

Sija - 1 mg - 1/2
Legge: Wadta

Testo ② 5'40"

(A)

04.03

in APP

**Statement to the UN Commission on Human Rights
59 th Session**

by Ambassador Christian Strohal

Director of the OSCE Office for Democratic Institutions and Human Rights
(ODIHR)

Geneva, 3 April 2003

01-1205 A s.m 4

1205/A

It is an honour and a real pleasure to be back in the Commission on Human Rights. 10 years ago, it would also have been difficult to imagine that the Office for Democratic Institutions and Human Rights, founded in 1991 and composed initially of two people mandated "to facilitate contacts...in elections" would today comprise of a staff of 100 people developing and executing about 100 projects bringing human rights and democracy very concretely to situations on the ground.

I would like to give some examples of what the ODIHR does to promote security and respect for human rights:

Human rights and countering terrorism

I don't need to remind the Commission of the need to protect human rights while countering terrorism. To be effective, we must work in partnership. In November 2001, my predecessor Ambassador Gérard Stoudmann, together with Mary Robinson, the then United Nations High Commissioner for Human Rights, and Walter Schwimmer, Secretary-General of the Council of Europe, issued a joint statement on the subject of upholding human rights and fundamental freedoms:

"While we recognize that the threat of terrorism requires specific measures, we call on all governments to refrain from any excessive steps which would violate fundamental freedoms and undermine legitimate dissent. In pursuing the objective of eradicating terrorism, it is essential that States strictly adhere to their international obligations to uphold human rights and fundamental freedoms."

These points are still valid. Any strategy to prevent and combat terrorism must have human rights at its heart. Human rights law strikes a fair balance between legitimate national security concerns and fundamental freedoms. We must recognize that violating human rights in the fight against terrorism is self-defeating and counter-productive.

The ODIHR approach in the area of human rights and terrorism is threefold:

Firstly, we provide a basis for preventing and combating terrorism through promoting the implementation of the existing OSCE human dimension commitments. In this respect, the ODIHR works towards the development of long-term strategic efforts to promote human rights and address conditions which may contribute to allowing terrorists to recruit and win support. Secondly, we monitor the implementation of measures introduced since September 11 in view of human rights standards and the OSCE commitments. In this regard, the ODIHR is studying measures taken and areas of concern with regard to human rights violations in the "war on terror".

And thirdly, the ODIHR helps to ensure that anti-terrorism measures fully comply with the OSCE commitments and states' obligations under international human rights law. We have begun to provide assistance to participating States with drafting or amending anti-terrorism legislation and with implementing the provisions of UN Security Council Resolution 1373, including the 12 UN protocols and conventions relating to terrorism. ODIHR activities in this area are mainly focused on Central Asia and the Caucasus.

Finally, we support calls for the Counter-Terrorism Committee to include human rights within its mandate and appoint an expert in that regard.

Promoting tolerance and non-discrimination

In the climate that followed Sept 11, the OSCE increased its efforts to promote tolerance, non-discrimination and freedom of religion across the region.

This year, under the Netherlands' Chairmanship, there will be a number of meetings dedicated to tolerance and non-discrimination, anti-Semitism, and freedom of religion or belief, culminating in the annual Human Dimension Implementation Meeting in Warsaw, which this year will focus on these topics.

The ODIHR also carries out a number of activities in the field, promoting freedom of religion or belief, including legislative reviews and assistance, and education programmes, both in schools and in the media. In line with the OSCE approach, these activities are carried out in close co-operation with civil society and NGOs, as well as relevant governmental institutions and, of course, representatives of communities of religion or belief themselves.

In this sensitive area, the ODIHR is guided by an Advisory Panel of Experts on Freedom of Religion or Belief. The Panel, comprised of experts who serve in a personal capacity from various denominations across the OSCE region, also offers its assistance to field missions and participating States.

Combating trafficking in human beings

While the OSCE now has several strong commitments and standards in the anti-trafficking field, much remains to be done when it comes to the implementation of these commitments and the monitoring of developments.

The OSCE is currently elaborating an Action Plan to better combat trafficking in human beings. The ODIHR is assisting in this undertaking and we would like to see the emphasis on the word "Action". This OSCE Action Plan will reinforce and deepen our existing commitments. A significant contribution to this end is made by the UN CHR in the Recommended Principles and Guidelines on Human Rights and Human Trafficking. The OSCE's Anti-Trafficking Action Plan, by mandating better training, selection of expert staff and clearer guidelines for OSCE personnel, will set anti-trafficking efforts as a priority for years to come.