



## 2015 OSCE HUMAN DIMENSION SEMINAR

### **The Role of National Human Rights Institutions (NHRI) in promoting and protecting human rights in the OSCE area**

Warsaw, 1 – 3 June 2015

#### **ANNOTATED AGENDA**

##### **I. Introduction & Aims of the Seminar**

Human Dimension Seminars are organized by the OSCE/ODIHR in accordance with the decisions of the Conference on Security and Co-operation in Europe (CSCE) Summits in Helsinki (1992) and Budapest (1994). The 2015 Human Dimension Seminar is devoted to “*The role of national human rights institutions (NHRI) in promoting and protecting human rights in the OSCE area*”; in accordance with PC Decision No.1164.

National human rights institutions (NHRIs) are fundamental building blocks of the human rights architecture. Their importance has been recognized in OSCE commitments. In Copenhagen in 1990 participating States pledged to “... facilitate the establishment and strengthening of independent national institutions in the area of human rights and the rule of law...”. NHRIs protect and promote human rights by handling individual complaints of human rights violations, identifying protection gaps in national human rights systems and providing recommendations on how to address them, conducting human rights education, and engaging with international human rights mechanisms. Active support for the establishment of strong and independent NHRIs, as well as building capacity of existing institutions, is instrumental for the implementation of the OSCE human dimension commitments. To promote these efforts and to highlight the importance of NHRIs in the OSCE region, the 2015 Human Dimension Seminar will discuss the challenges and priorities NHRIs face in the protection and promotion of human rights.

##### **II. Participation**

Representatives of OSCE participating States and structures, relevant regional and international organizations, as well as representatives of civil society and development agencies are invited to participate in the Seminar.

The OSCE’s Partners for Co-operation are invited to attend and share their views and ideas on the effectiveness of co-operation between the OSCE and other regional and international organizations.

OSCE participating States are requested to publicize the Seminar widely within their networks of co-operation, with a particular focus on including experts and delegation representatives working with regional and international counterparts in the human dimension.

Participants are also encouraged to make brief oral interventions during the Seminar. While prepared interventions are welcomed during the plenary sessions, free-flowing discussion and exchanges are encouraged during the Working Group Sessions. All participants are encouraged to submit in advance written interventions outlining proposals regarding the topic of the Seminar, which will be distributed to the delegates.

### **III. Organization**

The Seminar venue is Sofitel Victoria Hotel, Ul. Królewska 11, Warsaw.

The Seminar will open on Monday, 1 June 2015, at 10 a.m. It will close on Wednesday, 3 June 2015, at 6 p.m.

All plenary sessions and working group sessions will be open to all participants. The delegations of the participating States will be able to exercise their right of reply throughout the Seminar. All participants will have equal access to the list of speakers during the working group sessions of the Seminar. The plenary and working group sessions will take place according to the work programme below.

Four working group sessions will be held consecutively. They will focus on the following topics:

Working group I: **Establishing NHRIs and strengthening their independence and effectiveness**

Working group II: **Good practices in the work of NHRIs in promotion and protection of human rights**

Working group III: **Cooperation between NHRIs and other actors**

Working group IV: **Improving the work of NHRIs and ways to overcome challenges**

The closing plenary session, scheduled for the afternoon of 3 June 2015, will focus on practical suggestions and recommendations for addressing the issues discussed during the working group sessions.

A representative of ODIHR will chair the plenary and the closing sessions.

The Rules of Procedure of the OSCE and the modalities for OSCE meetings on human dimension issues (Permanent Council Decision No. 476) will be followed, *mutatis mutandis*, at the Seminar. Also, the guidelines for organizing OSCE meetings (Permanent Council Decision No. 762) will be taken into account.

Discussions during the plenary and working group sessions will be interpreted from and into the six working languages of the OSCE.

Registration will be possible during the Seminar days from 8:00 until 18:00.

Facilities are made available for participants to hold side events at the Seminar venue.

A table for display/distribution of publications by participating organizations and institutions will also be available outside the plenary hall.

#### **IV. Work programme**

	<b>Monday 1 June 2015</b>	<b>Tuesday 2 June 2015</b>	<b>Wednesday 3 June 2015</b>
<b>Morning 10:00-13:00</b>	<b>Opening plenary session</b>	<b>Working group II</b>	<b>Working group IV</b>
<b>Afternoon 15:00-18:00</b>	<b>Working group I</b>	<b>Working group III</b>	<b>Closing plenary session</b>

#### **Day 1**

#### **Monday 1 June 2015**

##### *Morning*

**10:00 -13:00 Opening plenary session**

##### *Opening remarks:*

**Mr. Michael Georg Link**, Director of the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)

**Ambassador Sanja Milinković**, Deputy Permanent Representative of the Republic of Serbia to the OSCE, 2015 OSCE Serbian Chairmanship

**Mrs. Henryka Mościcka-Dendys**, Undersecretary of State for Parliamentary Affairs, European Policy and Human Rights, Ministry of Foreign Affairs, Republic of Poland

##### *Keynote addresses:*

**Mr. Saša Janković**, Protector of Citizens of the Republic of Serbia

##### *Technical Information:*

**Ms. Beatriz Balbin**, First Deputy Director, OSCE/ODIHR

##### *Afternoon*

**15:00-18:00 Working group I: Establishing NHRIs and strengthening their independence and effectiveness**

*Introducers:* **Mr. Byambadorj Jamsran**, Chief Commissioner, National Human Rights Commission of Mongolia

**Ms. Debbie Kohner**, Secretary General of the European Network of NHRIs

**Moderator:** **Mr. Omer Fisher**, Deputy Head of ODIHR Human Rights Department, OSCE ODIHR

**Rapporteur:** **Mr. Chad Wilton**, Mr. Chad Wilton, United States Mission to the OSCE

While established and funded by the state, NHRIs should enjoy formal and functional independence from the government. They play a crucial role in bringing national legislation and practice in line with international human rights standards. The principles relating to the Status of National Institutions (Paris Principles adopted by UN General Assembly Resolution 48/134 of 20 December 1993) set the standards. The Paris Principles also laid the ground for ensuring the independence of NHRIs as envisaged by the 1990 Copenhagen Document. Some OSCE participating States comply with the Paris Principles whereas others are encouraged to do the same. The Paris Principles require NHRIs to have a broad mandate based on universal human rights law, be independent from government (guaranteed through national legislation or the constitution), espouse pluralism through their work with civil society actors, and have sufficient resources and capacity to guarantee their proper functioning. The working group session will consider formal and functional requirements of independence, and practical challenges that these translate into. Participants will be able to discuss the establishing of new NHRIs as well as mandates and institutional frameworks affecting the functioning of existing NHRIs. Moreover, participants will share the experiences of NHRIs having multiple mandates, including NHRIs designated as National Preventive Mechanisms (NPMs) under the Optional Protocol to the UN Convention against Torture (OPCAT).

Questions to consider:

- How can independent NHRIs be established and strengthened in accordance with relevant OSCE commitments and the Paris Principles?
- What have been some key challenges in establishing an NHRI?
- What is the scope of mandates and powers that NHRIs have?
- How can challenges posed by multiple mandates of NHRIs be overcome?
- What are the institutional frameworks conducive to effective work of NHRIs?
- What are the differences and similarities between NHRIs and other national bodies mandated to work in the area of human rights?

**Day 2**

**Tuesday 2 June 2015**

*Morning*

**10:00-13:00 Working group II: Good practices in the work of NHRIs in promotion and protection of human rights**

**Introducers:** **Ms. Laurien Koster**, Chair of Netherlands Institute for Human Rights

**Mr. Aleksandr Glushenkov**, Head of Secretariat, Office of the Commissioner for Human Rights in the Russian Federation

**Mr. Kent Härstedt**, OSCE Parliamentary Assembly

**Moderator:** Ms. Katarzyna Jarosiewicz-Wargan, Head of ODIHR Human Rights Department, OSCE ODIHR

**Rapporteur:** Ms. Daliborka Janković, Permanent Mission of Switzerland to the OSCE

NHRIs contribute to the protection and promotion of human rights of women, men and children through a broad range of activities, in line with their respective mandates. They can monitor the overall human rights situation and provide recommendations to governments. NHRIs can investigate violations and address individual complaints. They can provide assistance to governments, through awareness raising and capacity building. The Paris Principles specify that NHRIs have the responsibility to advise national governments, the parliament and other legislative authorities by providing opinions, recommendations, reports and proposals. This working group session will allow participants to discuss good practices in the work of NHRIs. References will be made to concrete examples of NHRIs' successes in promoting and protecting human rights. Attention will also be paid to the important role national human rights institutions play in protecting and promoting economic, social and cultural rights.

Questions to consider:

- What are some of the achievements of NHRIs in the promotion and protection of human rights?
- How responsive have governments been to recommendations by NHRIs?
- What can be done to ensure that recommendations are implemented in practice?
- What are successful examples of gender mainstreaming in the activities of NHRIs?
- How do NHRIs share good practices across OSCE participating States?

*Afternoon*

**Working group III: Cooperation between NHRIs and other actors**

**Introducers:** Ms. Sirpa Rautio, Director of the Human Rights Centre, Finland

Ms. Eva Csörgö, Europe and Central Asia Programme Officer, Association for the Prevention of Torture, Switzerland

**Moderator:** Ms. Mirjam Karoly, Chief of ODIHR Contact Point for Roma and Sinti Issues, Senior Adviser on Roma and Sinti Issues, OSCE ODIHR

**Rapporteur:** Mr. Jean-Francois Lacasse, Delegation of Canada to the OSCE

Cooperation and coordination with different stakeholders contribute to the effectiveness of the work of NHRIs. This cooperation should extend to national bodies, civil society and international organizations. Cooperation between NHRIs and civil society guarantees pluralism in the mandates of these institutions. One particular example of such cooperation is of National Preventive Mechanisms (NPMs), which in many OSCE participating states function under the auspices of NHRIs, but also includes relevant NGOs. NHRIs can also play an important role in the protection of human rights defenders, including women defenders who may face gender specific risks.

In the same manner, cooperation with other national bodies (in particular legislative authorities) helps to ensure that the national legislation and practice fall in line with international human rights standards. NHRIs are active participants in international human rights mechanisms and should work closely with international organizations, to promote their recommendations at the national level. The working group session will look at cooperation between NHRIs and other stakeholders and how NHRIs can engage meaningfully with NGOs, government bodies, peer institutions, religious communities and international organizations.

Questions to consider:

- How can civil society and NHRIs increase their effectiveness in jointly promoting and defending human rights?
- What can NHRIs do to empower human rights defenders and increase their protection?
- What are examples of good cooperation between NHRIs and state institutions and bodies?
- How do NHRIs engage with regional and international human rights mechanisms?
- How do NHRIs cooperate with other national bodies with mandates to work on human rights?
- How do NHRIs cooperate with other NHRIs, through regional and global networks and bilaterally?

### **Day 3**

**3 June 2015**

*Morning*

**10:00-13:00 Working group IV: Improving the work of NHRIs and ways to overcome challenges**

**Introducer:** **Ms. Valeriya Lutkovska**, Ukrainian Parliament Commissioner for Human Rights

**Ms. Lora Vidović**, Ombudsman of the Republic of Croatia

**Ms. Etilda Gjonaj**, Commissioner, Deputy Ombudsman, People`s Advocate, Albania

**Moderator:** **Ms. Azra Junuzović**, Deputy Head of ODIHR Tolerance and Non-Discrimination Department, OSCE ODIHR

**Rapporteur:** **Ms. Nevena Jovanović**, Permanent Mission of the Republic of Serbia to the OSCE

Given the complex and rapid evolution of NHRIs, support to these institutions to ensure the promotion and protection of human rights is increasingly important. Issues such as lack of resources, technical assistance to NHRIs and their capacity building need to be addressed. Relevant areas for technical assistance and capacity building may include knowledge of international law and specific skills related to monitoring, reporting, advocacy, policy making and legislation drafting. In the provision of support and assistance to NHRIs there is a need to

enhance cooperation among various actors involved. This working group session will consider the needs of NHRIs, as well as specific challenges and priority areas of support to these bodies. The role of OSCE and ODIHR in this process will be addressed. The discussion will also touch on the strengthening of NHRIs when designated as National Preventive Mechanisms (NPMs) under the Optional Protocol to the UN Convention against Torture (OPCAT), in the line with the capacity-building needs highlighted during the SHDM on the prevention of torture in April 2014.

Questions to consider:

- What are the principal challenges NHRIs face in their work and what support is most needed?
- What are NHRI priorities in the OSCE region, and how can they be achieved?
- How can the OSCE, its institutions, and field operations, in line with their respective mandates, assist participating States in ensuring support to NHRIs, including NHRIs designated as National Preventive Mechanisms (NPMs) under the Optional Protocol to the UN Convention against Torture (OPCAT)?
- How can international and national actors effectively coordinate in the provision of assistance and support to NHRIs?

*Afternoon*

**15:00-18:00 Closing plenary session**

*Rapporteurs Summaries from the Working Group Sessions*

*Review of the results and recommendations;*

*Comments from the floor;*

**Closing Remarks:** Ms. Beatriz Balbin, First Deputy Director, OSCE/ODIHR