

COMPILATION OF WRITTEN RECOMMENDATIONS

(Covering Working Sessions 4-7)

This compilation contains recommendations submitted to the HDIM Documentation Centre in accordance with the established procedure. The compilation is organized by Working Sessions and by what was submitted by Delegations / International Organizations / NGOs to participating States and, separately, to OSCE Institutions / Field Missions or other International Organizations. Recommendations are compiled in original language. This compilation contains recommendations from all documents received at the HDIM Documentation Centre by the end of Working Session 7; documents received after this time will be included later in the Consolidated Summary.

Monday, 25 September 2013

WORKING SESSION 4: Fundamental Freedoms I

Recommendations to participating States

Gustav Stresemann Stiftung e.V

The Stresemann Foundation recommends the OSCE and the participating states to take into account for upcoming commitments and legal restrictions- without the freedom of expression:

- freedom of the press wouldn't exist, since every publication critical of the government or predominant ideology would be forbidden or burdened by sanctions;
- there would be no community of religion or creed other than the predominant or state religion, as wherever possible, a general belief ban would exist in order to prevent unwanted expressions of opinion on the state of the world;
- freedom of assembly or association wouldn't exist, since individuals or groups who think differently could neither assemble nor would they have the right to receive corresponding information if this information contradicted the "official line";
- there would be no free research and science, since the execution and publication of undesirable research projects and results would not be allowed;
- there would be no artistic freedom, since, for example, cartoon critiques would be forbidden or works would be classified as "degenerate" or "blasphemy."

United Kingdom

- In conclusion, we call on participating States to work cooperatively to protect and promote freedom of the media in all its forms. This is sometimes presented as a divisive topic where one group of States is seeking to preach to others. It need not be this way. Last year's resolutions in Geneva demonstrate that consensus can prevail.

Regional Centre of Human Rights

- To the NGOs and specially for the governments – to pay much more attention to the education of lawyers in the standards of human rights.
- To the NGOs - to adopt the best practices of the Human Rights House Network gained during the implementation of the Project “Electronic human rights education for lawyers”.

Freedom Now

- I speak today on behalf of my org that works on behalf of individual prisoners of conscience, and our partner organizations in the countries of Azerbaijan and Uzbekistan, two member states in the OSCE region that use arbitrary detention to silence individual expression, most often of activists and journalists. I call on these countries to comply with their binding obligations under international law, such as the International Covenant on Civil and Political Rights, and to comply with judgments issued by the European Court, the UN Human Rights Committee, and the UN Working Group on Arbitrary Detention, all of which call for the immediate release of countless individuals who have been imprisoned as a result of their exercise of a fundamental right.

European Union

Participating States should:

- reaffirm the existing principles and commitments in the field of freedom of expression and freedom of the media as well as their determination to implement them,
- consider how to enhance the implementation of commitments with regard to freedom of the media as well as to examine the strengthening of those commitments including to reflect technological developments such as the internet,
- extend open invitations to the Representative and her office,
- ensure that media laws are in line with international standards and OSCE commitments and are implemented subsequently,
- strengthen their commitment to ensure freedom of opinion and expression, and especially to protect journalistic activities from an inappropriate application of criminal law,
- ensure that journalists in the OSCE area can work safely and without being threatened by physical violence, persecution, detention, harassment, intimidation, direct or indirect economic pressure or any other form of interference,
- act decisively to investigate thoroughly all acts of violence against journalists and bring offenders to justice, and fight the climate of impunity,
- ensure that press freedom is guaranteed by an independent judiciary to which journalists can appeal in cases of alleged violations,
- ensure the right of journalists to keep their sources of information confidential by enacting appropriate legislation (“shield laws”),
- ensure that these commitments equally apply to journalists who are also Human Rights Defenders.

Switzerland

- We recommend to all OSCE participating States to respect the right of journalists to carry out their work under safe conditions, without fear of being harassed, threatened, attacked, beaten or killed.

- We call on all participating States to work closely with the relevant international organizations with the aim to contribute to a relevant policy development to advance media freedom.

Austria

We would, in conclusion, like to offer the following recommendations:

- Participating States shall enable a safe working environment for journalists and media workers, particularly by preventing attacks and bringing the perpetrators to justice.

Western Thrace Minority University Graduates Association

Thus, we call upon the Greek State;

- To respect the right to freedom of expression, media and press regarding particularly smaller and minority press so that diversity of opinion in the Minority media in Western Thrace is promoted, safeguarded and enriched.
- To uphold the principle of fair and proportional punishment in judicial process
- To revise immediately the Law 3592 /2007 that is not in line with the right to the free flow of information, freedom of expression and pluralism

ABTTF - Federation of Western Thrace Turks in Europe

- We urge all participating States, in particular Greece to reconsider to revise and amend the relevant legislation that hinders the freedom of the media and to ensure that media pluralism is guaranteed, protected and promoted in the country by all means. We kindly request the Office of the Representative on Freedom of the Media to have a greater role in review of the implementation of OSCE commitments related to the freedom of the media in all OSCE States.

Observatory for Religious Tolerance and Freedom Associazione “Dossetti: i Valori”

Participating States are urged to:

- adopt practical measures to assure that the media as well as the political and public discourse are respectful for religions, their representatives, teaching and symbols.
- solicit their political institutions adopting code of conduct or ethics for elected representatives preventing intolerant discourse.
- encourage Internet service providers and social networking services to adopt standard form contracts providing termination clauses and penalties in case of intolerant conducts of people using their services.

Observatory on Intolerance and Discrimination Against Christians in Europe

- The Observatory on Intolerance and Discrimination encourages **participating States** to assess their legislation with regard to freedom of expression with a particular view to the Christian communities in their countries. This

assessment of legislation was recommended by the parliamentary assembly of OSCE in Belgrade in 2011.

Alliance Defending Freedom

- My recommendation is that Participating States reform, repeal or abolish all domestic “hate speech” laws that violate clear international human rights law on the right to freedom of expression.

Humanitas Helvetica

- Die **Regierungen** sind angehalten, alles zu unternehmen, dass die Pressefreiheit einerseits sowie die Pressevielfalt andererseits als ein hohes Gut in der demokratischen Meinungsbildung der Bürger eines Staates an Stellenwert gewinnen. Die kritische Auseinandersetzung mit der Machtkonzentration vereinzelter Medienkonzerne sollte ebenso als Gradmesser der demokratischen Entwicklung dienen wie die Förderung der Presse- und Meinungsfreiheit und der daraus resultierenden breit abgestützten Meinungsbildung eines jeden Bürgers. Dort, wo die Meinungs- und Pressevielfalt durch die Machtkonzentration einiger weniger Verlage Gefahr läuft zu verschwinden, bedarf es einer wettbewerbsrechtlichen Intervention seitens des Staates. Umgekehrt ist es nach wie vor fatal, wenn Regierungen die Entwicklung der Pressevielfalt einschränken, weil kritische oder unbequeme Medienprodukte durch staatliche Hindernisse in ihrer Arbeit eingeschränkt oder gänzlich verboten werden.
- **Medien und Journalisten** tragen eine grosse Verantwortung. Der Eindruck täuscht nicht, dass ausgerechnet in demokratischen Staaten (zum Beispiel Schweiz, Deutschland, Österreich u.a.) diese Verantwortung teilweise nicht mehr wahrgenommen wird. Dies äussert sich einerseits in der teilweise mangelhaften Qualität der journalistischen Arbeit, andererseits eben auch in Ermangelung verschiedenster Meinungen zu einem Sachverhalt. Auf der anderen Seite kämpfen Journalisten in osteuropäischen oder zentralasiatischen Staaten mit staatlicher Zensur. Der Graben könnte nicht grösser sein. Auf der einen Seite teilweise medialer Einheitsbrei, auf der anderen Seite vielfältige publizistische Meinung, die aber aufgrund von Einschränkungen oder Verboten nicht geäussert werden darf. Gerade Journalisten, welche in demokratischen Staaten ihrer wichtigen Arbeit nachgehen, sollten sich auf das Privileg der Meinungsvielfalt besinnen. Es geht nicht darum, *contre coeur*, also gegen die eigene, persönliche Meinung, zu schreiben. Es geht darum, die publizistische Vielfalt in der Meinungsbildung zu erhalten und bisweilen auch gegen die verlegerische Doktrin anzutreten, entsprechend zu recherchieren und am Schluss zu informieren.
- **Nichtregierungsorganisationen** nehmen im Kampf für Presse- und Meinungsfreiheit sowie der publizistischen Vielfalt einen wichtigen Stellenwert ein. Unabhängig von ihren Hauptanliegen, muss es im Interesse aller NGO's sein, dass mediendemokratische Strukturen überall etabliert werden können. Genau wie die Politik, sind auch NGO's in gewissem Masse von den Medien abhängig. Durch die freien und vielfältigen Medien können NGO's ihre Botschaften an den Mann und die Frau bringen, ihren Anliegen ein Gehör verschaffen. Wünschenswert wäre die Zusammenarbeit

verschiedener NGO's im Bereich der Presse- und Meinungsfreiheit. Die beiden demokratischen Grundrechte sind im Übrigen an weitere Rechte der Bürger eines Staates gekoppelt und können ohne weiteres - auch hier unabhängig vom Hauptanliegen ei-ner NGO - bearbeitet und vor allem gefördert werden.

Institute for Reporters' Freedom and Safety

IRFS calls on the OSCE to take the following steps:

- Ensure that ODIHR's election monitoring report on Azerbaijan's 9 October presidential election fully addresses the underlying widespread and systemic human rights violations that persist from election to election, preventing elections from meeting international democratic standards.
- Carefully monitor the transition of the Office in Baku to the Project Co-ordinator in Baku, ensuring that the new mandate prioritizes Azerbaijan's implementation of its human dimension commitments.
- Explore ways of supporting the work of the RFOM and holding the Azerbaijani government accountable for fulfilling its media freedom obligations.
- Engage more directly with local civil society representatives on Azerbaijan's implementation of its human dimension commitments.
- Facilitate dialogue between local civil society representatives and the government to encourage greater accountability in fulfillment of Azerbaijan's human dimension commitments.
- Strengthen communications between ODIHR and the Azerbaijani government and publicize ODIHR's efforts to ensure Azerbaijan's implementation of its human dimension commitments.
- Foster debate at the OSCE Parliamentary Assembly on human rights issues in Azerbaijan, starting with a discussion on the body's failure to monitor Azerbaijan's presidential election, in contrast to its involvement with other elections in the region.

Recommendations to the Government of Azerbaijan:

- One of the challenges for Azerbaijan's foreign affairs and investment policy remains a persistent image and credibility gap, which emerged out of the country's failure to live up to its international commitments. Many analysts believe there is lack of consensus within the ruling elite, and that the failure to implement those commitments is largely the result of uncertainty about the real preferences and intentions of President Ilham Aliyev. Azerbaijan can bridge its credibility gap only by introducing long-awaited reforms in the justice sector and in the field of freedoms of expression, assembly and association. Both today's needs and the long-term interests of the Azerbaijani people are not best served by the human rights violations that are undermining Azerbaijan's democratic development and long-term stability. The Azerbaijani government must allow space for peaceful protest, critical opinion and opposition, and end all forms of harassment and suppression of civil society and independent media. It must free all political prisoners and fully respect its obligations with regard to fundamental freedoms under international law.

International Association of Independent Democrats Against Authoritarian Regimes

Рекомендация:

- Мы предлагаем рекомендовать демократическим правительствам запретить продажу оборудования для контроля Интернет – коммуникаций странам диктатуры, прежде всего, тем, которые мы перечислили.
- Правительству США рекомендовать компании Microsoft принимать более взвешенные решения, только после заграничной экспертизы, по передачи информации правительствам, находящейся в коммуникациях Skype.

NONALI

- Je demande au Gouvernement Belge de prendre ses responsabilités en faisant invalider le rachat du Groupe de Presse L'AVENIR par l'intercommunale TECTEO afin de maintenir en Belgique la pluralité de la presse qui est une tradition nationale.

Russian Federation

- Российская Федерация вновь призывает государства-участники ОБСЕ, а также действующее председательство начать работу по обновлению одобренного в 1997 г. мандата Представителя ОБСЕ по вопросам свободы СМИ в целях его адаптации к новым реалиям и задачам в этой сфере.

Human Rights House Foundation

- We call upon the authorities of the Russian Federation to ensure that investigations into threats and attacks against and murders of journalists and media workers are conducted effectively, promptly, thoroughly, independently and impartially, and that those guilty are brought to justice.
- The Human Rights House Foundation resolutely condemns the latest detention of journalist and human rights activist Parviz Hashimli and the raid on his newspaper office on September 17 deeming it as a pre-election pressure on the media and civil society and calls upon the Azerbaijani government to release him immediately.
- We call on the government of Belarus to stop all disproportionate and unnecessary legal and extrajudicial practices, online and offline, that compromise freedom of expression. On the day of his birthday, we would like to commemorate Ales Bialiatsky, arbitrarily detained by the Belarusian Authorities since 4 August 2011 for his legitimate work on the promotion of human rights and once again, we call upon the **authorities of Belarus to immediately and unconditionally release Ales Bialiatski and all other political prisoners in Belarus**, drop all charges against them and fully rehabilitate them.

Freedom House

- Freedom House calls on the government of Turkey to cease intimidation of dissent and to allow a free media to flourish.

Regional Centre of Human Rights

- *Правительству Украины*: принять необходимые меры для поддержания и сохранения плюрализма в медиа сфере в процессе перехода на цифровое вещание.

International Civil Liberties Alliance (ICLA)

Recommandation à la France :

- L'International Civil Liberties Alliance demande à la France de veiller à une application scrupuleuse de ses engagements en protégeant la liberté d'expression des journalistes et de cesser de subventionner les organisations pratiquant le harcèlement juridique à fin politique.

Media Rights Institute

We call upon the Government of Azerbaijan:

- To take immediate steps to repeal the criminal defamation provisions of the Criminal Code, including the recent amendments aimed at criminal defamation online;
- To ensure the immediate release of all imprisoned journalists on politically motivated charges;
- To end abusive application of civil defamation laws and cease the practice of application of draconian fines to critical media;
- To ensure independent, prompt and effective investigations into attacks, threats and other violations of journalists' rights.

Freedom House

We encourage the OSCE and participating states to address the issues we've raised – media ownership, journalistic ethics, and attacks on journalists – across the OSCE space as the situation in Ukraine is in many ways not unique. With this in mind, we make the following recommendations to Ukraine:

- implement effective media transparency legislation without loopholes such as ones that allow a web of shell companies to obfuscate real media ownership
- implement effective remedies for journalists and civil activists who are victims of violence and censorship by introducing protections of journalism as an activity, sharing police best practices and experiences, and establishing a special consultative group on the topic in administration of Ministry of Internal Affairs;
- address quality issues in the media by implementing legislation that guarantees editorial staff independence, encouraging cooperation between Commission on Journalistic Ethics and National Council on TV and Radio Broadcasting; and encouraging the establishment of ethical commissions within broadcast media outlets

Recommendations to International Organizations

Regional Centre of Human Rights

- *Международным неправительственным организациям:* организовать изучение успешных практик и подготовить рекомендации по переходу на цифровое вещание.

Institute for Reporters' Freedom and Safety

Recommendations to the European Union:

- If the European Union (EU) is a community of values, then its global duty should be to focus on promoting human rights and fundamental freedoms.
- An energy security partnership between the EU and Azerbaijan is valuable and productive, but it should be rooted in mutual respect for human rights. When entering a Memorandum of Understanding (MoU) or even a legal agreement with Azerbaijan on energy cooperation, the EU should include human rights reforms as an explicit requirement for cooperation.
- The revolutions in the Arab and Middle Eastern states, many of which are energy and resource rich, demonstrated the illusory nature of stability. If the security of energy-rich countries is important to the EU, then it is necessary to build security from the bottom up, and that means starting with respect for basic human rights.
- In authoritarian countries, human rights issues are rarely resolved domestically. The three resolutions of the European Parliament on Azerbaijan's human rights record, as well as numerous statements from EU and EC officials, have addressed some of the human rights issues in the country. However, these resolutions and statements have not been enough. The need to protect and support human rights in Azerbaijan must be voiced by the highest-level EU officials in their negotiations with the government of Azerbaijan.
- For instance, in negotiating the Association Agreement,¹³ the EU should stay true to its conditionality commitment and impose concrete benchmarks for Azerbaijan in exchange for greater political and economic integration. Any framework for advanced relations between the EU and Azerbaijan should include a strong human rights component. This approach perfectly aligns with EU policy, and is consistent with the 2012 EU Strategic Framework on Human Rights and Democracy,¹⁴ adopted by EU foreign ministers and endorsed by EU heads of government and state in 2012.
- Brussels should act to improve its political influence in Azerbaijan by building stronger human rights and democratization initiatives designed to improve Azerbaijan's human rights record – at both the national and international level. The EU should act to help build and further strengthen institutions that are capable of influencing both citizens and policymakers in the long term. The EU should also support the development of independent media outlets with the intention of promoting free expression in the country.
- In summary, Brussels should impose clear benchmarks for improvements on human rights violations if the EU is to succeed in persuading Baku to respect its human rights commitments.

Institut d'Alisher Navoi

- Призываем ООН, ОБСЕ, ЕС, ОДКБ, ШОС и других международных организаций более настойчиво требовать властей КР прекратить тенденциозно продолжающую дискриминацию узбекского народа, выполнение рекомендаций и Устава ООН Правительством КР

Recommendations to the OSCE

Ossigeno per l'Informazione

- Raccomandiamo perciò all'OSCE, e in particolare alla Rappresentante per la libertà dei media, di promuovere in tutta Europa questa indagine per la quale mettiamo a disposizione il nostro metodo e la nostra esperienza.

European Union

The OSCE Representative on Freedom of the Media should:

- continue to assist participating states in achieving full implementation of the OSCE commitments,
- continue efforts to promote adoption of legislation which is in line with OSCE and other international standards notably in the field of libel and defamation,
- continue to elaborate how comprehensive and non-discriminatory access to information in particular to the internet can be ensured,
- continue to strengthen freedom of the media through capacity building in the framework of training activities and media conferences,
- in coordination with the ODHIR's Point of Contact on Human Rights Defenders, assist the participating states in delivering on their commitments to protect the journalists who are also Human Rights Defenders,
- continue to develop new media, including internet and digital broadcasting, as a focus area,
- continue to cooperate with other regional and international organisations such as the Council of Europe or the United Nations on freedom of media issues.

Austria

We would, in conclusion, like to offer the following recommendations:

- The OSCE is encouraged to increase its cooperation with other regional or international organisations and mechanisms working for the safety of journalists, in order to exchange experience and coordinate activities.

Foundation "CitizenGO"

- For OSCE to call upon media groups to show respect for religious beliefs (Christians in particular, as they are the preferred target of offensive contents) and take responsibility in maintaining an open, tolerant and free society.
- Hate Crimes begin with mocking: Raise awareness that the mocking of Christians and Christianity, the negative stereotyping by the media as well as the ridiculisation of Christians and Christian positions could possibly lead to hate crimes.

- To use all available OSCE means to work against intolerance against Christians, inter alia by encouraging the media not to spread prejudices against Christians, and by working more closely with representatives of Christian churches.

Observatory for Religious Tolerance and Freedom Associazione “Dossetti: i Valori”

The OSCE Representative on the Freedom of the Media is called upon to:

- provide – in close cooperation with the OSCE-ODIHR and the Advisory Panel of Experts on Freedom of Religion or Belief – guidelines for voluntary professional standards and selfregulation of the media in order to prevent intolerant discourse against religions.

Observatory on Intolerance and Discrimination Against Christians in Europe

- We recommend to **OSCE/ ODIHR** to extend their educational materials and guidelines to increase the awareness of the readers with regard to the difficulties Christians in Europe face when hate speech legislations bans or at least seems to ban elements of the Christian faith.

Internet Association of Kazakhstan

- Кстати, присутствие и участие сотрудников офиса представителя по свободе СМИ было бы крайне полезным и важным как для участников медиаконгресса, так и для сотрудников офиса с точки зрения понимания страновых проблем и вопросов в области медиа-рынка. Это первая рекомендация – необходимо участие офиса представителя по свободе СМИ в страновых мероприятиях.

NONALI

- Je demande à l’OSCE que des recommandations soient adressées aux états membres afin que la presse ne deviennent directement la propriété de l’état ou d’une de ses » *sociétés écrans* » .

International Center for Journalism MediaNet

- На мой взгляд, чтобы продвигать любые демократические ценности и принципы, эффективно бороться с проявлениями ксенофобии, повышать правовые знания массовой аудитории и так далее, гражданскому обществу необходимо как можно скорее модернизировать свою работу.
- Традиционные talk-форматы, дискуссионные площадки уже не настолько эффективны, зачастую консервируя бесценную информацию в узком кругу. И это надо признать и переориентировать гражданское общество на интерактивные, crowdsourcing-сервисы, активно использовать SMM, SEO и другие бизнес-инструменты продвижения информации.
- На мой взгляд, Бюро Представителя по свободе слова ОБСЕ могло бы взять на себя функцию инициатора и координатора в этом процессе.

Regional Centre of Human Rights

Представителю ОБСЕ по свободе СМИ г-же Дунье Миятович (Dunja Mijatović):

- обратить внимание на угрозу свободе СМИ, которая возникла в Украине в связи с переходом на цифровое вещание, и принять меры в соответствии с мандатом ОБСЕ.

United Kingdom

- We commend the Ukrainian Chairmanship for their intention to table a media freedom decision at this year's Ministerial Council. We hope that we can overcome our differences and take steps to protect and foster this most fundamental of human rights.

Tuesday, 25 September 2013

WORKING SESSION 5: Fundamental Freedoms II

Recommendations to participating States

Institute for International Research at the Ukrainian Academy of Sciences

The OSCE participating States:

- to avoid double-standard approach in visa liberalization policy;
- to exchange information on effective implementation of the commitments on freedom of movement and national minorities integration.

Human Rights House Foundation

- encourage lawyers including judges and prosecutors to increase their knowledge in human rights law and international standards
- support and facilitate the closer cooperation of national human rights institutions with human rights organizations and lawyers
- provide financial support to the OSCE ODIHR, the CoE for collecting best practices in human rights education and providing expertises and assistance for lawyers and human rights defenders

Ecumenical Federation of Constantinopolitans

- Considering the severe depletion of the population of the Community because of the above mentioned anti minority measures, it is imperative that the Government of Republic of Turkey to expedite the proposed remedy and reparation measures towards the expatriated Greek Community of Istanbul. This requires the ongoing discussions between the Ec.Fe.Con and authorities of Republic of Turkey to be accelerated and work towards concrete results.

European Union

- Participating States shall ensure that all those seeking to uphold human rights are able to do so in safe environment and shall refrain from excessive

restrictions on civil society and human rights defenders, including as regards foreign funding;

- Participating States shall ensure freedom of movement within their territories and consider ways how to strengthen the guarantees for the freedom of movement of human rights defenders, journalists and election observers;
- Participating States shall promote the establishment of national human rights institutions, including at local level in line with the Paris Principles and their functioning without obstacles;
- Participating States should encourage systematic human rights education and training programmes that are designed to promote mutual understanding, respect for human rights and diversity, including for judges and prosecutors.
- Participating States are encouraged to inform judges, prosecutors, lawyers and other practitioners and officials dealing with the legal protection of human rights (including border guards and immigration officials) as well as others working with national authorities, of existing handbooks on European law in various fields of human rights protection.

Freedom House

- In Kazakhstan, Freedom House is engaging seriously, but without full satisfaction, in the Ministry of Foreign Affairs human dimension working group. We have made a number of recommendations, including: to reform the national legislation related to freedom of peaceful assembly to expand the opportunities of citizens to engage in political debate. Based on our participation we are concerned that while the government of Kazakhstan has enabled a forum for dialogue there is not commitment to genuine engagement in positive resolution of human rights issues.
- Finally, National Human Rights Institutions, such as Ombudsmen, should play a central role in supporting human rights. We just returned from Turkey where a fledgling ombudsman institution was just established in 2012. We hope that it will develop in an independent manner so that it builds trust among civil society and can deal with citizen complaints. In Ukraine, based on meetings in the ombudsman's office and with civil society, we are encouraged that it is becoming a trusted advocate for human rights.

Observatory for Religious Tolerance and Freedom Associazione “Dossetti: i Valori”

Participating States are urged to:

- not force children to a compulsory religious or ethical teaching which may be not consistent with the convictions of the children's parents, providing for this case non-discriminatory opt-out possibilities.

Austria

- Participating States shall make special efforts to provide comprehensive human rights education and training to public officials, including judges, prosecutors, police and correction officers.

- Participating States are encouraged to fully and effectively implement the measures foreseen by the UN World Programme on Human Rights Education.

Kyrgyz Committee for Human Rights

Активисты предлагают следующие рекомендации к тексту Концепции, а также призывают государство:

- организовать систематическое обучение своих служащих конституционным и международным стандартам прав и свобод человека и в частности свободы вероисповедания;
- не перекладывать свои функции по обеспечению прав и свобод на плечи самих граждан и организаций;
- начать работу по пересмотру нормативных правовых актов, противоречащих Конституции 2010 года и международным обязательствам страны в сфере обеспечения права на свободу вероисповеданий;
- отказаться от устаревшего и неэффективного инструмента отказа в регистрации религиозных организаций;
- пересмотреть задачи государственного органа по делам религий, сделав основной упор на позитивные мероприятия, связанные с предупреждением конфликтов, способствование установлению отношений взаимной терпимости и уважения между гражданами, исповедующими религию и не исповедующими ее, между религиозными организациями различных вероисповеданий, а также между их последователями;
- привести ограничения права на свободу вероисповедания в соответствие с требованиями Конституции и международными обязательствами страны в сфере прав и свобод человека;
- проводить в обязательном порядке и учитывать результаты правозащитной экспертизы проектов нормативных правовых актов в сфере свободы вероисповедания

Ukraine

- Исходя из вышеизложенного, предлагаем инициировать перед Комитетом Верховной Рады Украины по правам человека, национальных меньшинств и международных отношений вопрос о наработке в ближайшее время соответствующего Закона.

Legal Information Centre for Human Rights, Estonia

- Considering that no country is free from racial discrimination, the Committee recommends that the State party verify whether the small number of complaints is not the result of victims' lack of awareness of their rights, fear of reprisals, limited access to available mechanisms, lack of confidence in the police and judicial authorities, or the authorities' lack of attention or sensitivity to cases of racial discrimination (para. 18).

Kazakh Community Association

Рекомендации:

- Помочь народному герою Арону Едигееву.
- Рекомендовать властям Казахстана, что бы не препятствовали международным ассоциациям помогать политзаключённым Казахстана.
- Просим посодействовать нашей организации встретиться с Аронем Едыгеевым, что бы убедиться, что он жив и не подвергается ли пыткам и террору, унижающим человеческое достоинство действиям. Что бы власти Казахстана дали разрешение на эту встречу.

Recommendations to International Organizations

Human Rights House Foundation

- Continue to support lawyers with training and expertises on implementation of human rights standards
- Broader involve human rights lawyers in work of international conferences, by developing guidelines, recommendations and legal standards.

Slovenia

- To galvanize the efforts that States undertake through their human rights education and training programmes at national and local levels, we encourage enhanced focus to be granted to international cooperation between the OSCE, Council of Europe and the UN as well as numerous NGOs.

Recommendations to the OSCE

Institute for International Research at the Ukrainian Academy of Sciences

In line with such integrated perception, we would propose some few initial thoughts to be considered by:

the active and incoming OSCE Chairmanships:

- to further elaborate on the idea of appointing a special coordinator or establishing a sub-group of nongovernmental experts on human dimension issues within the framework of the Informal Helsinki+40 Working Group;
- in close cooperation with all participating States to dwell on the question how to increase practically the openness of the OSCE decision making and subsidiary bodies (Permanent Council, Human Dimension Committee, etc) for constructive engagement of civil society under the comprehensive security agenda of the Helsinki+40 process as well as on the issues to be discussed during the informal meetings between representatives of participating States and of NGOs.

the OSCE Secretary General:

- to establish at the OSCE Secretariat a sort of informal advisory/liaison body on cooperation with civil society representatives on all aspects of Track II operational issues, including human dimension one, to be beyond the mandate of individual OSCE structures and institutions (likewise the recently created coordination mechanism for OSCE Network of Think Tanks and Academic Institutions);

- to broaden the scope of recently started Track II initiatives to cover sensitive human dimension issues.

the ODIHR:

- to interact closely with the OSCE Chairmanship, Secretary General and participating
- States on the issues for strengthening the capacity of civil society and their active involvement in the Helsinki+40 process;
- to serve as a temporal focal point for gathering available propositions and suggestions on human dimension issues from civil society and conveying them to the Informal Helsinki+40 Working Group.

Bearing in mind all above-mentioned, and ensuring the full enjoyment of freedom of movement in the OSCE region we propose the following suggestion to be considered by:

The ODIHR:

- to support organizing awareness-raising campaigns in affected OSCE participating States with emphasis on facilitation and liberalization of cross-border traveling;
- to provide methodological support for national and international institutions, civil society representatives engaged in monitoring visa processing formalities.

The HCNM:

- to facilitate implementation of national commitments on freedom of movement and national minorities with regard to increased flow of refugees and asylum seekers in the OSCE region;
- to initiate the development within the OSCE of a dialogue on freedom of movement and human contacts with special emphasis on national minorities issue under visa-free travel conditions;
- to expend co-operation with respective governmental and non-governmental actors involved in order to reduce the negative effect on the freedom of movement from the growing flow of asylum seekers, refugees and mixed migration.

The OSCE Field Missions:

- to monitor and analyse situation developments on visa-free travel conditions in host countries based on existing mandates, and prepare respective reports and recommendations on national minority integration for supporting effective visa-free travel policy.

Observatory for Religious Tolerance and Freedom Associazione “Dossetti: i Valori”

The OSCE/ODIHR is called upon to:

- assist – in cooperation with the Advisory Panel of Experts on Freedom of Religion or Belief – the participating States in reviewing or drafting legislation pertaining freedom of religion or belief in order to guarantee (a) that the liberty of parents to ensure the religious and moral education of their children

in conformity with their own convictions is fully respected and (b) that the participating States provide non-discriminatory opt-out possibilities that would accommodate the wishes of parents.

- develop Guidelines for educators on countering intolerance and discrimination against Christians.

Kazakhstan International Bureau for Human Rights and Rule of Law

- В качестве рекомендаций выскажусь о необходимости опубликования ежегодного рейтинга государственных превозащитных институтов региона ОБСЕ. В качестве критериев для такого рейтинга могут служить лучшие практики и преодоление несоответствий Парижским принципам. Аналогичный рейтинг может публиковаться и по состоянию образования в области прав человека в регионе ОБСЕ.

Azerbaijan

- As the office of the Commissioner for Human Rights of the Republic of Azerbaijan we strongly condemn these serious violations of the rights of our Moldovan colleague in Armenia and call on all of the international organizations, including OSCE and our colleagues not to remain indifferent to these shameful actions happened in Armenia against the Ombudsman of Moldova and join us in expressing our deepest concern in this regard.

Recommendations to NGOs

Human Rights House Foundation

- seek and get professional support and legal aid rendered by lawyers educated in human rights

Wednesday, 26 September 2013

WORKING SESSION 6: Freedom of Religion or Belief

Recommendations to participating States

European Association of Jehovah's Christian Witnesses

- Jehovah's Witnesses are thankful to the government of Armenia for enacting a programme of alternative civilian service. They respectfully request that the government immediately and unconditionally release their 29 fellow believers who remain imprisoned as conscientious objectors to military service.
- Jehovah's Witnesses respectfully request the government of South Korea to pardon the conscientious objectors now in prison and to honour the right to conscientiously object to military service.
- Jehovah's Witnesses respectfully call on the Kazakhstan government to honour its commitments to uphold fundamental human rights, to stop its campaign of arrests of Witnesses and raids of their religious meetings, and to reverse the ban on their religious publications.

Observatory on Intolerance and Discrimination Against Christians in Europe

The Observatory recommends:

- To assess „legislation in the participating States, including labour law, equality law, laws on freedom of expression and assembly, and laws related to religious communities and rights of conscientious objection“ „in view of discrimination and intolerance against Christians," (13), as called for by OSCE's Parliamentary Assembly recommended in its Resolution on Combating Intolerance and Discrimination against Christians in the OSCE area, adopted in Belgrade in July 2011.
- To strengthen our understanding of „reasonable accommodation“ when it comes to the clash. Space for everyone instead of social and educational goals trumping freedom of religion.
- To be weary when it comes to horizontal equal treatment legislation: Such policies can inflict serious dilemmas on Christians.
- Combating persecution of Christians outside the OSCE area must become a priority of the foreign secretaries of participating States in their foreign policy.

Austria

- Participating States shall ensure the free exercise of religion or belief and protect persons belonging to religious minorities from violence and discrimination through targeted policies and effective legislation.
- Participating States are encouraged to foster, and exchange good practise examples for inter-religious and intercultural dialogue within their countries as a means to strengthen social cohesion and overcome prejudice.

United Kingdom

- In conclusion, we urge all participating States to implement their existing OSCE commitments on freedom of religion or belief. However, commitments and changes to legislation are not enough. Governments, NGOs and civil society actors need to recognise this freedom as a barometer for the state of wider human rights in any given country, and to work together to ensure that it is protected.

Canada

- That participating States ensure that legislation pertaining to registration of religious organizations embrace the principles of Article 18 and not be used to obstruct and curtail activities of religious communities;
- that participating States repel the provisions of blasphemy laws that consider criticism of religious beliefs, religious organizations and religious practices or religious debate as a crime;
- that participating States respect the right of those citizens who wish to change their religion;
- that participating States ensure that religious communities are able to peacefully practice their religion without the threat of violence and persecution.

- that participating States cooperate and work closely with ODIHR and its Tolerance and Non-Discrimination Department to benefit from their expertise and experience, so as to better meet OSCE commitments.

Atman Yoga Center

Atman Yoga School Italy recommends to the the OSCE ODIHR and OSCE participating states, especially to the Italian representative:

- to investigate and counteract determining factors for discrimination against spiritual groups and minority religions, with regards to incitement coming from so called anti-sect associations to the creation of a social alarm non-existent on the ‘sects’ phenomena;
- to investigate on the effects that the creation of special departments of police to fight the sects is having on the fundamental freedom of religion, consciousness and beliefs;
- to actively promote an open spiritual society, to further promote tolerance and pluralism in spirituality through education.

NGO Russian Ministries (USA)

- For all these reasons, I urge the government of Kazakhstan to return to the path of religious tolerance and freedom of conscience, in which this country has moved for twenty years; review the provisions of the law "On Religious Activity and Religious Associations" adopted in 2011; release Pastor Kashkumbaev immediately; and stop the unwarranted defamation of evangelical communities by the media.

European Council of Religious Leaders - Religions for Peace

- We further encourage OSCE to include language in the draft Ministerial Council Decision on Freedom of Religion or Belief in support of the principles of the Code as expressed in the introductory words of the Code: *“Holy sites are places of profound significance and sacred religious attachment whose special character and integrity are to be preserved and protected against all violence and desecration. In focusing on issues of definitions, access, education, sharing, establishment, reconstruction, memorialisation, expropriation and excavation of holy sites, this Universal Code lays out the foundation for a cooperative, concrete implementation plan for preventing and ending conflict in relation to sacred places. May it inspire the hearts and minds of all who read and support it to advance the path of peace, justice, forgiveness and reconciliation.”*
- The language could call upon all Participating States to support these principles and take measures to strengthen their application. The Holy Sites working group would stand ready to offer suggestions for appropriate wording. We believe that the Code, which benefits all religions, will improve collaboration among faiths around holy sites and is likely to prevent conflicts from erupting or escalating. We would therefore encourage all Participating states to support interfaith initiatives for implementation of the Code in their respective countries and worldwide.

European Humanist Federation

In this connection, I would like to make three points:

- We would wish that President Putin would cease to embrace - politically and otherwise - Patriarch Kirill, previously accused of having links with the KGB, now leader of the Russian Orthodox Church.
- We demand that the two members of Pussy Riot who were charged with blasphemy be released and compensated for the injustice they have suffered for having criticised the close political links between the Russian Orthodox Church and President Putin.
- Finally, we call on President Putin to take steps to achieve the abolishment of the recently adopted law forbidding homosexual people to show their love for same sex partners in the presence of young people.

Center for Information and Analysis (SOVA)

Our recommendations for OSCE participating states:

- Regardless of whether their legislation emphasizes certain religions and religious organizations, the states should strive to ensure that all forms of cooperation between the state and religion were open to an ever wider range of religious and spiritual organizations and groups.
- Do not use lists of banned literature as an instrument for protecting tolerance, including religious tolerance as this tool has already demonstrated a complete lack of efficiency, and it generates a lot of human rights violations.
- The states should strictly follow the principle of non-interference in the internal affairs of religious organizations and groups to the same extent as in those of other civil associations.
- Accept the fact that religious tolerance should be protected by the same mechanisms as other forms of tolerance, and refrain from creating special rules that restrict certain freedoms for the sake of specifically religious tolerance.
- Disavow any and all laws that interpret religious polemics as incitement to religious hatred, and to revise the previously adopted solutions reflecting this spirit.
- Prevent enactment of new laws that restrict public expression of religious beliefs.

ABTTF - Federation of Western Thracians in Europe

- ABTTF would like to stress that the State should not involve in /intervene to any matters regarding issues of faith, belief, or the organization of a religious group, and it should extricate itself any matter which might be considered internal. It is unacceptable that Greece, which does not even interfere with the Orthodox Church, shall prospectively be able to select/appoint servants of the religious organizations of the Minority. The ecclesiastic of the Eastern Orthodox Church of Christ, which is the prevailing religion in Greece, are public servants, but they are appointed/elected/selected by the Church itself, and the State is not allowed to involve in/intervene to any matter internal or doctrinal to the Church.

- Greece should fully guarantee and realize that the members of the Turkish Minority would enjoy the same treatment and security in law and in fact as other Greek nationals in the management and control of their religious institutions and that they could exercise their religion freely therein. Therefore, ABTTF request Greece to repeal Law 4115/2013 and allow the Turkish Minority of Western Thrace to choose its own religious teacher and/or imams just like the Jewish Central Board and the Catholic and Protestant Church did.
- Reminding the 1989 Vienna Ministerial Council Decision which clearly stipulates that freedom of religion or belief includes respect by participating States the right of religious communities, among other things, to select, appoint and replace their personnel in accordance with their respected requirements and standards as well as with any freely accepted arrangements between them and their State, we call for the Government of Greece to fully guarantee and realize that the members of the Turkish Minority would enjoy the same treatment and security in law and in fact as other Greek nationals in the management and control of their religious institutions and that they could exercise their religion freely therein.

Western Thrace Minority University Graduates Association

Given that fundamental problems about freedom of religion, conscience and belief persist while creation of new ones prevent members of the Muslim Turkish minority in Western Thrace from enjoying fully their religious liberties enshrined in bilateral and international texts to which Greece is a party, we call upon Greece:

- to promote implementation of the OSCE commitments regarding religious liberties of the Minority in Western Thrace
- respect the right of its Muslim Turkish citizens' right to define their own religious heads
- take into consideration opinions from the Minority and revise the Law 3647/2008 regarding the religious pious foundations/waqfs passed by the Greek Parliament that excessive power to the local administrative bodies of the Greek state
- solve problems regarding the height of minarets and permits for construction and restoration of mosques across Western Thrace
- stop the application of the Law 4115/2013 regarding the appointment of imams.

Christian Solidarity Worldwide

- To implement the recommendations in the Rabat Plan of Action, ensuring that State legislation, jurisprudence and policies regarding incitement to violence on religion or belief grounds are in line with international human rights law;
- To promote an environment conducive to intercultural dialogue, understanding and respect for diversity, through education, training and public debate;
- To develop resources and compile best practices, through cooperation and information sharing with the UN and other regional mechanisms, including with the EU and Council of Europe, and to make best use of existing tools such as the Rabat Plan of Action, the EU Guidelines on the promotion and protection of freedom of religion or belief, the ODIHR/Venice Commission

Guidelines for Review of Legislation pertaining to Religion or Belief, and the future ODIHR Guidelines on Recognition of Religious or Belief Communities.

Order of St. Andrew the Apostle, USA

- It is self-evident that the OSCE members should be expected to fully uphold the OSCE Charter. Turkey, as a signatory to this Charter, must affirm and enforce, in the strongest terms, religious freedom as a fundamental human right. Furthermore the Order calls on the Government of Turkey to comply with the principles of the Helsinki Final Act and the Vienna and Copenhagen Concluding Documents. We claim that these rights are inherent to the Ecumenical Patriarchate and must be respected and defended by the public authorities of Turkey not only for the sake of the Ecumenical Patriarchate, but also for all faiths in the country. Our position hinges on a dual approach: on one hand, it highlights the Government of Turkey's failures to fully adhere to these principles notwithstanding the fact that it is a signatory to the OSCE; and, on the other hand, it acknowledges, with satisfaction and hope, recent government actions and announcements by the government, expecting actual implementation of decrees and statements of good intentions.
- We recognize the drastic change of the political and social climate in Turkey that has taken place in recent years and the government stated willingness to adhere, observe, and apply the principles of OSCE through bold reforms. However, in view of past history of back-tracking and inconsistency, we reinforce the demands presented in previous years and ask that OSCE and its Committees approach the Government of Turkey and vigorously request the following: (a) Continue the reform process in connection with the election of a new Ecumenical Patriarch and, ultimately, abstain completely from any interference. (b) Accord recognition of the Ecumenical Patriarchate and other religious denominations and faiths in Turkey as legal entities, with rights to acquire, own, build and repair property; (c) Allow, at long last, the opening and normal operation of the Theological School of Halki; (d) Accept and use, officially, the use of the title "Ecumenical;" and (e) Complete the process of the return of seized properties of non-Muslim Foundations.

Forum 18

To assist implementation of human dimension commitments, recommendations for participating States and OSCE institutions and field operations would include:

- insisting that the politically binding human dimension commitments to ensure freedom of religion or belief and related human rights are implemented in full by all participating States;
- identifying freedom of religion or belief violations against particular people or communities as attacks on the fundamental rights and freedoms of all people;
- and mainstreaming the commitments to ensure and promote freedom of religion or belief for all and its interlinked human rights, taking advantage of resources such as the *EU Guidelines on the promotion and protection of freedom of religion or belief*, the *ODIHR/Venice Commission Guidelines for Review of Legislation pertaining to Religion or Belief*, and the forthcoming *ODIHR Guidelines on Recognition of Religious or Belief Communities*.

Muslim Problems Research Center

В связи с этим мы рекомендуем:

- Присоединиться БДИПЧ к рекомендациям Венецианской комиссии при Совете Европы, в которых озвучивается необходимость внесения прояснений в российское экстремистское законодательство, так как в нем отсутствует четкая формулировка определения экстремизма, позволяющее произвольно трактовать этот закон, что ведет к произволу в отношении как незарегистрированных религиозных ненасильственных организаций, так и мусульман в частности.
- Необходимо приостановить действие экстремистского законодательства, в ныне существующем виде, а также всех созданных на его основе инструментов, таких как списки запрещенных религиозных организаций и списки запрещенных религиозных материалов до момента внесения в данный закон существенных корректировок, соответствующих международным нормам.
- Всем гражданам России, кто ранее подвергся уголовному преследованию на основе столь неоднозначного экстремистского законодательства, предоставить право на реабилитацию.
- России перейти от увеличения и ужесточения карательных мер в сфере свободы религии и убеждений к мерам предупреждения.
- Создать внутригосударственную площадку для возможности построения диалога между государством и незарегистрированными религиозными, в том числе исламскими организациями.

European Association of Jehovah's Christian Witnesses

- Jehovah's Witnesses respectfully request Azerbaijan to register them with full legal status, to introduce alternative civilian service in harmony with European standards, and to stop interfering with their worship by censoring their religious literature.
- Jehovah's Witnesses respectfully call upon the President of Turkmenistan to respect the right to conscientious objection to military service, to amnesty or pardon the eight imprisoned conscientious objectors, to allow Jehovah's Witnesses official registration in Turkmenistan, and to end the abuses inflicted on the Witnesses merely for exercise of their beliefs.
- Jehovah's Witnesses request the government of Kyrgyzstan to register their local religious organizations in the Osh, Naryn, Jalal Abad, and Batken districts. This is necessary so that Jehovah's Witnesses can peacefully manifest their religious beliefs without the fear of arrests and police raids.
- Jehovah's Witnesses respectfully request the government of Ukraine to
 - Ensure that law enforcement authorities provide appropriate protection against physical assaults on Jehovah's Witnesses in the Ukraine;
 - Ensure that law enforcement authorities thoroughly investigate reported crimes, acknowledge hate crimes, and institute criminal cases to punish perpetrators;

- Provide adequate protection for houses of worship and prosecute criminals who desecrate and destroy houses of worship; and
 - Abide by commitments to uphold the fundamental freedoms guaranteed by the Constitution of Ukraine, the European Convention on Human Rights, and the ICCPR for all citizens, including Jehovah's Witnesses.
- Jehovah's Witnesses respectfully call upon the government of Uzbekistan to legally register their congregations outside of Chirchik, and discontinue illegal home searches, confiscation of personal property, arrests, and exorbitant fines imposed on its members simply for peacefully practicing their religious freedoms guaranteed under the Uzbekistan Constitution.
 - Jehovah's Witnesses respectfully ask the Tajikistan government to implement the August 20013 Concluding Observations of the Human Rights Committee and restore the legal status of Jehovah's Witnesses so that they can manifest their religious beliefs in harmony with the guarantees of law.

Religious Information and Advisory Centre "Sana"

- Рекомендую, более корректно отнестись к неправительственным организациям, которых называют ГОНГО, которых часто обвиняют в поддержке «традиционных» религий или разделение на «традиционные» и «нетрадиционные». Действительно, на законодательном уровне все религиозные конфессии равны перед законом и между собой, однако разделение на традиционные и нетрадиционные религии глубоко заложено в сознании казахстанского народа. Традиционные религии вплетенные в национальную культуру и традиции — это объективная реальность, и их статус необязательно прописывать. И даже искусственно это искоренить трудно. Особенно сейчас, как в противовес негативным тенденциям глобализации национальная культура – это защитный код нашего народа, оберег, если хотите, защита от разрушения мира и самих себя. Думаю, когда великий гуманист Ганди сказал: « Я хочу, чтобы в моем доме были открытые окна и дули ветры всех культур, но я не хочу, чтоб этот ветер сбивал меня с ног», то имел ввиду, что не все дозволено во имя свободы совести или религии, и необходима, кроме всего прочего, государственная воля, «вмешательство государства, чтоб регулировать полноценно и сбалансированно религиозные отношения, а религиозным организациям уметь работать в правовом поле.

United States of America

- We are deeply disturbed by attacks against members of religious communities in the OSCE region. We call on governments to take concrete action against religious intolerance. Governments that act to restrict or repress freedom of religion send the message that discrimination against individuals on the basis of religion is acceptable. Governments also bear a responsibility to protect the safety and universal rights of all their people, regardless of their faith, and to work to eliminate societal intolerance, discrimination, and violence.

Disturbing trends demonstrate the need for joint action by governments and civil society to confront issues of religious intolerance, wherever they arise.

Plymouth Brethren Christian Church

- We invite you to appeal to the British Government to resolve this matter urgently so that freedom of worship is maintained for all Christians worldwide, and indeed for all faiths.

Human Rights Without Frontiers

- Human Rights Without Frontiers Int'l hails the recent adoption by Armenia of appropriate legislation recognizing the right to conscientious objection and recommends to Azerbaijan, Belarus, Georgia, Turkey and Turkmenistan to legalize the right to conscientious objection to military service on religious or philosophical grounds.

Buergerbewegung PAX EUROPA

- BPE Austria therefore recommends that measurements be taken by law enforcement and authorities to protect Apostates from Islam in the OSCE region and to consequently punish the perpetrators even if it means deportation.

Recommendation to the Austrian Delegation

- BPE-Austria recommends that Austria take seriously its OSCE commitments with respect to implementing the Law on Islam in Austria. We ask that the Austrian authorities demand a certified German copy of the Koran to check whether Islamic teachings are indeed compatible with Austrian laws.

Alliance Defending Freedom

- To conclude, Alliance Defending Freedom strongly urges OSCE Participating States to protect the fundamental right of freedom of thought, conscience and religion by recognizing the freedom of parents to educate their children according to their own religious beliefs, whether this is through homeschooling or by withdrawing their children from certain explicit sexual education classes.

Muslim Denomination in Bulgaria

In this respect we encourage the National authorities to:

- Implement effectively the commitments to freedom of religion or belief and antidiscriminatory legislation;
- Address these issues for their employees, so that they are more careful and sensitive when the subject of their work is religions or beliefs of the citizens;
- Urge on educational institutions to use the Guidelines for Educators on Countering
- Intolerance and Discrimination against Muslims, co-published by OSCE, UNESCO and CoE.

Foundation "CitizenGO"

Recommendations:

- Defend the respect of the human right of religious belief, which is unable to exist with unlimited tolerance;
- Be critical of legal documents and the rulings of the courts, which include in their justification unlimited tolerance without considering the human values they violate.

International Civil Liberties Alliance (ICLA)

- To the Participating States: Refrain in all circumstances from using the term "Islamophobia" in any public discussions, papers, publications, brochures, and other printed material.

Muslim Problems Research Center

In this regard we recommend:

- To abolish the extremist legislation in its current form also tools based on it such as lists of banned religious organizations and lists of banned religious materials until the significant adjustments to the law in accordance with international standards be made.
- To give the right of rehabilitation to all citizens of Russia who had previously been prosecuted on the basis of such an ambiguous extremist legislation.
- Russia to pass from toughening of punitive measures in the sphere of freedom of religion and belief to warning measures.

Atheist Ireland

- OSCE/ODIHR and all states and NGOs to support the attached recommendations in the Dublin Declarations on Secularism and Religion and Public Life, and on Secularism Empowering Women, put together by atheist advocates internationally.
- OSCE/ODIHR and Ireland to Support the attached recommendations on specific steps needed to achieve secularism, civil rights and empowering women in Ireland.
- OSCE/ODIHR and all states to publicly oppose undemocratic State proselytizing, such as EU/IOC joint statements about respecting all prophets, and to strongly oppose all blasphemy laws. People have rights; our beliefs do not.
- OSCE/ODIHR and all states, particularly Ireland, to oppose the mandatory swearing of religious oaths as a condition of taking up public office, such as in Ireland the President and judges, and most recently, agnostic Eamon Gilmore, last year's chair of the OSCE.
- OSCE/ODIHR and all states to treat the Vatican/Holy See/Catholic Church as an NGO religion, and not as a state, and the Holy See to choose not to undermine civic democracy by telling politicians to follow religious ethics instead of legislating for all citizens.

- OSCE/ODIHR and Ireland to support atheists having the same legal recognition given to religions in Ireland. The Constitution prevents only discrimination between religions.
- OSCE/ODIHR and Ireland to support the UN recommendation that nondenominational schools be widely available throughout Ireland. There are currently none.
- OSCE/ODIHR and Ireland to take positive steps to protect secular parents and their children from religious discrimination in the education system.
- OSCE/ODIHR and Ireland to prevent religious schools from legally giving preference to coreligionists in order to uphold their religious ethos. Do not allow schools to require parents to produce a Catholic baptismal certificate when enrolling their child at the only local school.
- OSCE/ODIHR and Ireland to endorse the concern by the UN human rights committee that the religious integrated curriculum in Catholic schools in Ireland denies parents access to a secular education for their children. They said it was discrimination, breached the right to freedom of conscience, the rights of the child and the right to equality before the law.
- Ireland to make schools, not parents, responsible for the supervision of children if parents opt them out of religious instruction classes.

ACT! For Canada – Education

- ACT! for Canada recommends that participating states practice due diligence in enforcing laws against violence and intimidation that prevent the free expression of religion.

Freedom House

Активисты предлагают следующие рекомендации к тексту Концепции, а также призывают государство:

- организовать систематическое обучение своих служащих конституционным и международным стандартам прав и свобод человека и в частности свободы вероисповедания;
- не перекладывать свои функции по обеспечению прав и свобод на плечи самих граждан и организаций;
- начать работу по пересмотру нормативных правовых актов, противоречащих Конституции 2010 года и международным обязательствам страны в сфере обеспечения права на свободу вероисповеданий;
- отказаться от устаревшего и неэффективного инструмента отказа в регистрации религиозных организаций;
- пересмотреть задачи государственного органа по делам религий, сделав основной упор на позитивные мероприятия, связанные с предупреждением конфликтов, способствовать установлению отношений взаимной терпимости и уважения между гражданами, исповедующими религию и не исповедующими ее, между религиозными организациями различных вероисповеданий, а также между их последователями;

- привести ограничения права на свободу вероисповедания в соответствие с требованиями Конституции и международными обязательствами страны в сфере прав и свобод человека;
- проводить в обязательном порядке и учитывать результаты правозащитной экспертизы проектов нормативных правовых актов в сфере свободы вероисповедания.

Recommendations to the OSCE

Soteria International

Sono qui per segnalare all'OSCE, che opera per assicurare la pace, la democrazia e la stabilita, il pericolo che, in Italia, si verifichino limitazioni o violazioni della liberta' religiosa delle minoranze e per chiedere aile auto rita italiane:

- di intraprendere un'indagine, anche attraverso un'apposita commissione d'inchiesta, per verificare la costituzionalita e la legalita del Dipartimento di Polizia Anti-Sette e la correttezza del suo operato, specialmente in relazione ai consulenti di cui si serve per monitorare i gruppi religiosi e spirituali
- di verificare se la Squadra di Polizia Anti-Sette, nelle sue finalita e, attraverso il suo operato, non violi il diritto costituzionalmente garantito di professare la propria religione e il proprio credo
- di intraprendere, nei confronti delle minoranze religiose e spirituali presenti in Italia strategie di accoglienza e dialogo costruttivo che promuovano l'integrazione e la convivenza civile

Coordination des Associations et Particuliers pour la Liberte de Conscience

- CAP respectfully requires that the OSCE intervenes with the French government so that such policy and measures cease and freedom of religion or belief is restored in France.

Church of Scientology; Human Rights Office

- We respectfully ask the ODIHR to intervene to put an end to such spreading of intolerance and discrimination that endanger the rights of Parents to educate their children according to their own beliefs in Europe.

Set My People Free

- Thank you for the work you have done for adopting the EU Guidelines on the promotion and protection of freedom of religion or belief, which was passed by the Foreign Affairs Council meeting Luxembourg, 24 June 2013 and I believe you in OSCE has played part on it.
- The guide lines are based on article 18 Freedom of thoughts, conscious and believe and freedom to change and practice and teach and assemble. It is freedom to adopt and not adopt religion. Religious freedom is a civil right we need to protect.

- Now we need have to have procedures of implementation because without implementation this guidelines will not make any difference for the people on the ground. It becomes only Slogans.

Kyrgyzstan

- Сегодняшние дискуссии, также как и дискуссии во второй день, демонстрируют, что требуется отдельное мероприятие по вопросам свободы вероисповедания. Возможно, эти дискуссии на первой фазе могут быть организованы в формате регионов. Выражаем готовность оказать содействие в БДИПЧ ОБСЕ в проведении такого рода дискуссий по Центрально-азиатскому региону в Кыргызской Республике.

Religious Information and Advisory Centre "Sana"

- Поэтому рекомендую решить проблему применения компромисса стандартов ОБСЕ к духовным ценностям и традициями той страны, где они развиваются.

Buergerbewegung Pax Europa

BPE thus recommend to OSCE, and in particular to ODIHR:

- That OSCE work on freedom of religion issues focus on inalienable individual rights, not group rights,
- That OSCE and pS call upon Islamic leaders to unconditionally repudiate capital punishment for leaving Islam.

Gustav Stresemann Stiftung e.V.

Because the UN human rights declaration and the Cairo Declaration are diametrically opposed, the STRESEMANN FOUNDATION recommends to the OSCE:

- To require of participating states who are members of OIC, a clear statement of what human rights they mean when they speak of human rights.
- To reject all statements on human rights by OIC member countries which refer to the "Cairo Declaration on Human Rights in Islam."

Womenforfreedom

- Wir bitten die OSZE darauf zu achten, dass die Religionsfreiheit für alle Menschen in den OSZE Teilnehmerstaaten gewährleistet wird, was das Verlassen, den Wechsel, aber auch den Nicht-Glauben, also Atheismus beinhaltet.

Muslim Denomination in Bulgaria

We call upon the OSCE/ODIHR:

- To monitor the process of implementation of commitment to freedom of religion and belief in Bulgaria;

- OSCE/ODIHR Advisory Panel on Freedom of Religion or Belief to have a greater role in the work of the OSCE on further implementation of the freedom of religion or belief in all participating States.

International Civil Liberties Alliance (ICLA)

- The International Civil Liberties Alliance recommends that ODIHR immediately abandon any use of the term “Islamophobia”, remove it from existing official publications, and omit it from all future publications.
- To ODIHR: Based on the above, ODIHR must abandon any discussion of the term immediately. The term must be removed from any existing official publications, and may not be included in any future publications.
- Alternatively, to ODIHR: Appoint a committee whose duty will be to establish a definition of Islamophobia that is acceptable by consensus. The makeup of the committee must include Muslims, Jews, Christians, and atheists. The non-Muslims on the committee should include in equal numbers supporters of Islam, critics of Islam, and people with no opinion on Islam.

Muslim Problems Research Center

- ODIHR to join the recommendations of the Venice Commission of the Council of Europe which voiced necessity to clarify the Russian extremist legislation, as it has no clear wording of the definition of extremism that allows arbitrarily interpret the law leading to outrage against non-violent non-registered religious organizations and Muslims in particular.

Atheist Ireland

- OSCE/ODIHR to host an event specifically to combat discrimination against atheists, similar to the events held to specifically combat discrimination against Christians, Muslims and Jews. This is our second year making this request.
- OSCE/ODIHR and all states and NGOs to support the attached recommendations in the Dublin Declarations on Secularism and Religion and Public Life, and on Secularism Empowering Women, put together by atheist advocates internationally.
- OSCE/ODIHR and Ireland to Support the attached recommendations on specific steps needed to achieve secularism, civil rights and empowering women in Ireland.
- OSCE/ODIHR and all states to publicly oppose undemocratic State proselytizing, such as EU/IOC joint statements about respecting all prophets, and to strongly oppose all blasphemy laws. People have rights; our beliefs do not.
- OSCE/ODIHR and all states, particularly Ireland, to oppose the mandatory swearing of religious oaths as a condition of taking up public office, such as in Ireland the President and judges, and most recently, agnostic Eamon Gilmore, last year’s chair of the OSCE.
- OSCE/ODIHR and all states to treat the Vatican/Holy See/Catholic Church as an NGO religion, and not as a state, and the Holy See to choose not to

undermine civic democracy by telling politicians to follow religious ethics instead of legislating for all citizens.

- OSCE/ODIHR and Ireland to support atheists having the same legal recognition given to religions in Ireland. The Constitution prevents only discrimination between religions.
- OSCE/ODIHR and Ireland to support the UN recommendation that nondenominational schools be widely available throughout Ireland. There are currently none.
- OSCE/ODIHR and Ireland to take positive steps to protect secular parents and their children from religious discrimination in the education system.
- OSCE/ODIHR and Ireland to prevent religious schools from legally giving preference to coreligionists in order to uphold their religious ethos. Do not allow schools to require parents to produce a Catholic baptismal certificate when enrolling their child at the only local school.
- OSCE/ODIHR and Ireland to endorse the concern by the UN human rights committee that the religious integrated curriculum in Catholic schools in Ireland denies parents access to a secular education for their children. They said it was discrimination, breached the right to freedom of conscience, the rights of the child and the right to equality before the law.

Center for Security Policy

- CSP RECOMMENDS THAT the ODIHR ensure that terms like “incitement” not be allowed to have open-ended definitions that can be foreseeably used to cause a chilling effect on what would otherwise be protected speech and faith.

Wednesday, 26 September 2013

WORKING SESSION 7: Freedom of Religion or Belief (continued)

Recommendations to participating States

European Union

- In promoting freedom of religion or belief, the indivisibility, interdependence and interrelation of human rights and OSCE human dimension commitments should be kept in mind. The implementation of commitments in this area goes hand in hand with respect for other fundamental freedoms and human rights, especially freedom of expression and equality and non-discrimination for all without distinction. If one of them is lacking, the other one cannot be fully achieved and vice versa.
- Participating States should safeguard the rights of all persons independent of their religion or belief or the absence thereof by following a rights-based approach. They should protect all persons - not religions or beliefs in themselves - and protect also the right to express opinions on any or all religions and beliefs.
- Participating States should guarantee the right to freedom of expression and opinion of individuals on any or all religions and beliefs and create an environment that enables citizens and groups to challenge prejudices and discrimination against any persons or communities, be it minority or majority, because of their religious or non-religious beliefs.

- Participating States should explore ways to update and reinforce existing OSCE commitments in Freedom of Religion or Belief.

The Values Foundation

- Madame Chair, we would encourage the OSCE to look into this carefully and in the light of this, we respectfully would submit a recommendation for consideration at the next OSCE Ministerial Session in December; *That member States should ensure that their legislation respect the basic freedom of conscience and not deny religious communities the right to full legal recognition and charitable status because of some interpretation of their particular belief or practice.*
- I would also welcome a comment from the United Kingdom delegation as to this current situation in the UK over what qualifies public benefit for religious minorities.

European Council of Religious Leaders - Religions for Peace

Governments:

- Should secure that the institutional aspect of public space is regulated to secure fairness and even handedness, and that the political public space is open and free to provide inclusiveness and participation for all, and encourage experimentation and innovation.
- Laws and practicing of laws on religions should not be based on the notion that religion or belief is the problem and needs to be restricted. Concerns around unlawful acts in the name of religion should be dealt with within the framework of criminal laws and not lead to introduction of restrictive religious laws.

Religious and belief communities should recognize the importance of cooperation and solemnly pledge:

- To work individually and collectively for the advancement of religious freedom, and to stand together when religious freedom is threatened, whether by States' excessive restrictions, actions or lack of action in the face of violence or threats of violence against religious communities.
- To speak out together in full solidarity against hate crimes which target religious, belief or other communities; and with a particular obligation to speak out against threats to the religious freedom of others when they come from within their own communities.

The European Federation of Centers of Research and Information on Cultism (FECRIS)

- This year is not an exception. FECRIS calls on the OSCE member states to review and pay close attention to the existing legislation governing the sphere of religion in France and Belgium. These two countries have experienced the scope of existing problems in this field, adopted the corresponding laws, created procedures, gained a valuable experience and practical knowledge

which can be applied to other countries to safeguard the human rights and democratic values.

Associazione culturale “Giuseppe Dossetti: i Valori”

To the Participating States

Participating States are urged to:

- guarantee the right to wear religious symbols and attire in public spaces, which is encompassed by the freedom of religion or belief.
- guarantee the conscientious objection not only to the compulsory military service but also in relation to all morally sensitive questions.
- foster the participation of religious communities in public life and welcome the interventions in the public debate of the religious leaders.
- engage in consultations with religious communities in order to adopt anti-discrimination laws which do not violate the autonomy and self-organization of the religious communities.
- return to religious communities the place of worship which were confiscated by public authorities, returning them to the original owner instead allocating to other religious.
- adopt legislation and zoning laws which prohibits zoning of place of worship for different use than original.
- promote a dialogue between the representatives of the religious communities that are building a new place of worship and the religious communities historically present in the places in order to foster a climate of mutual tolerance and respect between believers of different communities.
- request the assistance of the OSCE/ODIHR in reviewing or drafting legislation pertaining freedom of religion or belief.
- mainstream freedom of religion or belief in their foreign policies.

United States of America

- While 35 participating States have reported they collect data on hate crimes motivated by religious bias, they have not provided this information to ODIHR. Without accurate data, we are left with an inaccurate picture of the problem. We therefore urge countries within the OSCE region to utilize ODIHR’s Tolerance and Non-Discrimination Unit, its vital Annual Hate Crimes Report, and its Practice Guide on Hate Crime Laws more extensively and more effectively.

U.S. Commission on International Religious Freedom

UZBEKISTAN RECOMMENDATIONS

USCIRF recommends that the U.S. government continue to designate Uzbekistan as a CPC and immediately engage in intensive negotiations to see concrete progress to address religious freedom abuses. If those talks fail after 180 days, it should lift the waiver and impose sanctions, including a ban on visits to the United States by high-level and mid-level Uzbek officials. As described below, USCIRF recommends that the U.S. government should prioritize freedom of religion or belief in U.S.-Uzbek

bilateral relations, encourage greater international scrutiny of Uzbekistan's rights record, and support human rights defenders and religious freedom initiatives.

I. PRIORITIZING FREEDOM OF RELIGION OR BELIEF AS AN ISSUE IN BILATERAL RELATIONS

In addition to continuing to designate Uzbekistan as a CPC, the U.S. government should:

-press for concrete progress to address religious freedom abuses, and if those efforts fail after 180 days, lift the indefinite waiver and impose sanctions, including a ban on visits to the United States by high-level and mid-level Uzbek officials, and work to have Uzbek officials up to and including President Karimov added to the Politically Exposed Persons list as a consequence of Uzbekistan's CPC designation and human rights violations;

-ensure that U.S. assistance to the Uzbek government, such as U.S. security materiel and other assistance, with the exception of assistance to improve humanitarian conditions and advance human rights, be made contingent upon establishing and implementing specific measures to improve conditions of freedom of religion or belief and observe international human rights standards, including:

- establishing a mechanism to review the cases of persons previously detained under suspicion of or charged with religious, political, or security offenses; releasing those who have been imprisoned solely because of their religious beliefs or practices as well as others unjustly detained or sentenced; and making public detailed information about individuals detained under these articles or imprisoned following conviction;
- revising the 1998 Law on Freedom of Conscience and Religious Organizations to bring it into compliance with international standards, including making changes consistent with recommendations made by the Organization for Security and Cooperation in Europe (OSCE) Panel of Experts on Freedom of Religion or Belief, and registering religious groups that have complied with the legal requirements;
- ending reliance on convictions based solely on confessions and implementing the recommendations of the UN Committee Against Torture and the UN Special Rapporteur on Torture; and
- adopting policies to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer, as specified in international human rights instruments, and allowing prisoners to practice their religion while in detention to the fullest extent compatible with the specific nature of their detention; and for any assistance provided, make certain that it does not go to Uzbek government agencies, such as branches of the Interior and Justice Ministries and certain judges and prosecutors, responsible for particularly severe violations of religious freedom.

II. ENCOURAGING GREATER INTERNATIONAL SCRUTINY OF UZBEKISTAN'S HUMAN RIGHTS RECORD

The U.S. government should:

- encourage public scrutiny of Uzbek religious freedom and related human rights in appropriate international fora, such as the UN, OSCE and other multilateral venues, and facilitate the participation of Uzbek human rights defenders in multilateral human rights mechanisms; and
- urge the Uzbek government to agree to visits by UN Special Rapporteurs on Freedom of Religion or Belief, the Independence of the Judiciary, and Torture,

set specific visit dates, and provide the full and necessary conditions for such a visit.

III. SUPPORTING UZBEK HUMAN RIGHTS DEFENDERS AND RELIGIOUS FREEDOM INITIATIVES

The U.S. government should:

- continue to monitor closely the status of individuals who are arrested for alleged religious, political, and security offenses;
- continue efforts to improve the situation of Uzbek human rights defenders, including by pressing for religious communities and human rights groups to be allowed to register or to operate freely without registration and ensuring that the U.S. Embassy in Uzbekistan maintains active contacts with Uzbek human rights activists and recognizes their work;
- increase foreign travel opportunities for religious leaders, civil society activists and others in Uzbekistan concerned with religious freedom so that they can take part in international conferences and exchange programs, and ensure that the U.S. Embassy vigorously protests if Uzbek authorities harass participants after their return to Uzbekistan, and if such harassment continues, implement penalties, including a ban on high-level meetings;
- support the development of civil society institutions' ability to protect religious freedom and related human rights, including by funding training in human rights and the rule of law, expanding legal assistance programs for Uzbek relatives of detainees and religious communities;
- specify freedom of religion as a grants category and area of activity in the Democracy and Conflict Mitigation program of the U.S. Agency for International Development and the Democracy Commission Small Grants program administered by the U.S. Embassy, and encourage the publicly-funded National Endowment for Democracy to make grants for civil society programs on tolerance and freedom of religion or belief; and
- counteract the Uzbek government's blockade on information into the country by increasing radio, Internet, and other broadcasting, particularly in the Uzbek language, of objective news and information on relevant issues, including specific religious freedom concerns in the country and explaining why religious freedom is an important element of U.S. foreign policy.

AZERBAIJAN

RECOMMENDATIONS FOR U.S. POLICY

In order to promote freedom of religion or belief in Azerbaijan, the U.S. government should:

- press the Azeri government to allow religious groups to operate freely without registration, and advocate for substantive amendments to the religion law's registration process so as to ease its requirements and to make it voluntary;
- urge the Azeri government to cease police raids of religious meetings, as well as the issuance of fines, property confiscation, detentions and imprisonment of participants and leaders;
- encourage President Aliiev to speak publicly about respect for religious freedom for all Azeris, to state that repressive government actions will not be tolerated, and to include minority and other domestic religious communities in various conferences that discuss and promote international religious tolerance in Baku;
- encourage public scrutiny of Azerbaijan's record on religious freedom and related human rights in appropriate international fora, such as the UN, OSCE, and other multilateral venues, and highlight cases of prosecution of Azeri citizens that violate

- these international norms in comments at such fora;
- urge the Azeri government to agree to visits by UN Special Rapporteurs on Freedom of Religion or Belief, the Independence of the Judiciary, and Torture, set specific visit dates, and provide the full and necessary conditions for such a visit;
 - ensure that the U.S. Embassy in Azerbaijan maintains active contacts with Azeri human rights activists and press the Azeri government to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer, as specified in international human rights instruments;
 - specify freedom of religion as a grants category and area of activity in the Democracy and Conflict Mitigation program of the U.S. Agency for International Development and the Democracy Commission Small Grants program administered by the U.S. Embassy, and encourage the publicly-funded National Endowment for Democracy to make grants for civil society programs on tolerance and freedom of religion or belief; and
 - increase radio, Internet, and other broadcasting, particularly in the Azeri language, of objective news and information on relevant issues, including specific religious freedom concerns in the country and explaining why religious freedom is an important element of U.S. foreign policy.

KAZAKHSTAN

RECOMMENDATIONS FOR U.S. POLICY

In order to promote freedom of religion or belief in Kazakhstan, the U.S. government should:

- press the Kazakh government to allow religious groups to operate freely without registration until substantive amendments to the 2011 Religion Law's registration process ease it and make it voluntary, thereby bringing it into compliance with recommendations of the Organization for Security and Cooperation in Europe (OSCE) Panel of Experts on Freedom of Religion or Belief;
- urge the Kazakh government to cease police raids of religious meetings, as well as the issuance of fines, property confiscation, detentions and imprisonment of participants and religious leaders;
- encourage President Nazarbaev to speak publicly about respect for religious freedom for all Kazakhstanis, to clarify that repressive government actions will not be tolerated, and to include minority religious communities into the Congress of World and Traditional Religions held biannually in the capital Astana;
- encourage public scrutiny of Kazakhstan's record on religious freedom and related human rights in appropriate international fora, such as the UN, OSCE and other multilateral venues, especially in cases of prosecution of Kazakh citizens for comments at such fora;
- urge the Kazakh government to agree to visits by UN Special Rapporteurs on Freedom of Religion or Belief, the Independence of the Judiciary, and Torture, set specific visit dates, and provide the full and necessary conditions for such a visit;
- ensure that the U.S. Embassy in Kazakhstan maintains active contacts with Kazakh human rights activists and press the Kazakh government to adopt policies to ensure that every prisoner has greater access to his or her family, human rights monitors, adequate medical care, and a lawyer, as specified in international human rights instruments;

- specify freedom of religion as a grants category and area of activity in the Democracy and Conflict Mitigation program of the U.S. Agency for International Development and the Democracy Commission Small Grants program administered by the U.S. Embassy, and encourage the publicly-funded National Endowment for Democracy to make grants for civil society programs on tolerance and freedom of religion or belief; and
- increase radio, Internet, and other broadcasting, particularly in the Kazakh language, of objective news and information on relevant issues, including specific religious freedom concerns in the country and explaining why religious freedom is an important element of U.S. foreign policy.

RUSSIA

RECOMMENDATIONS FOR U.S. POLICY

In response to continuing violations of religious freedom in Russia, the U.S. government should:

- urge the Russian government, in public and at high political levels, to amend the extremism law to ensure respect for international norms on freedom of religion or belief;
- make freedom of religion or belief a key human rights and security concern in the U.S.-Russia relationship, such as by creating in the U.S.-Russia Bilateral Presidential Commission a working group comprised of legal experts on international norms on freedom of religion or belief;
- press the Russian government to reform the extremism law by adding criteria related to advocacy or use of violence to ensure the law is not used against peaceful religious communities, and to amend the process for banning books by either removing that power or giving it only to the Supreme Court;
- recommend Chechen President Ramzan Kadyrov for inclusion in the Politically Exposed Persons list of government officials whose bank assets should be frozen due to their corrupt practices and gross human rights violations;
- include in U.S.-funded exchange programs participants from Russian regions with sizeable Muslim and other religious minority populations and initiate an International Visitor's Program for Russian officials on the prevention and prosecution of hate crimes; and
- reprogram funding from the \$50 million slated for the now defunct USAID Russia program to other programs benefitting Russian civil society, including a new Internet program to address issues relating to post-Soviet historical and cultural issues and practical programs on tolerance and on freedom of religion or belief.

TURKMENISTAN

I.PROMOTING FREEDOM OF RELIGION OR BELIEF AND OTHER HUMAN RIGHTS

The U.S. government should:

- raise human rights and freedom of religion or belief during all bilateral meetings with the government of Turkmenistan, explore ways in which Turkmenistan can implement laws and practices to comply with international human rights standards, and establish a regular reporting mechanism on these issues; and

- designate Turkmenistan as a CPC, if specific improvements are not made in line with the recommendations immediately below.

The U.S. government should urge the government of Turkmenistan to:

- repeal all laws, decrees or regulations and amend those articles of the religion law that violate international norms on freedom of religion or belief, including by implementing the recommendations of the ICNL analysis of the religion law;
- restore genuine legal alternatives to military service on the grounds of religious or conscientious objection based on international commitments, and cease the criminal prosecution and fully restore the civil and political rights of Jehovah's Witnesses and others who refuse to serve in the army on the grounds of conscience;
- end state interference in the management of religious communities and in the selection and training of religious leaders, including those from Sunni and Shi'i Muslim and the Russian Orthodox communities, as well as from Protestant and other minority communities;
- honor its commitment to allow a USCIRF delegation to return to Turkmenistan to assess current conditions for freedom of religion or belief, providing USCIRF access to Turkmen government officials, current or former prisoners of conscience in places of detention, and unimpeded contact with religious and other organizations and their members; and
- fulfill its previous human rights promises, including those regarding freedom of religion or belief made to the USCIRF delegation during its August 2007 visit.

II. EXPANDING U.S. PROGRAMS AND ACTIVITIES TO PROMOTE HUMAN RIGHTS AND REFORM EFFORTS

The U.S. government should:

- increase and improve publicly-funded radio, Internet, and other broadcasts of objective news and information, including on freedom of religion or belief and religious tolerance, by expanding the Turkmen Service of Radio Free Europe/Radio Liberty (RFE/RL), adding RFE/RL Russian-language broadcasts, and restoring Voice of America's Russian-language television and radio broadcasts;
- support projects to translate educational materials on human rights, freedom of religion or belief, tolerance, civic education, and international legal standards into the Turkmen and Russian languages and make them available to schools and libraries;
- develop programs, including by the publicly-funded National Endowment for Democracy, to encourage civil society groups to promote freedom of religion or belief, including by expanding legal assistance programs to include representatives of religious communities as well as through grants that address freedom of religion or belief; and
- expand international contacts and increase U.S. involvement in communities in Turkmenistan, including through USAID programs, include religious leaders in community projects in order to address social problems and increase tolerance, and expand exchange programs, including with civil society leaders, students, and others concerned with human rights and religious freedom.

III. STRENGTHENING EFFORTS IN THE INTERNATIONAL ARENA

In various international fora, the U.S. government should urge the Turkmenistan government to:

- implement past recommendations of UN human rights bodies to improve religious freedom conditions in Turkmenistan, including from the UN Human Rights Council's Universal Periodic Review, the UN Human Rights Committee, and the UN Special Rapporteur on Freedom of Religion or Belief;
- allow UN Special Rapporteurs, including the Special Rapporteur on Freedom of Religion or Belief, and OSCE representatives, including its Panel of Experts on Freedom of Religion or Belief, to visit the country, and provide the full and necessary conditions for such visits; and
- participate fully in the OSCE, including in the annual Human Dimension meeting in Warsaw, and expand the activities of the OSCE Center in Ashgabat, particularly on civic education, human rights, including programs with local schools, universities, and institutes on human rights standards, including freedom of religion or belief.

Recommendations to the OSCE

Barnabas Fund

- OSCE, through its own actions and the actions of individual state representation with the Central Asian countries concerned, continue to press for greater respect for religious freedom and for their international engagements under MC Decision 4/03 Maastricht. In particular, individual religious freedom should be upheld, and freedom to manifest religion should not be restricted by burdensome bureaucratic obstacles to registration of churches and other associations.
- I recommend continued vigorous promotion of international norms on these issues in Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan and look forward to the publication shortly of OSCE best practice guidelines on registration administration.
- It is noted that individual freedom of belief is absolute, and may not be restricted by the state. This includes the right to change one's belief to another faith or none, the right to religious practice, and the right to personal integrity on these issues and not suffer harsh police treatment. It is also noted that restrictions on the corporate manifestation of religion may be limited but only on very specific and limited grounds. It is not appropriate that, for example, non-standard religious denominations that are demonstrably peaceful and possibly pacifist, should be refused registration on vague state-security grounds. Finally it should be underlined that administrative registration should not be a requirement for a group to manifest their religion as provided under UDHR Article 18.

European Union

- ODIHR and OSCE Field Operations should develop and carry out activities aimed at enhancing understanding and strengthening the implementation of freedom of religion or belief.
- ODIHR should reinforce the work of its Desk on Freedom of Religion or Belief and effectively address the connections of Freedom of Religion or

Belief with other fundamental freedoms in cooperation with its Human Rights Department.

European Council of Religious Leaders - Religions for Peace

OSCE/ODIHR:

- Should intensify the systematic training of leaders of religious and belief communities in the rights and commitments connected with Freedom of Religion or Belief. This training should preferably be done jointly with representatives of religious traditions together with representatives of governments and other stakeholders in order to create understanding and respect across identities and roles. European Council of Religious Leaders stands ready to partner with OSCE/ODIHR in this endeavour on European and national level.

Associazione culturale “Giuseppe Dossetti: i Valori”

The OSCE/ODIHR is called upon to:

- raise awareness on the positive contribution of the religions to the building and the well-being of our democratic societies.
- assist, in cooperation with the Advisory Panel of Experts on Freedom of Religion or Belief, the participating States in reviewing or drafting legislation pertaining freedom of religion or belief in order to guarantee the right to conscientious objection in all morally sensitive questions, providing that the rights of others to be free from discrimination are respected and that the access to lawful services is guaranteed.

Franco-Egyptian Organization for Human Rights

- The Franco Egyptian Organisation for Human Rights is recommending OSCE and the European community to be watchful about the out coming drafts of the future constitution, and its matching with Human Rights, as they are understood within the United Nations International Treaties and conventions