, including smaller and less popular groups.”<sup>2</sup>

### *OSCE Review Conference*

Session Two of the human dimension part of the OSCE Review Conference, held in Warsaw on 1 October 2010, was devoted to fundamental freedoms including freedom of thought, conscience, religion or belief. Participants commended the advances made in protecting the freedom of religion or belief since the last such OSCE Review Conference in 1999. It was noted, however, that violations of religious freedom continued to take place in the OSCE area.

The European Union, in its statement, noted that “One of the most persistent problems in some OSCE participating States is the curtailment of the freedoms of religion or belief in light of security concerns.” While acknowledging that these concerns are often legitimate and that countering extremism continues to be a challenge for all OSCE countries, the EU recalled that restrictions on the freedom of religion or belief must be narrowly defined and extremely limited.<sup>3</sup>

### *Lithuanian Chairmanship's Priorities*

In its Work Programme for 2011, the Lithuanian Chairmanship deals specifically with the prevention of hate crimes, suggesting particular emphasis on educational measures, through both formal and informal programmes, awareness-raising initiatives from or for the media, civil society, political or community leaders as well as inter-religious, inter-ethnic or inter-cultural initiatives. The Chairmanship stresses that it will provide political guidance to, and support for the initiatives and activities of, the three CiO Personal Representatives on tolerance and non-discrimination, within their respective mandates.<sup>4</sup>

On 23-24 March the high-level meeting “Confronting Anti-Semitism in Public Discourse” organized by the Chairmanship and the ODIHR took place in Prague. The meeting demonstrated that co-operation between different actors is fundamental in tackling anti-Semitism, especially issues related to the Anti-Semitic discourse and hate on the Internet. The meeting called for more decisive steps to counter expressions of intolerance and hatred while preserving the freedom of speech.<sup>5</sup>

### *Supplementary Human Dimension Meeting*

On 14-15 April the OSCE held a meeting on National Human Rights Institutions and

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<sup>2</sup> OSCE Press Release: “Ahead of Human Rights Day, OSCE human rights chief, UN Special Rapporteur call for removing undue restrictions on religious freedom,” 9 December 2010, <http://www.osce.org/odihr/74525>

<sup>3</sup> OSCE Review Conference, Warsaw, 1 October 2010: “EU Statement – Session 2: Fundamental Freedoms I (1)”

<sup>4</sup> “Programme of Lithuania's chairmanship 2011,” <http://esbo.urm.lt/index.php?1860759643>

<sup>5</sup> OSCE Press Release: “Participants at OSCE meeting call for more decisive steps to confront anti-Semitism in public discourse,” 23 March 2011, <http://www.osce.org/odihr/76202>

recommended to national human rights institutions that they promote freedom of religion as an important element of preventing discrimination and intolerance.<sup>6</sup>

### *OSCE Field Activities*

OSCE missions regularly contribute to work aimed at promoting freedom of religion. On 25 May, within the framework of the project on “Enhancing dialogue by promoting freedom of religion as a basic human right”, the OSCE Centre in Bishkek organized a roundtable on freedom of religion and belief that brought together state officials and religious leaders from the three southern provinces of Osh, Jalal-Abad and Batken. Participants discussed the integration of standards of freedom of religion and belief into current national legislation and ways to improve it as a guarantee of this basic right.<sup>7</sup> On 17 February the OSCE Office in Yerevan supported a roundtable discussion to review legal opinions aimed at helping to improve Armenia's legislative framework for freedom of religion or belief. International experts presented the assessment and recommendations contained in the legal opinions and discussed ways to create legislation in line with international standards.<sup>8</sup>

## **III. National Initiatives**

More on ensuring religious freedom and establishing an effective separation between church and state can be found on pp. 16-17 of Azerbaijan's response, pp. 16-17 of Canada's response, p. 5 of the Czech Republic's response, pp. 4-5 of part 2 of France's response, pp. 14-24 of Greece's Third Committee response, p. 9 of Liechtenstein's response, pp. 16-18 of Poland's response, p. 3 of San Marino's response, and p. 1 of Turkey's response.

## **Protection of Investigative Journalists**

### **I. Oslo Declaration**

The OSCE PA's Resolution on the Protection of Investigative Journalists underlines the vital role played by independent media and investigative journalists in exposing corruption and contributing to the strengthening of democratic society. Noting that investigative journalists are frequently targeted by the authorities, the resolution calls on participating States to ensure that their laws, regulations and policies promote the free flow of information as well as the public's access to information. It further calls on governments to carry out prompt and thorough investigations into threats and physical attacks against investigative journalists and to vigorously prosecute all of those responsible for the murder of investigative journalists.<sup>9</sup>

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<sup>6</sup> OSCE Supplementary Human Dimension Meeting on National Human Rights Institutions, 14-15 April 2011, pg. 6,7 <http://www.osce.org/odihr/78301>.

<sup>7</sup> OSCE Press Release: “OSCE promotes dialogue between government and religious leaders in southern Kyrgyzstan,” 25 May 2011, <http://www.osce.org/bishkek/78106>

<sup>8</sup> OSCE Press Release: “OSCE Office supports discussion to improve Armenia's legal framework for freedom of religion or belief,” 17 February 2011, <http://www.osce.org/yerevan/75652>

<sup>9</sup> OSCE Parliamentary Assembly, “Oslo Declaration of the Parliamentary Assembly and Resolutions Adopted at the Nineteenth Annual Session,” Oslo. 6 July to 10 July 2010, 63

## II. OSCE Initiatives

### *Chairmanship's 2011 Work Programme*

According to the Lithuanian Chairmanship's Work Programme for 2011, the "safety of journalists needs to be seriously addressed, taking into account the large number of cases of threats and violence against media workers in the OSCE area." The Chairmanship has placed a particular priority on work within the field of media freedom, and urges an open and inclusive discussion among politicians, media and civil society, which should help promote agreement on recommendations that need to be taken in order to improve the security of journalists.

The Lithuanian Chairmanship, together with the Representative on Freedom of the Media, held a conference devoted to safety of journalists in June in Vilnius on 7-8 June 2011.<sup>10</sup>

### *OSCE Representative on Freedom of the Media*<sup>11</sup>

The OSCE Representative on Freedom of the Media, Dunja Mijatovic, organized a number of seminars and workshops highlighting the need for the 56 participating States to uphold media freedom commitments, including the obligation to provide safety to journalists. The OSCE Representative on Freedom of the Media made several public statements in efforts to combat violence and harassment against media professionals in various countries, including Turkey,<sup>12</sup> Russia,<sup>13</sup> Serbia,<sup>14</sup> Belarus,<sup>15</sup> Greece,<sup>16</sup> the United States of America,<sup>17</sup> Azerbaijan,<sup>18</sup> and Kyrgyzstan.<sup>19</sup>

In her report to the OSCE Permanent Council on 13 March 2011, Ms. Mijatovic praised the Lithuanian Chairmanship for making media and, particularly, journalists' safety, one of its priorities for its term in office. She reported that there are many positive trends taking place in OSCE participating States when it comes to media freedom. "With many governments we are

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<sup>10</sup> Please see section below on this conference.

<sup>11</sup> More information on the Representative on Freedom of the Media activities please find in Regular Report to the Permanent Council FOM.GAL/5/10/Rev.1, 16 December 2010

<sup>12</sup> OSCE Press Release, "OSCE Media Freedom Representative calls upon Turkey to release imprisoned journalists, reform media legislation," 14 September 2010, <http://www.osce.org/item/46057.html>

<sup>13</sup> OSCE Press Release: "Представитель ОБСЕ по вопросам свободы СМИ шокирована очередным нападением на журналиста в России," 8 November 2010, <http://www.osce.org/fom/74104>

<sup>14</sup> OSCE Press Release: "OSCE media freedom representative strongly condemns brutal attack on Serbian journalist," 26 July 2010, <http://www.osce.org/fom/72108>

<sup>15</sup> OSCE Press Release: "Представитель ОБСЕ по вопросам свободы СМИ призвала к проведению тщательного и независимого расследования смерти директора оппозиционного интернет-сайта в Беларуси," 6 September 2010, <http://www.osce.org/node/72216>

<sup>16</sup> OSCE Press Release: "OSCE media freedom representative condemns murder of Greek political blogger," 19 July 2010, <http://www.osce.org/fom/72091>

<sup>17</sup> OSCE Press Release: "OSCE media freedom representative condemns arrest of journalists covering protest at U.S. military base," 23 November 2010, <http://www.osce.org/fom/74197>

<sup>18</sup> OSCE Press Release: "OSCE media freedom representative welcomes release of Azerbaijani blogger and calls for release of other two imprisoned journalists," 18 November 2010, <http://www.osce.org/fom/74166>

<sup>19</sup> OSCE Press Release: "OSCE media freedom representative calls on new Parliament in Kyrgyzstan to decriminalize defamation, continue media reform," 10 November 2010, <http://www.osce.org/fom/74117>

actively engaged in legislative reforms – decriminalization of defamation, codes of practices and the like,” she said.

She pointed however to ongoing harassment of journalists and the criminalization of their work across the OSCE region. “Literally dozens of journalists are sitting behind bars because they had the courage to do their work and the courage to report a story,” she said. “In five OSCE participating States journalists currently are in jail while hundreds are awaiting trial. The journalists are beaten, intimidated and harassed in several more participating States.”

### *Conference on Safety of Journalists in the OSCE Region*

The Representative on Freedom of the Media, together with the OSCE Chairperson-in-Office, Lithuanian Foreign Minister Audronius Azubalis, hosted a conference in Vilnius on 7-8 June which was organized jointly with the OSCE Troika and Ukraine. The event brought together representatives of governments, law enforcement authorities, media, legislators and NGOs from across the OSCE to examine the current situation on the safety of journalists.<sup>20</sup>

Addressing the opening session of the conference on 7 June, OSCE PA President Petros Efthymiou said, “No society is totally free without the unburdened exchange of news, views and ideas. At the same time, no society is secure in the absence of a free press.”<sup>21</sup> Reminding participants of Assembly recommendations on protecting journalists, the President stressed the value of legislation designed to protect the free flow of information, particularly highlighting the PA’s recommendation against enacting or keeping laws which contain vague wording that can be abused.

Recommendations made by the Chairmanship and the Representative on Freedom of the Media include a strong encouragement to OSCE participating States to treat violence against journalists; calling on governments to give their full political support to the strengthening of media freedom; calling on governments to create legislation that fosters media freedoms, and to support the work of the OSCE field operations in the field of media freedom.<sup>22</sup>

### *Seminar on Investigative Journalism in Pristina*

On 23 and 24 May, the OSCE Mission in Kosovo and the OSCE Mission to Serbia organized a seminar in Pristina on investigative journalism, aimed at improving regional co-operation between media professionals in pursuing this journalistic genre. The seminar placed special emphasis on investigative reporting on organized crime and corruption in the region.<sup>23</sup>

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<sup>20</sup> OSCE Media Advisory: “Ensuring safety of journalists to be focus of OSCE conference in Vilnius,” 1 June 2011, <http://www.osce.org/cio/78334>

<sup>21</sup> OSCE PA News from Copenhagen: “Efthymiou calls for increased protection of journalists,” 8 June 2011

<sup>22</sup> OSCE Representative on Freedom of the Media, ‘Vilnius Recommendations on Safety of Journalists’, CIO.GAL/111/11, 8 June 2011, <http://www.osce.org/cio/78522>

<sup>23</sup> OSCE Mission in Kosovo: ‘Seminar on Investigative Journalism’, <http://www.osce.org/kosovo/77697>

Participants at the seminar agreed that “stronger co-operation between journalists and a working environment free from undue pressure are prerequisites for successful investigative reporting.”<sup>24</sup>

### **III. National Initiatives**

More on measures to protect investigative journalists undertaken by participating States can be found under pp. 12-13 of Canada's national response; the Czech Republic's response on p. 4; France on p. 3 of part 2; Germany's response (p. 5), Greece's response (pp. 1-3); Iceland (p. 7); Liechtenstein (p. 7); Lithuania (p. 2 of part 3); Poland (pp. 12-13), and Turkey (p. 1).

## **National Minorities in Inter-State Relations**

### **I. Background**

#### *Oslo Declaration*

Recalling previous recommendations made by the OSCE High Commissioner on National Minorities, the Council of Europe's Venice Commission, and the United Nations, the Oslo Declaration recommended that OSCE participating States “adopt a political declaration endorsing the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations and agree to adhere to their principles.” It called upon States to refrain from taking unilateral steps, including “extending benefits to foreigners on the basis of ethnic, cultural, linguistic, religious and historical ties that have the intention or effect of undermining the principle of territorial integrity, and from providing direct or indirect support for similar initiatives undertaken by non-State actors.”<sup>25</sup>

#### *The OSCE Framework on National Minorities*

The 1990 Copenhagen Conference agreed that the participating States, in their efforts to protect and promote the rights of persons belonging to national minorities, will fully respect their undertakings under existing human rights conventions and other relevant international instruments. The protection of residence rights and the limitation of the circumstances in which an individual can be expelled from a state are part of European human rights commitments in particular through the European Convention on Human Rights.

### **II. OSCE Activities**

#### *Commemoration of International Events*

On the International Day for the Elimination of Racial Discrimination, in Vienna and Warsaw on 21 March 2011, Nils Muiznieks, Chair of the Council of Europe's European Commission against

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<sup>24</sup> Press Release ‘OSCE promotes co-operation between journalists from Prishtinë/Priština, Belgrade in investigative reporting’, 24 May.

<sup>25</sup> OSCE Parliamentary Assembly, 2010, “Resolution on National Minorities in Interstate Relations”, Oslo Declaration, p. 65.

Racism and Intolerance (ECRI), Morten Kjaerum, Director of the European Union Agency for Fundamental Rights (FRA), and Janez Lenarcic, Director of ODIHR, made a joint statement strongly condemning manifestations of racism and related intolerance. In order to combat racism and xenophobia proactively they pledged to support and assist States in finding sustainable solutions at local, national, and European levels, through the provision of data, research findings, specialist advice, and co-ordinating support, on the basis of complementary fields of expertise.<sup>26</sup>

On the International Day of Roma, in Belgrade on 8 April 2010, the Head of the OSCE Mission to Serbia, Ambassador Dimitrios Kypreos expressed his hope that the Roma community will be fully included in Serbian society. He highlighted the significance of the role played by the Roma National Minority Council in Serbia and noted that he expected a positive impact in advocating for education, official use of language, culture and media. Ambassador Kypreos also drew attention to the work of Roma health mediators, teaching assistants and non-governmental organizations, all of whom are working toward advancing the position of Roma.<sup>27</sup>

*OSCE-supported event on Kyrgyzstan's national strategy for inter-ethnic relations*

Kyrgyzstan's Presidential Administration with the support of the OSCE High Commissioner on National Minorities and the OSCE Centre in Bishkek organized a roundtable discussion on 28 March 2011. The topic of the discussion was a new framework document for managing Kyrgyzstan's ethnic diversity. It focused on key areas including civil and political participation, language policy, multicultural and multilingual education, culture and media, as well as managing inter-ethnic relations at the local community level. The event brought together Members of Parliament, representatives of the Presidential Administration and independent experts.<sup>28</sup>

*"Max van der Stoel Award 2011"*

For extraordinary achievement in improving the position of national minorities in the OSCE area, every second year starting from 2011 the Netherlands will present a EUR 50,000 Max van der Stoel Award to an individual or institution. The award is presented in honour of and named after the first OSCE High Commissioner on National Minorities, who served two terms as Dutch Foreign Minister. The 2011 winner will be selected by a jury headed by the current High Commissioner, Ambassador Knut Vollebaek. The award will be presented at a special ceremony in October in The Hague.<sup>29</sup>

*"The Protection of National Minorities: The Bolzano Recommendations and OSCE Policy"*

Italy's OSCE PA Delegation in co-operation with the Autonomous Province of Bolzano-Bozen held a seminar on the protection of national minorities in Bozen-Bolzano, Italy on 20 May. The

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<sup>26</sup> OSCE/ODIHR, Council of Europe and EU Fundamental Rights Agency make joint statement on International Day for the Elimination of Racial Discrimination, 21 March 2011, <<http://www.osce.org/odihr/76174>>.

<sup>27</sup> OSCE Mission to Serbia head marks International Roma Day, 8 April 2010, <<http://www.osce.org/serbia/76538>>.

<sup>28</sup> OSCE supports elaboration of Kyrgyzstan's national strategy for inter-ethnic relations, 28 March 2011, <<http://www.osce.org/bishkek/76224>>.

<sup>29</sup> OSCE, Call for nominations for award honouring work with national minorities, 29 March 2011, <<http://www.osce.org/hcnm/76272>>.

seminar focused on legislative follow-up to the Bolzano Recommendations, which range from respecting international borders and rights of all minorities to avoiding a country conferring citizenship *en masse* to minorities living abroad or forcing minorities to assimilate against their will where they are residing. It was attended by 120 delegates from 24 participating States.

PA Vice-President and Head of the Italian Delegation Riccardo Migliori noted that the biggest challenge is to transform the Bolzano recommendations into legally binding legislation in participating States. In addition, the Italian Delegation to the OSCE PA proposed to regularly organize seminars to review how States have progressed.<sup>30</sup>

### *Italian and Croatian MPs' talks on national minorities*

Leaders of the Italian and Croatian delegations to the OSCE Parliamentary Assembly organized a two-day meeting on 5 May 2011 with local officials on Croatia's Istrian Peninsula aimed at strengthening co-operation on issues related to national minorities. The MPs stressed the importance of the development of strong international co-operation on this issue in order to prevent the resurgence of nationalistic approaches in Europe.<sup>31</sup>

## **Internally Displaced Persons and Refugees**

### **I. Oslo Declaration**

In Oslo, OSCE parliamentarians passed a resolution that deals with the importance of providing aid and assistance to refugees in need. Stressing the need to “relieve the hardship and suffering of those who are already bearing the brunt of a genuine material, physical and psychological distress as they have been forced to leave their own countries and sever their family and social ties due to such serious causes as armed conflicts, natural and environmental disasters, or famine” the resolution urges participating States “to negotiate amongst themselves agreements and procedures allowing for a more equitable sharing of the flow of refugees who have been or are to be admitted.”

### **II. OSCE Initiatives**

The situation of refugees in the OSCE area was addressed during Working Session 6 of the OSCE Review Conference in Warsaw in September 2010. A representative of the UN High Commissioner for Refugees reported during the meeting that at the end of 2009, globally, around 43.3 million people were forcibly displaced, which included 15.2 million refugees, while the total number of IDPs as a result of armed conflict was estimated at 27.1 million. Of that number,

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<sup>30</sup> OSCE PA News from Copenhagen, “Italian Delegation holds Seminar on protecting minority rights,” 25 May 2011 <[http://www.oscepa.org/images/stories/documents/News%20from%20Copenhagen/2011\\_372-News\\_from\\_Copenhagen\\_391.pdf](http://www.oscepa.org/images/stories/documents/News%20from%20Copenhagen/2011_372-News_from_Copenhagen_391.pdf)>.

<sup>31</sup> OSCE PA Press Release, “Italian, Croatian MPs visit Istria for talks on national minorities,” 6 May 2011, <[http://www.oscepa.org/index.php?option=com\\_content&view=article&id=1041:italian-croatian-mps-visit-istria-for-talks-on-national-minorities&catid=48:Press%20Releases&Itemid=73](http://www.oscepa.org/index.php?option=com_content&view=article&id=1041:italian-croatian-mps-visit-istria-for-talks-on-national-minorities&catid=48:Press%20Releases&Itemid=73)>.

4.8 million persons are in the OSCE region.<sup>32</sup> Among these 4.8 million people, there are 2.5 million refugees and asylum seekers, 1.4 million internally displaced persons and more than 880,000 returnees, stateless and other persons of concern.<sup>33</sup> Particular concern was expressed regarding the statelessness of 692,000 persons in the OSCE area in 2009.

The UNHCR has continued to closely co-operate with the OSCE in supporting governments that are amending their laws to align their national legislation with international refugee law, standards and good practice. Noting that many OSCE countries host stateless persons, it is expected that their identification and registration will help facilitate the acquisition of nationality for these people, such as the large-scale projects that exist in Ukraine, the Russian Federation, Bosnia and Herzegovina, Montenegro, Serbia, and the former Yugoslav Republic of Macedonia. There are successful examples of OSCE-UNHCR co-operation in Southeastern Europe, Southern Caucasus, parts of Central Asia, and in Eastern Europe.

The UNHCR representative explained that resettlement is a key protection tool, but only benefits one per cent of the refugees. 2009 had the lowest global return figure of IDPs in two decades worldwide, and long-term forced displacement remains a problem also in the OSCE region.<sup>34</sup>

On 27 May 2011 the OSCE held a meeting in Vienna on internally displaced persons, refugees, returnees and stateless persons, which focused on recent examples of forced population movements, and how to resolve the plight of people affected and find sustainable solutions to displacement situations in the OSCE area.

Ambassador Thomas Greminger of Switzerland, the Chairperson of the OSCE Human Dimension Committee, in his speech stressed the need to integrate questions of refugees and IDPs into peace-building processes, strengthen and implement the relevant normative framework, and mainstream protection of their rights into the OSCE system.<sup>35</sup>

In June 2011 OSCE PA President Petros Efthymiou visited a settlement facility for IDPs in Georgia, within the context of his visit Presidential visit to Georgia.

### **III. National Initiatives**

More on assisting IDPs and refugees can be found on pp. 15-16 of Canada's response, pp. 4-5 of Czech Republic's response, p. 15 of Latvia's response, p. 9 of Liechtenstein's response, and pp. 10-11 of Sweden's response.

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<sup>32</sup> "Refugee Protection and Displacement in the OSCE Region – Commitments for Protection and Solutions", UNHCR Contribution to Working Session 6 of the OSCE Review Conference, Warsaw, 30 September to 8 October 2010

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> OSCE Press Release, "Identifying protection gaps, exploring ways to assist refugees, displaced and stateless persons focus of OSCE meetings," 27 May 2011, <http://www.osce.org/cio/78206>

## **Women's Reproductive Health**

### **I. Oslo Declaration**

Recognizing that reproductive health problems remain the leading cause of ill health and death for women of childbearing age worldwide and that the Millennium Development Goal (MDG) 5, sets a target of reducing maternal mortality by 75 per cent by 2015, the OSCE Parliamentary Assembly passed a resolution in Oslo urging OSCE participating States to promote and protect women's sexual and reproductive rights. The resolution calls on participating States to address maternal mortality, HIV/AIDS, gender inequalities and discrimination against women and girls in the OSCE area by strengthening their political efforts and partnerships between States, civil society and the private sector.<sup>36</sup>

### **II. OSCE Initiatives**

#### *OSCE Field Activities*

The OSCE Centre in Astana co-organized in September 2010 a two-day roundtable meeting to discuss the implementation, monitoring and reporting on the Convention on the Elimination of All Forms of Discrimination against Women. The event brought together some 40 representatives of different government ministries, the National Human Rights Centre and the National Commission on Women and Family Policy, as well as various non-governmental and international organizations. Participants discussed achievements and challenges in the field of protection and promotion of women's rights.<sup>37</sup>

The Centre also co-organized in February 2011 a high-level conference on gender equality and integration of women with disabilities into society. More than 50 representatives of the parliament, the presidential administration, government agencies, non-governmental and international organizations as well as media representatives took part in the conference. The protection of disabled women's reproductive health was addressed.<sup>38</sup>

### **III. National Initiatives**

More on women's reproductive health can be found on p. 18 of Azerbaijan's response, p. 10 of Liechtenstein's response, pp. 17-18 of Poland's response, pp. 23-24 of Romania's response, and p. 2 of Turkey's response.

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<sup>36</sup> OSCE Parliamentary Assembly, "Oslo Declaration of the Parliamentary Assembly and Resolutions Adopted at the Nineteenth Annual Session," Oslo, 6 July to 10 July 2010, 67

<sup>37</sup> OSCE Press Release, 23 September 2010, <http://www.osce.org/astana/72325>

<sup>38</sup> OSCE Press Release, "OSCE Centre promotes efforts to integrate disabled women into society", 10 February 2011. <http://www.osce.org/astana/75523>

# Human Trafficking

## I. Oslo Declaration

The Resolution on Stepping up the Struggle Against Human Trafficking for Purposes of Sexual Exploitation in OSCE Countries calls on OSCE participating States “to step up their efforts in the struggle against this scourge, defined by the United Nations as 21<sup>st</sup> century slavery.” It encourages the active engagement of the OSCE in order to ensure “full and effective application of the instruments for effectively combating trafficking in human beings,” recommending several specific measures that can be taken to improve the legal frameworks of participating States.

In the Resolution on Combating Demand for Human Trafficking and Electronic Forms of Exploitation the OSCE Parliamentary Assembly presented a number of recommendations intended to improve co-operation and communication in the fight against trafficking in human beings. Parliamentarians encouraged the OSCE and participating States to take immediate steps to promote the aggressive prosecution of purchasers of human trafficking victims.<sup>39</sup>

## II. OSCE Initiatives

### *Special Representative and Co-ordinator for Combating Trafficking in Human Beings*

Maria Grazia Giammarinaro, the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, worked in close co-operation with the OSCE field operations in developing target oriented training courses for professionals working in the anti-trafficking field, especially law-enforcement personnel, to raise their skills in anti-trafficking efforts.<sup>40</sup> In addition, in 2010 the Special Representative commissioned research to produce a two-part background paper on codes of conduct. The first part looks at the implementation and enforcement of codes of conduct in the private sector to reduce demand for the services of or goods produced by victims of trafficking. The second part focuses on the implementation and enforcement of codes of conduct, zero-tolerance policies and other policies that address the demand for exploitative labour and commercial sex in military and international organizations. The research will be published in 2011.<sup>41</sup>

### *OSCE Strategic Police Matters Unit*

The OSCE Strategic Police Matters Unit (SPMU) has organized regular discussions among experts from police, judicial authorities and civil society on how better to combat the use of the Internet for sexual exploitation of children. The conclusion drawn was that the police, prosecutors and judges need more training in relation to the obtaining, handling and use in court of electronic evidence. Among the staff of the SPMU an expert on investigation of trafficking in

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<sup>39</sup> OSCE Parliamentary Assembly, “Oslo Declaration of the Parliamentary Assembly and Resolutions Adopted at the Nineteenth Annual Session,” Oslo, 6 July to 10 July 2010, 80-81

<sup>40</sup> Communication from OSCE Secretary General, 7 February 2011

<sup>41</sup> Ibid.

human beings is also tasked with the implementation of mandates related to child sexual exploitation.<sup>42</sup>

From 25 to 28 May 2011, in Vilnius, the SPMU held a training seminar for cybercrime experts and law enforcement investigators on how to combat sexual abuse of children on the Internet. Participants from Moldova, the Republic of Belarus, Romania, the Russian Federation, Ukraine and Lithuania discussed how co-operation, co-ordination and information-sharing can help them better detect, investigate and prosecute sexual abuse of children on the Internet. "Sexual abuse of children on the Internet is a serious offence that cannot be stopped by state borders. The knowledge gained and personal links made during this seminar will benefit regional efforts to combat sexual abuse of children," said Edita Ziobiene, the Lithuanian Ombudsman for Children's Rights during the seminar.<sup>43</sup>

### *High-level Conference against Trafficking in Persons*

The 11th High-Level Alliance against Trafficking in Persons Conference was hosted by the OSCE on 20 and 21 June in Vienna. The two-day event brought together more than 300 senior government officials, national anti-trafficking co-ordinators and rapporteurs, representatives from international and non-governmental organizations, law enforcement agencies and trade unions, as well as employers' organizations and migrants' rights groups. The focus of the conference was on social justice as a core element in the fight against human trafficking for labour exploitation.

"Inequalities in income, education and opportunities are major root causes of trafficking, inducing many to migrate to seek for a better life," said Ms. Giammarinaro at the opening session of the conference. "Due to growing inequalities in destination countries exploitation increasingly is seen as 'normal.' Therefore, social justice is at the core of a comprehensive and long-term strategy against trafficking."<sup>44</sup>

The conference addressed labour migration policy and anti-trafficking actions, codes of conduct, the role of workers and their organizations, access to remedies and social inclusion of trafficked persons.<sup>45</sup>

### *OSCE Field Activities*

OSCE field missions are particularly active in working to combat trafficking in human beings. Ongoing work includes enhancing awareness of the issue, improving co-ordination of measures against trafficking on a national level, and enhancing co-operation in the field of police and judicial operations.

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<sup>42</sup> Communication from OSCE Secretary General, 7 February 2011

<sup>43</sup> OSCE Press Release 'OSCE holds regional training seminar in Lithuania to combat sexual abuse of children on the Internet', 25 May 2011, <http://www.osce.org/spmu/78115>

<sup>44</sup> OSCE Press Release, "Human trafficking for labour exploitation is modern-day slavery, OSCE Special Representative says at Alliance conference," 20 June 2011, <http://www.osce.org/cthb/78789>

<sup>45</sup> Media Advisory, 15 June 2011, 'Safeguarding rights to prevent trafficking for labour exploitation focus of OSCE-hosted Alliance Conference in Vienna', <http://www.osce.org/cthb/78662>

OSCE-supported human trafficking awareness courses to strengthen law enforcement capacities have been held in a number of participating States, including Uzbekistan and Kazakhstan in the past year. In addition, OSCE Field Missions supported development of National Action Plans to Combat Human Trafficking in OSCE participating States, such as Armenia, Tajikistan, and Ukraine.

A High-Level Dialogue on Human Trafficking was held in Tajikistan in August 2010. It brought together state authorities, representatives of civil society, international organizations and diplomatic missions to discuss the results of the Government's Action Plan to Combat Trafficking in Persons. The dialogue continues on a quarterly basis.<sup>46</sup>

### **III. National Initiatives**

More on governments' efforts in combating the trafficking of human beings can be found in the national responses of Azerbaijan (pp. 14-15 ); Canada (pp. 13-16); the Czech Republic (p. 4); France (p. 3 of part 2); Germany (p. 2) Greece (pp. 3-12); Iceland (pp. 7-8); Latvia (pp. 9-13); Liechtenstein (pp. 7-9); Lithuania (p. 2 of part 3); Poland (pp. 13-15); Romania (pp. 14-17); San Marino (p. 3); Sweden (pp. 9-11), and Switzerland (pp. 2-3).

## **The Human Rights and Fundamental Freedoms of Armed Forces Personnel**

### **I. Oslo Declaration**

In Oslo, OSCE parliamentarians called on the governments of participating States to commit themselves to extensively circulating information about human rights and fundamental freedoms among members of their armed forces, among qualified personnel in the defense field and among the bodies and individuals of their political institutions, referring also to how such rights are recognized outside of national borders.<sup>47</sup>

The OSCE parliamentarians further called on governments to commit themselves to amending their national legislation in order to afford a broader range of protections to the members of the armed forces, with a view to implementing standards that are necessary for the building of a proper European and transnational army whose members enjoy the same set of rules and rights.

### **II. OSCE Initiatives**

On 22 February 2011 the OSCE supported a discussion in Yerevan, Armenia focused on international best practices for democratic control of the armed forces and human rights protection in the military in Armenia. The event contributed to a recently intensified debate in

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<sup>46</sup> OSCE Office in Tajikistan, Activity Report: 01 – 31 August 2010, SEC.FR/488/10, 13 September 2010

<sup>47</sup> Handbook on the Human Rights and Fundamental Freedoms of Armed Forces Personnel can be found here: <http://www.osce.org/odihr/31393>.

Armenia about the respect for human rights in the armed forces. The discussions highlighted OSCE commitments in this field, national legislation, Armenia's regulatory framework and the role of different institutions in protecting human rights and fundamental freedoms of armed forces personnel.<sup>48</sup>

The OSCE/ODIHR recommended to national human rights institutions that they continue monitoring human rights in the armed forces during the Supplementary Human Dimension Meeting on 14-15 April 2011 in Vienna.<sup>49</sup>

The OSCE/ODIHR has launched an online video campaign promoting women in the armed forces. In it, Robert-Jan Uhl says that "excluding women in the armed forces is a matter of discrimination, a matter of equal opportunity, and it is a matter of equal access to employment."<sup>50</sup> Many OSCE participating States have lifted restrictions and the number of positions available to women has increased. However, the OSCE is further calling for a move from formal equality to actual equality by having active policies in place to ensure that women can rise through the ranks and reach all positions in the armed forces.

### **III. National Initiatives**

More information on human rights and fundamental freedoms of armed forces personnel can be found on pp. 6-7 of Azerbaijan's response, pp. 4-5 of Canada's response, p. 2 of Czech Republic's response, p. 5 of the Czech Republic's response, p. 4 of Germany's response, pp. 1-3 of Greece's First Dimension response, p. 5 of Iceland's response, p. 5 of Liechtenstein's response, p. 1 of part 3 of Lithuania's response, p. 6 of Poland's response, pp. 12-14 of Romania's response, pp. 19-21 of Romania's response, pp. 3-4 of Sweden's response, pp. 19-20 of Switzerland's response.

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<sup>48</sup>OSCE Press Release, "OSCE Office promotes respect for human rights in Armenia's army," 22 February 2011, <http://www.osce.org/yerevan/75717>

<sup>49</sup>OSCE Supplementary Human Dimension Meeting on National Human Rights Institutions, 14-15 April 2011, pg. 7 <http://www.osce.org/odihr/78301>.

<sup>50</sup> OSCE, 2 March 2011, Women in the Armed Forces, <http://www.youtube.com/watch?v=1Xv0UI-mUF8>.