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DRAFT RESOLUTION

FOR THE GENERAL COMMITTEE ON DEMOCRACY, HUMAN RIGHTS AND HUMANITARIAN QUESTIONS

***“THE ROLE OF THE OSCE IN THE CURRENT SECURITY
ARCHITECTURE: A PARLIAMENTARY PERSPECTIVE”***

**RAPPORTEUR
Mr. Malik Ben Achour
Belgium**

BUCHAREST, 29 JUNE – 3 JULY 2024

DRAFT RESOLUTION FOR THE GENERAL COMMITTEE ON DEMOCRACY, HUMAN RIGHTS AND HUMANITARIAN QUESTIONS

Rapporteur: Mr. Malik Ben Achour (Belgium)

1. Reaffirming all politically binding human dimension commitments adopted by OSCE participating States, starting with the Helsinki Final Act and subsequent documents, and stressing that safeguarding human rights and fundamental freedoms is imperative for security in the OSCE region,
2. Expressing grave concern over armed conflicts, violence, political repression, discrimination, racism, and the disregard for human life and human dignity, which undermines democracy and human rights in OSCE participating States,
3. Emphasizing the integral role of democratic institutions and the rule of law in upholding human rights and fundamental freedoms to foster stable, inclusive, and peaceful societies in the OSCE region,
4. Condemning in the strongest terms the Russian Federation's war of aggression against Ukraine and the blatant violations of international humanitarian law and breaches of international human rights laws,
5. Extending unwavering support to the people of Ukraine, and highlighting the profound human suffering resulting from the Russian Federation's full-scale invasion of Ukraine, particularly affecting civilians,
6. Acknowledging the dire situation of millions of refugees and forcibly displaced persons within and across OSCE borders, and stressing the obligation to ensure their safety and security, especially at-risk groups such as women and children,
7. Recalling OSCE commitments and previous Parliamentary Assembly resolutions in the field of migration governance and integration, in particular the Resolution on Ensuring a Coherent, Shared and Responsible Governance of Migration and Refugee Flows (2017), the Resolution on Minors on the Move: The Role of the OSCE and the OSCE Parliamentary Assembly in Building an Effective Protection Framework (2018), as well as the Resolution on Effective Migration Governance Based on Promoting Inclusive Societies and Dignified Returns (2019),
8. Recognizing the invaluable contribution of human rights defenders in relation to safeguarding effective and human rights-compliant asylum and migration policies,

9. Expressing alarm over the staggering rise of attacks against journalists, human rights activists, and political opponents in the OSCE region, including harassment, physical assaults, legal pressure, targeted surveillance, arbitrary detention, and deadly violence, and mourning the loss of political prisoners Alexei Navalny, Igor Lednik and Vadzim Khrasko,
10. Noting with grave concern that minority populations, including ethnic, racial, religious, gender and sexual minorities, as well as vulnerable groups across the OSCE region, continue to face systemic barriers, discrimination, and lack adequate protections, impeding their well-being and hindering their full and equal enjoyment of fundamental freedoms and human rights,
11. Concerned about the persistence within institutions of a culture that employ excessive or disproportionate force across the OSCE, and condemning any efforts to weaken civil society through intimidation, systematic police violence, and unlawful detention,
12. Deeply concerned about independent media outlets facing increasing pressure, including forced closures and broadcasting bans, as well as the shut down of human rights organizations and groups in the OSCE region,
13. Noting the dangers pertaining to the proliferation of artificial intelligence and the associated risks to media freedom and the spread of misinformation and disinformation undermining democratic processes,
14. Alarmed over recurring incidents of police violence, in many instances fatal, in different parts of the OSCE region, and calling for effective investigations of human rights violations,

The OSCE Parliamentary Assembly:

Protecting Civilians in Armed Conflict and Respect for International Humanitarian Law

15. Urges all parties in the war in Ukraine to fully comply with their obligations under international humanitarian law to ensure the protection of the civilian population and civilian infrastructure;
16. Calls upon the Russian Federation to withdraw its forces and proxies from all areas of Ukraine which it currently occupies to end the suffering of the people of Ukraine, and deplores the grave breaches of international human rights law and international humanitarian law by Russian Federation forces in Ukraine, including willful killings, deliberate attacks on civilians and civilian infrastructure, unlawful confinement, torture, rape and other sexual violence;
17. Disturbed by the degrading and inhumane treatment, including abuse, torture, and summary executions, of prisoners of war by Russian Federation forces

in violation of the provisions of the 1949 Geneva Convention and its Additional Protocol I;

18. Acknowledges the disproportionate toll of Russia's war of aggression on Ukraine on internally displaced and marginalized communities, notably women and children, and urges heightened focus to address gender-based violence and violence targeting children;
19. Urges the Russian Federation to unconditionally release all illegally detained Ukrainian citizens, as well as those forcibly transferred or deported across internationally recognized borders of Ukraine to the Russian Federation;
20. Welcomes the invocation of the OSCE Moscow Mechanism to “*address arbitrary deprivation of liberty of Ukrainian civilians by the Russian Federation*” by 45 OSCE participating States;
21. Deplores conflict-related sexual violence committed by the Russian Federation’s armed forces and by affiliated armed groups against the civilian population of Ukraine, including prisoners of war;
22. Expresses grave concern about Ukrainian children forcibly deported to Russian-occupied territories of Ukraine and the Russian Federation, and noting that the forcible transfer and deportation of population constitutes crimes against humanity, and possibly genocide, under Article II of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide;
23. Welcomes the investigation by the International Criminal Court into the crimes related to the Russian Federation’s war of aggression against Ukraine, to initiate the effective and comprehensive prosecution of gross human rights violations and breaches of international humanitarian law committed in Ukraine;
24. Encourages Armenia and Azerbaijan to continue to engage in constructive dialogue and negotiate a comprehensive settlement, and in this regard, considers it important to effectively investigate breaches of international humanitarian law and human rights violations reported in relation to the entire Karabakh conflict;
25. Acknowledges the potential security threats and possible spillover effects emanating from the war in Gaza, and resolutely condemns the 7 October 2024 terrorist attacks committed by Hamas in southern Israel;
26. Recognizes the rapidly worsening humanitarian crisis in Gaza and its catastrophic repercussions on the civilian population, and calls for the rapid, safe, and unimpeded access of humanitarian aid into Gaza, the immediate release of all hostages held in the Gaza Strip, and the establishment of a ceasefire in line with UN Security Council Resolution 2728;

27. Expresses grave concern over possible war crimes and other grave violations of international humanitarian law in the hostilities in the Gaza Strip, including the preliminary ruling of the International Court of Justice finding a plausible case of genocide on the part of Israel;

The Plight of Refugees, Forcibly Displaced Persons, and Migrants

28. Encourages increased efforts to ensure the protection and dignified treatment of refugees, forcibly displaced people, and migrants in line with international obligations and OSCE commitments;
29. Gravely concerned by the continued flow of refugees and migrants risking their lives to reach Europe, and acknowledging the EU Pact on Migration and Asylum, which encompasses a set of regulations and policies aimed to at creating fairer, efficient, and more sustainable migration and asylum processes;
30. Emphasizes the need to combat the heinous practice of human trafficking and other forms of exploitation of migrants, refugees, and forcibly displaced persons, which pose a grave threat to human security across the OSCE;
31. Calls on all OSCE participating States to prioritize the welfare of migrants and asylum seekers in transit and all stages of the reception process and to respect and implement all internationally binding obligations with the aim of upholding the full spectrum of human rights and fundamental freedoms of migrants, irrespective of their migration status;
32. Reaffirms that co-operation with authorities in the countries of origin and transit, as well as the outsourcing of asylum procedures to third countries, shall not result in human rights violations or lead to collective pushbacks of migrants and asylum seekers;
33. Urges OSCE participating States to establish and strengthen legal and regulatory frameworks for safe and lawful migration pathways for individuals seeking asylum;
34. Calls for the establishment of voluntary return mechanisms, safe pathways, and resettlement processes that ensure clear, transparent, and fair treatment of irregular migrants in compliance with international human rights law;
35. Welcomes the steps taken by the Azerbaijani government to facilitate the return of internally displaced persons and the ethnic Armenians to the Karabakh region, and further encourages providing an enabling environment, including adequate security guarantees and the protection of property in accordance with international human rights norms, so that they may return

to their homes or places of residence and voluntarily re-integrate into Azerbaijan;

36. Recognizes the humanitarian impact caused by the displacement of over 100,000 ethnic Armenian refugees from Azerbaijan to Armenia, and calls upon OSCE participating States to support the government of Armenia in providing immediate humanitarian assistance to those in need;
37. Applauds the efforts of OSCE participating States in hosting and providing safe transit to Ukrainian refugees, and urges the continuation of the provision of material, logistical, and medical assistance to Ukrainian refugees and to support Ukrainian authorities in implementing long-term assistance programs for internally displaced persons while maintaining access to international protection mechanisms, including temporary protection measures;
38. Calls upon States hosting Ukrainian refugees to maintain a flexible approach to short-term returns to Ukraine and to refrain from withdrawing temporary protection status from those who return home for short periods of time (less than three months), as such visits can help pave the way for more durable returns in the future once conditions permit;

Fundamental Freedoms in the OSCE Region

39. Urges participating States to adopt comprehensive measures in line with international obligations and OSCE commitments to ensure the safety of journalists and media workers and establish early-warning and accountability mechanisms for comprehensive investigation and prosecution of crimes committed against journalists;
40. Strongly condemns the persistent crackdowns against political dissidents and anti-war protestors in Belarus and the Russian Federation, and calls for the immediate launch of an international, credible investigation into the circumstances of the death of the opposition leader Alexei Navalny;
41. Calls upon OSCE participating States to fulfill their international legal obligations to safeguard the right to the freedom of speech and the right to protest, and urges participating States to lift restrictions on peaceful anti-war demonstrations in support of a Gaza ceasefire and the protection of civilians in the Gaza Strip and the Middle East;
42. Urges OSCE participating States, in consultation with the OSCE Representative on the Freedom of the Media, to enact measures aimed at safeguarding journalists, whistleblowers, media outlets, and human rights organizations against strategic litigation designed to interfere with the right to freedom of expression and freedom of association, thereby hampering and preventing the work of independent media, human rights groups, and civil society organizations;

43. Calls on OSCE participating States to ensure media pluralism and diversity through human rights-focused regulatory frameworks, including by means of artificial intelligence-related strategies and policies to preserve and foster media and the internet as spaces for democratic participation and representation;
44. Encourages OSCE participating States to develop and implement measures to combat the proliferation of disinformation and fake news on social media platforms in line with their international human rights obligations;
45. Recognizes that artificial intelligence can be harnessed as an effective tool to safeguard human rights and combat crimes such as human trafficking;
46. Encourages OSCE participating States to develop, support, and enhance regulatory frameworks related to safe, secure, and trustworthy artificial intelligence systems that create an enabling ecosystem at all levels to safeguard media freedom and ensure the dissemination of accurate information in the digital age;
47. Strongly condemns the unprecedented suppression of independent media outlets across the OSCE region, including the practice of labeling independent media and media workers as ‘foreign agents’ or ‘undesirable’ in a number of participating States;
48. Calls for the immediate release of all illegally detained journalists and political prisoners in the OSCE region, and stresses participating States’ international human rights obligations as it pertains to civil and political liberties;

Policing in Democratic Societies

49. Calls for the establishment of robust oversight mechanisms and legal frameworks aimed at ensuring accountability for human rights abuses committed by law enforcement officials on the basis of OSCE and the OSCE Office for Democratic Institutions and Human Rights recommendations on policing;
50. Stresses the importance of adopting policies that recognize the role of policing in fostering positive inter-ethnic relations, integrating broader efforts aimed at minority integration as set out by the guidelines of the High Commissioner on National Minorities on policing in multi-ethnic societies;
51. Urges participating States to integrate a gender perspective into policing to provide more effective safety and access to justice, including addressing specific safety concerns of women and LGBTQI+ people;

52. Calls on all OSCE participating States to put in place law enforcement measures to effectively respond to cases of gender-based violence while maintaining a victim-centered approach.

**GENERAL COMMITTEE ON
DEMOCRACY, HUMAN RIGHTS AND HUMANITARIAN QUESTIONS**

PROPOSED AMENDMENT to the DRAFT RESOLUTION

[Set out text of Amendment here:]

Principal Sponsor:

Mr/Mrs	Family Name in Capital Letters	Country	Signature

Co-sponsored by:

Mr/Mrs	Family Name in Capital Letters	Country	Signature