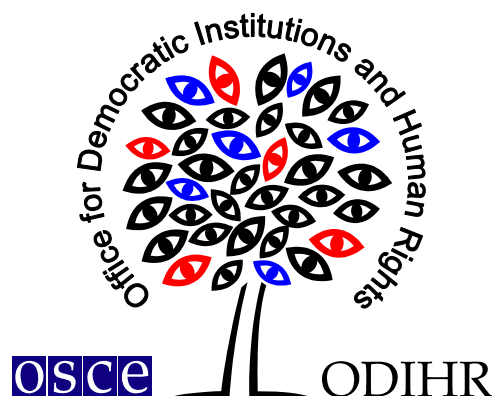


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Opening Address by Ambassador Christian
Strohal,
Director of the OSCE Office for Democratic
Institutions and Human Rights (ODIHR)

Supplementary Human Dimension Meeting on
“Human Rights Defenders and National Human
Rights Institutions: Legislative,
State and Non-State Aspects”

Vienna, 30 – 31 March 2006



Excellencies,
Ladies and Gentlemen,

The OSCE has a long standing relationship with human rights defenders and national human rights institutions. Their important role was acknowledged in the 1990 Copenhagen Document and has since been reflected in numerous other OSCE commitments and decisions where participating States have bound themselves to protect and promote their role. I therefore welcome this opportunity for States to not only reaffirm this commitment, but to examine, together with representatives of civil society, concrete ways in which to implement this long standing obligation effectively.

Also at the international level, recognition and support for the important role played by human rights defenders and national human rights institutions has been steadily growing. Key steps forward were the adoption by the UN General Assembly of the Paris Principles on the status of national human rights institutions in 1993 and the adoption of the Declaration on Human Rights Defenders in 1999. It is now also more broadly understood that there is a need for mechanisms to protect human rights defenders and facilitate their work.

Since the adoption of the Paris Principles, there has been a continual increase in the number of national institutions for the promotion and protection of human rights. However, in many countries, no national human rights institutions yet exist. In many others, they do not yet meet the criteria set out in the Paris principles, both in terms of competences and independence. It is widely recognized that building strong national human rights institutions is a key element in ensuring that human rights are protected and advanced in a sustained manner.

National human rights institutions and human rights defenders document violations, seek remedies for victims of violations, and combat cultures of impunity for breaches of human rights and fundamental freedoms. They are partners for civil society and, at the same time, for governments. Thus, they fulfill another important function: they contribute greatly to the stability and overall security in the OSCE region.

At the same time, this work makes human rights defenders more vulnerable to any repercussions that authorities and others involved in repressing fundamental human rights may take. It is therefore an important commitment of each OSCE participating State to respect the

right of the individual to assist others in defending human rights and fundamental freedoms. OSCE participating States have agreed that human rights, fundamental freedoms, democracy and rule of law are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned. Therefore, this meeting gives us an excellent opportunity to look at the current situation of human rights defenders throughout the OSCE region.

In certain participating States human rights defenders enjoy excellent cooperation with national human rights institutions and face little difficulty in channeling their concerns through executive and legislative bodies, as well as in representing victims of human rights violations in courts. I would be very glad if this SHDM provides us an opportunity to share such good practices with each other.

Sadly, in a number of OSCE participating States, human rights defenders continuously work under extreme pressure from state authorities and face restrictions on the exercise of freedom of expression, association, assembly and movement. There are still far too many cases where human rights defenders are subjected to arbitrary detentions, assaults, ill-treatment and defamation campaigns.

Only ten days ago, I visited Belarus in the context of our election observation mission, where we were able to witness some of the difficulties faced by civil society groups. Among the conclusions of the International Election Observation Mission was that civil society groups were subject to state actions directed against them and were denied fundamental civil rights. I can only join the Chairman-in-Office in calling upon the Belarusian authorities to refrain from repressive action against civil society and to uphold the right to peaceful expression of peoples' views.

Excellencies, Ladies and Gentlemen,

When societies face restrictions of their rights and freedoms, human rights defenders are all too often the first groups who suffer.

Let me reiterate that the primary responsibility for implementing commitments, in this case the promotion and protection of human rights lies with states.

I am thus all the more disappointed that we have seen recently in a number of participating States new legislation introduced placing further

restrictions on the activities of civil society; as a consequence, this may lead to the closure of NGOs dealing with human rights issues. In some cases, combating terrorism or protecting national security are brought forward as reasons for introducing such legislation. But, as OSCE States acknowledge, it is precisely the curtailment of civil society which threatens an important pillar of security.

In addition, the OSCE field operations, many of which are represented here today, play a crucial role in assisting human rights defenders. Often, they are the first point of access for these groups, providing information on OSCE commitments and other advice and assistance. I am glad that my Institution has been able to contribute to these efforts through the Handbook on individual human rights complaints for field personnel compiled in 2003, which you will find among the conference materials outside.

Furthermore, projects aimed at civil society capacity building, including trainings for human rights defenders, are useful tools in this regard. Encouraging closer consultation between the legislature and civil society in the legislative process and assisting inclusive political decision-making processes through workshops and roundtables are further examples of how the OSCE can provide useful assistance in this regard.

Five years ago, in October 2001 we held a Supplementary Human Dimension Meetings on Human Rights: Advocacy and Defenders. It was held a month after 9/11 terrorist attacks. So where are we, five years on?

On the positive side, we certainly see a stronger recognition and awareness about human rights defenders in societies. At the same time, sadly, the gap between human right defenders and government authorities has been widening since then in a number of participating States. An important factor that contributes to this gap are measures taken by some OSCE participating States to combat terrorism – measures which are not always compatible with the respect for human rights.

In this context, many examples show, however, that it is indeed possible to adapt legislation without risking adverse effects on civil society – I hope that such examples will be brought forward in this meeting. My Office stands ready to provide participating States with assistance in ensuring compliance with international legal obligations and OSCE commitments. We are ready to continue providing expertise related to legislation on freedom of association, assembly and human rights defenders, implementing monitoring and training projects. In this regard,

I would like to thank all OSCE participating States for their support to us in this work.

Excellencies, distinguished guests,

All too rare are the occasions for NGOs to take the floor here in the Hofburg. By organizing Human Dimension Meetings, the OSCE brings together participating States, civil society as well as international organizations, all on an equal footing. In addition, side meetings will be held to allow more focused discussions on individual issues.

Many of the interventions today and tomorrow will serve to identify shortcomings and difficulties faced by individual groups, which in itself can be a useful exercise. I would hope, however, that this meeting also provides an opportunity for networking and the exchange of good practices and solutions.

We have a comprehensive agenda and very interesting speakers. I would like to thank the Belgian Chairmanship, represented today by Frank Geerkens, Head of the OSCE Chairmanship Task Force, for their support in preparing this SHDM. I am grateful to our keynote speaker, Ms. Hina Jilani, Special Representative of the UN Secretary General on the situation of human rights defenders. I also want to thank the more than a hundred human rights defenders, national human rights institutions and representatives of governments in the room. All of you have their own experiences and suggestions on how progress can be achieved. I hope this meeting will contribute to finding a common platform to work together fruitfully.

I encourage all of you to examine what recommendations for concrete actions can come out of your discussions in order to further promote and protect human rights and fundamental freedoms. Only by protecting these rights can we achieve sustainable stability, prosperity and security in our region.

Thank you.