

HEAD OF PRESENCE REMARKS

Human Rights in the 21st Century **International Young Researchers Conference on Law** *18 May 2012*

Human Rights are a key issue for the OSCE Presence in Albania. It is a delight for me to make use of this opportunity to address you regarding this important part of dignified human life.

In order to fully enjoy our intrinsic human rights, we need to benefit from fundamental freedoms. Within the framework of a democratic constitution, we need to be free from interference by the State. We also need to be free from interference by those who might not share our views and beliefs. Where these freedoms are cut or abolished, where one cannot think and write and act freely, while respecting the rights of others, human dignity is at stake, and eventually, such lack of freedom will endanger and even disrupt peace.

Gross Human Rights abuses of the most violent nature characterized most parts of history of mankind. In the 20th Century and international, regional and national mechanisms evolved to protect the fundamental rights of all people, regardless on where they live. Since then, the approach to the protection of these rights evolved, their scope expanded. In the 21st Century, Human Rights have become an integral part of State policies and international relations – at least for the majority of states. This is related to the cognition that only full protection of human rights and fundamental freedoms are guarantors of lasting peace.

This concept is one of the main pillars underlying the work of the OSCE in order to maintain peaceful relations throughout its 56 participating States. The OSCE as a security organization deals with issues of military security, disarmament or border issues. The OSCE considers security to be more than just the absence of war. What make OSCE special is the human dimension, the understanding that unless there is respect for human rights and respect for the dignity of the individual and rule of law and a democratic perspective, you can never build long lasting security – inside a society just as much as between nations. Based on this broad concept of security, a comprehensive framework for peace and stability in Europe requires the upholding of human rights and of democracy. This is where the OSCE and the participating States – others would say OSCE member States – are committed and active – including Albania.

In Albania, the OSCE Presence provides support to fulfil Albania's OSCE commitments and, in particular, to enhance the protection of individual rights. Protecting human rights includes providing a mechanism to oversee the implementation of human rights principles. The Albanian Constitution installed the Office of a People's Advocate to "defend the rights, freedoms and legitimate interests of individuals", giving it wide powers of investigation and rights to make recommendations when violations of human rights and freedoms are found. This institution, supported by the OSCE Presence, has gained wide public trust and has contributed to the accountability of Albanian State institutions.

Through the appointment of a new Ombudsman in December 2011, the Ombudsman's Office is back to fully functioning in its tasks of protecting the rights of all living in Albania, including the most vulnerable. It is, therefore, crucial that the voice of the Ombudsman be heard and that all State institutions implement the Ombudsman's recommendations for an improved human rights situation in practice.

The OSCE Presence in Albania has supported the new independent human rights institutions since their creation. Next to the Ombudsman, the Presence was fully involved in drafting the new anti-discrimination legislation and has supported the Office of the Anti Discrimination Commissioner. Many of the Presence's projects focused on the rights of vulnerable groups, such as a project on the right of Roma to vote, in which Roma have been trained by Roma on the importance of voting and how to vote. We have assisted in the creation of Child Protection Units throughout the country, and have supported both children victims of abuse and children in conflict with the law. The Presence assisted in the drafting of domestic violence legislation. We also published leaflets and brochures on domestic violence, informing victims of possible avenues of help and redress – to give just some examples

The Presence has also conducted projects to foster protection of the rights of prisoners. For example, the Presence published a collection of legislation relating to detainees, one copy of which was distributed to every prisoner/detainee; the Presence also installed safe mailboxes in every detention center, which can only be opened by the Ombudsman for detainees to place their letters of complaints. Maybe even more significantly, the Presence has supported the creation of the Probation Service, which helps reducing the overcrowding in prisons, and which will through measures of reintegration and social inclusion of offenders, reduce recidivism rates and thereby create a safer society for all. A new Electronic Monitoring mechanism supported by the OSCE Presence will further serve this goal. We are also closely working with the Albanian State Police, by providing training on human rights and diversity issues, and by participating in the review of police school curricula in line with international human rights standards.

Through its assistance, the OSCE Presence in Albania has thus fostered human rights protection and institutions in the country. However, in a State guided by the principle of rule of law, let us not forget that it is primarily for courts to provide redress in cases of alleged human rights violations. The Presence's support of an independent, efficient and transparent judiciary is therefore of particular importance in this regard, as you, as young lawyers gathered here today, will surely be fully aware of.

It is you, the young generation of lawyers, who will shape those laws in the future, which will help even better protect the fundamental rights of all citizens. It is you, who will review the cases and draft the decisions for those parties in front of your courts who claim that their rights have been violated. It is you who, will be part of the public administration, who will ensure that the public administration in this country adheres to the principles of lawfulness, transparency and efficiency, and who will guarantee that the laws are equally applied to all. Your integrity while performing your future legal professions will help to safeguard the protection of human rights of this country, of this region, of Europe and the globe.

I wish you all success for this wonderful and noble task.