

COMPILATION OF WRITTEN RECOMMENDATIONS *(Covering Working sessions 6-9)*

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 / civil society 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 9; documents received after this time will be included later in the consolidated summary.

Thursday, 13 September 2018

Working session 6: Tolerance and non-discrimination I

Recommendations to participating States

Coordination des Associations et des Particuliers pour la Liberté de Conscience

To the Russian Federation:

- to implement the following reports :
 - Human Rights Committee Report, Kazakhstan, CCPR/C/Kaz/Q/1, 2 September 2010,
 - Report, UN Special Rapporteur, Freedom of Religion or Belief, Para 25, HRC 19/60, 22 December 2011,
 - OSCE and Venice Commission Guidelines for Review of Legislation Pertaining to Religion or Belief, page 16.
 - European Union Guidelines on the Promotion or Protection of Religion or Belief, Para. 40 -41.
- to respect the article 18 of the UDHR, and to respect the religious plurality.

CESNUR (Center for Studies on New Religions)

To participating States:

- We recommend that serious and fair consideration be given to religion-based asylum requests by Chinese refugees, including those from The Church of Almighty God, in all participating States, and that nobody should be deported without seriously evaluating the risks he or she would face in China, which may include incarceration, torture, and even death.

Core Issues Trust

To UK:

- Corrective measures should be undertaken to listen to those who have benefitted from therapeutic and counselling support for unwanted same-sex attractions and gender confusions. The National LGBT Survey deselected non-LGBT people. Yet SSA people helped by counselling and therapy are unlikely to retain an LGBT identity.
- Support, via the UK's Professional Standards Authority, for practitioners operating according to agreed practice guidelines should be given to those offering counselling and therapeutic support for unwanted same-sex attractions and gender confusions. The IFTCC is an emerging organising provider of such professional standards.
- Recognition and development of UK case law highlighting "other" sexual minorities such as "ex-gay" or those once gay or previously transgendered so that they are actually

and not theoretically protected under the Equality Act of 2010 so that discrimination is unlawful.

- Acknowledgement that under-radar and clandestine operations are the product of bans. Training, collegiality and accountability in cross-disciplinary learning environments are the best investment if harm is genuinely the government's concern.
- Resources should be deployed to support this minority group to access suitably trained practitioners who historically are denied access (because of the de facto ban) to professional certification, supervision, collegiality, continuing professional development and professional indemnity insurance.

European Association of Jehovah's Witnesses

To Armenia:

- Ensure that Jehovah's Witnesses are able to exercise their fundamental right to freedom of assembly and are allowed to build modest places of worship
- Provide compensation to Jehovah's Witnesses for the oppressive payments of VAT they were required to make to import donated religious literature in the years 2007–2015
- Enforce media standards prohibiting libel and slander

To Azerbaijan:

- Grant full registration to Jehovah's Witnesses in Baku and in other parts of the country
- Stop interfering with their worship and public manifestation of belief
- Recognise the right to conscientious objection and provide an alternative civilian service programme conforming to international standards
- Cancel and refund all fines resulting from the exercise of the right to religious freedom

To Belarus:

- Grant registration to all communities of Jehovah's Witnesses throughout Belarus
- Grant Jehovah's Witnesses construction permits for their houses of worship
- Grant Jehovah's Witnesses occupancy permits to hold their religious meetings in rented venues
- Respect the right of Jehovah's Witnesses to share their beliefs with others

To Bulgaria:

- Abide by standards set by the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union regarding the free exercise of religion
- Strike down discriminatory municipal by-laws that restrict peaceful religious expression
- Prosecute those who harass and harm Jehovah's Witnesses and vandalize their places of worship
- Enforce media standards by holding responsible those who publicly slander others and incite religious hatred

To Kazakhstan:

- End the arrest, prosecution and harassment of Jehovah's Witnesses for so-called unregistered missionary activity
- Lift imposed bans on religious publications of Jehovah's Witnesses and restrictions on distribution
- Fulfil its obligations under international law to guarantee freedom of religion, expression, assembly and association for all citizens, including Jehovah's Witnesses
- Enforce media standards prohibiting libel and slander

To Kyrgyzstan:

- Consider redrafting the amendments to the religion law to allow for religious freedom.
- Allow Jehovah's Witnesses to register their local religious organisations in the southern regions of Kyrgyzstan.

To Lithuania:

- Respect the right to conscientious objection by providing either a complete exemption from military service or a genuine alternative civilian service that is not under military control or punitive in character.

To Moldova:

- Allow Jehovah's Witnesses to construct and use houses of worship without interference
- Protect the Witnesses' right to freedom of assembly
- Respect the Witnesses' right to manifest their faith publicly

To Russia:

- End the persecution of Jehovah's Witnesses in Russia and stop all raids, arrests, interrogations and criminal investigations for peaceful religious activity
- Annul the April 2017 Supreme Court decision that banned and liquidated all properties owned or used by the Witnesses
- Release Dennis Christensen and other Witnesses in detention
- Remove the Witnesses' religious literature, including the New World Translation of the Holy Scriptures, from the FLEM
- Apply international standards as recommended by the Venice Commission to legislation on extremism
- Abide by Russia's Constitution and respect international law, including the judgments of the European Court of Human Rights

To Tajikistan:

- Grant full registration to Jehovah's Witnesses
- Allow Jehovah's Witnesses to worship without interference and to have the freedom to share their beliefs with others
- Allow Jehovah's Witnesses to import and use religious literature
- Recognise the right to conscientious objection and provide an alternative civilian service program conforming to international standards

To Turkey:

- Recognize the right to conscientious objection to military service and provide for alternative civilian service
- Apply zoning laws correctly to allow them to build and register places of worship

To Turkmenistan:

- Release Bahram Hemdemov, imprisoned for peaceful religious activity
- Release all conscientious objectors, imprisoned for deeply held beliefs
- Recognise the right to conscientious objection to military service and provide alternative civilian service programme conforming to international standards
- Grant full registration to Jehovah's Witnesses
- Stop interference with their worship and public manifestation of belief
- Cease illegal searches of Witnesses' private homes and seizures of personal items
- Allow the Witnesses to legally import Bibles and Bible-based literature

To Ukraine:

- Investigate, prosecute and appropriately punish those who harass and harm Jehovah's Witnesses and vandalize their houses of worship
- Respect the Witnesses' right to manifest their belief publicly
- Eliminate interference with constructing, renovating and occupying houses of worship

To the authorities in the Donetsk and Luhansk regions of Ukraine:

- Allow Jehovah's Witnesses to assemble for worship
- Allow Jehovah's Witnesses to share their faith with others
- Return all illegally seized Kingdom Halls
- Legally register the activity of Jehovah's Witnesses, in harmony with the European Convention on Human Rights

To Uzbekistan:

- Grant full registration to Jehovah's Witnesses throughout the country
- Stop arrests and prosecutions of Witnesses for peacefully meeting together
- Stop arrests and prosecutions of Witnesses for respectfully sharing their faith with others
- Cease illegal searches of Witnesses' private homes and seizures of personal items
- Uphold fundamental freedoms guaranteed by the Constitution and the International Covenant on Civil and Political Rights

European Federation for Freedom of Belief (FOB)

Calls on the state parties to the international community, in accordance to and under the provisions of the current legislation, to take concrete actions in order to:

- Remove the obstacles hindering the full implementation of the freedom of belief, thought, conscience and religion within the national territory of the states, by banning the imposition of greater obligations for minority religions in the dissemination of religious literature, the opening of places of worship, the right to give children a religious, spiritual and philosophical education, the granting of spiritual assistance in prisons and facilities for hospitalisation and treatment, and by also ensuring, with a view to respecting the freedom of expression of all individuals, the non-interference of anti-religious and anti-spiritual groups in the freedom of belief, thought, conscience and religion for spiritual and religious groups and individuals;
- Favour and perform actions to allow the concrete implementation of the freedom of belief, thought, conscience and religion within the national territories of the state, facilitating the knowledge of religious facts by way of studies and comparisons of the different religious and spiritual traditions, including the modern and contemporary ones, with documents elaborated by impartial scholars; and by adopting and implementing any agreement between states and churches or spiritual groups, or the adoption of other measures recognising religious and spiritual groups in order for these to operate legally within the national territory;

Federation of Western Thrace Turks in Europe

To Greece:

- To establish bilingual minority kindergartens in region in line with the minority schooling system and allow the Turkish community in Western Thrace to establish private kindergartens where the language of education will be Turkish and Greek.
- To respect the freedom of religion and act on its commitments derived from international treaties such as the 1913 Treaty of Athens, Treaty of Lausanne and its OSCE commitments.
- To restore the educational and religious autonomy of the Turkish community of Western Thrace enshrined in the 1923 Lausanne Treaty and implement policies in line with the OSCE Hague Recommendations regarding the Education Rights of National Minorities. We urge the Government of Greece to revise its policies concerning the minority primary and secondary schools, including their number and their location, the training and hiring of teachers, curriculum and textbooks to be used.

Forum 18

To participating States:

So to assist the implementation of commitments, participating States, OSCE institutions and field operations, and civil society could:

- monitor and analyse in concrete terms violations of everyone's freedom of religion or belief and interlinked freedoms of expression, assembly and association in the OSCE

region – including the targeting by some participating States of women exercising these freedoms;

- mainstream freedom of religion or belief work within an all human rights for all perspective, stressing implementation of all fundamental freedoms, including to be free from torture;
- insist in line with human dimension commitments¹ that the most effective challenge to intolerance and discrimination is to fully implement fundamental freedom commitments;
- challenge the misuse of concepts such as “anti-terrorism”, “extremism”, “religious tolerance”, and “dialogue” to disguise human dimension commitment violations;
- use tools such as the EU Guidelines on the promotion and protection of freedom of religion or belief, the OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities and on Freedom of Association, the OSCE Guidelines on Freedom of Peaceful Assembly, and on the Protection of Human Rights Defenders.

Observatory on Intolerance and Discrimination against Christians in Europe

To participating States:

Here are two concrete recommendations to address both hate crimes and intolerance and discrimination:

- First, we respectfully remind participating States to continue to improve their efforts on data collection through measures such as increased involvement of civil society, disaggregated data and development of national action plans. To this end, the National Points of Contact are called upon to collect, maintain and make public disaggregated data on hate crimes perpetrated against members of different religions, in accordance with Ministerial Decision No. 9/09.
- Secondly, we urge participating States to guarantee freedom of religion and belief by protecting the right to manifest those beliefs: through expression, speech, association, conscience, and parental rights

Order of St. Andrew

To Turkey

- First, the Government of Turkey should reopen and extend the August 27, 2012 Decree deadline for the submission of applications to recover seized property, which did not give applicants sufficient time to respond. The Decree should be expanded to include all seized properties that were excluded. The Government should also revamp the manner by which the Decree is implemented. A public advocate, who is not a Government bureaucrat, should be employed to ensure that the Decree is implemented in a fair and expeditious manner.
- Second, the Government of Turkey should adopt a policy which enables election of Orthodox Christians to be board members of minority foundations, in a manner which assures that all the minority foundations will be able to manage returned property effectively.
- Third, the Government of Turkey should allow the Halki School of Theology to reopen and operate with its own theologians and in a manner consistent with its own Christian beliefs.
- Fourth, the Government of Turkey should refrain from interfering in the internal affairs of the Ecumenical Patriarchate. The 1923 and 1970 directives of the local Istanbul Government, relating to the citizenship of those who are entitled to vote for, or be elected as, a new Ecumenical Patriarch, should be rescinded.

- Fifth, the Government of Turkey should desist from its recent policy of converting museums which were historic Christian sites into mosques, especially when there is no overriding need for additional mosques in such locations. This policy is an impediment to harmony among religious groups.
- Sixth, the Government of Turkey should desist from its policy of referring to the Ecumenical Patriarch as the Fener Greek Patriarch and should recognize him as the Ecumenical Patriarch, which reflects his true status worldwide.

Public Organization "Public Advocacy"

We recommend that:

- the OSCE and its participating States, as well as international community at large immediately pay attention to this new type of international religion-based crime and prepare a resolution to eliminate its dissemination.

Representation of the Ukrainian Orthodox Church to European International Organisation

To Ukraine:

As a specific action, I propose to the authorities of Ukraine to:

- provide for state registration of 3 diocesan administrations, 2 synodal departments, 8 monasteries of the UOC;
- remove all official and unofficial restrictions on registration and amendment of statutes of the UOC communities in the regions of Ukraine;
- ensure proper and effective investigation of all crime incident reports against believers of the UOC;
- ensure the return of illegally seized churches and other property assets to legitimate owners and proprietors – religious organizations of the UOC;
- refuse to consider and remove from the agenda of the Parliament of Ukraine bills Nos. 4128, 4511, 5309;
- refrain from promoting the creation of the Single Local Church by the forces of the state establishment, thus enabling religious leaders to freely and independently resolve issues relating to the Church;
- curb hate speech towards believers of any faith in speeches of civil servants and decisions of state authorities, since such rhetoric leads to increased aggression in society and creates prerequisites for committing mass crimes.

US Holocaust Memorial Museum

To participating States:

- We call on all member states to redouble their efforts to combat anti-Semitism in all of its forms and to promote historical accuracy and open debate as part of their OSCE commitments on Holocaust remembrance and education.

Western Thrace Minority University Graduates Association

We urge Greece to:

- Respect religious rights of Muslims across the country
- Discourage and prevent any physical and verbal Islamophobic attack including the ones coming from Greek politicians and clergy
- Introduce new legislative measures and a mechanism of monitoring to combat effectively with Islamophobia in Greece

Wiener Akademikerbund

To participating States:
recommends

- That OSCE and the pS' explicitly declare the introduction of Sharia Law undesired.
- That organisations promoting Sharia be categorized as political, not religions.
- That enforcing law incompatible with democracy and human rights be criminalized.

Recommendations to the OSCE Institutions

B'nai B'rith International

- calls on the OSCE to continue its support of Words into Action and insists that it not downgrade the project or diminish its specific focus on anti-Semitism.

Federation of Western Thracians in Europe

- We call on ODIHR Advisory Panel of Experts on Freedom of Religion or Belief to remind the participating States of their responsibility to act on its commitments in accordance with Vienna 1989.

Forum 18

So to assist the implementation of commitments, participating States, OSCE institutions and field operations, and civil society could:

- monitor and analyse in concrete terms violations of everyone's freedom of religion or belief and interlinked freedoms of expression, assembly and association in the OSCE region – including the targeting by some participating States of women exercising these freedoms;
- mainstream freedom of religion or belief work within an all human rights for all perspective, stressing implementation of all fundamental freedoms, including to be free from torture;
- insist in line with human dimension commitments¹ that the most effective challenge to intolerance and discrimination is to fully implement fundamental freedom commitments;
- challenge the misuse of concepts such as “anti-terrorism”, “extremism”, “religious tolerance”, and “dialogue” to disguise human dimension commitment violations;
- use tools such as the EU Guidelines on the promotion and protection of freedom of religion or belief, the OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities and on Freedom of Association, the OSCE Guidelines on Freedom of Peaceful Assembly, and on the Protection of Human Rights Defenders.

Public Organization "Public Advocacy"

- the OSCE and its Participating States, as well as international community at large immediately pay attention to this new type of international religion-based crime and prepare a resolution to eliminate its dissemination.

Recommendations to the OSCE Field Missions

Forum 18

So to assist the implementation of commitments, participating States, OSCE institutions and field operations, and civil society could:

- monitor and analyse in concrete terms violations of everyone’s freedom of religion or belief and interlinked freedoms of expression, assembly and association in the OSCE region – including the targeting by some participating States of women exercising these freedoms;
- mainstream freedom of religion or belief work within an all human rights for all perspective, stressing implementation of all fundamental freedoms, including to be free from torture;
- insist in line with human dimension commitments¹ that the most effective challenge to intolerance and discrimination is to fully implement fundamental freedom commitments;
- challenge the misuse of concepts such as “anti-terrorism”, “extremism”, “religious tolerance”, and “dialogue” to disguise human dimension commitment violations;
- use tools such as the EU Guidelines on the promotion and protection of freedom of religion or belief, the OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities and on Freedom of Association, the OSCE Guidelines on Freedom of Peaceful Assembly, and on the Protection of Human Rights Defenders.

Recommendations to the International Organizations

Public Organization "Public Advocacy"

we recommend that:

- the OSCE and its Participating States, as well as international community at large immediately pay attention to this new type of international religion-based crime and prepare a resolution to eliminate its dissemination.

Thursday, 13 September 2018

Working session 7: Fundamental freedoms I

Recommendations to participating States

Ukraine

To Russia:

- The Russian Federation must immediately stop the persecution of religious organizations in the Crimea, release all those who were imprisoned for their religious beliefs.
- The Russian Federation should provide international organizations and Ombudsman of Ukraine with access to the Crimea for systemic monitoring of the situation, both with freedom of religion in the Crimea, and with other fundamental rights.

Center for Human Rights Studies Akjayik

To Kazakhstan

- Ensure the non-selective right to freedom of worship that will guarantee shifting way from the arbitrary application of legislation in this area;
- Introduce amendments to the legal acts and regulations aimed at reducing the size of administrative fines imposed on believers;
- Abandon any form of discrimination against religious association regardless of their official status and state registration;

- Continue creating enabling environment for constructive dialogue between the subjects of religious relations and the state.

Christian Concern

To participating States

- We call on the OSCE member states to reject calls for banning so-called ‘conversion therapies’, and to reaffirm a clear and unwavering commitment to freedom of thought, conscience and religion in relation to people who want to leave behind LGBT attractions, self-image and identities, and for those counsellors and therapists who wish to work with them.

De Kerk van Almachtige God (The Church of Almighty God)

To France

- We urge the French authorities not to deport the members of the Church of Almighty God but to grant them political asylum. None of them has committed any illegal act in France. At the same time, we call for the support of OSCE, to ensure our basic human rights in France and other OSCE participating States.

Equinet - European Network of Equality Bodies

- Therefore, it is suggested that OSCE participating States that have not yet set up equality bodies consider doing so in order to contribute to better promotion and protection of the rights of religious communities and to tackle discrimination based on religion and belief.
- OSCE participating States that have already set up national equality bodies are requested to ensure that their mandate covers religion and belief in all fields of life and that there are sufficient guarantees of their independence and effectiveness, including staff and financial resources, in line with standards set out by the European Commission and the Council of Europe.
- Second, there is a need to further legal certainty as the case law on religion or belief of the two courts at the European level (the Court of Justice of the EU and the European Court of Human Rights) and between different countries appear to be utterly contradictory on occasions.
- Finally, it is of utmost importance that a strong and protective legal framework is in place and is consistently applied in all countries. Equinet’s report underlines that even at the EU level there continues to be a gap in protection against discrimination on the ground of religion and belief, with only the field of employment and occupation covered, given the delay in adopting the so-called ‘Horizontal Directive’ proposed in 2008, that is, ten years ago.

Federation of Western Thrace Turks in Europe

- We call upon Greece to apply the same standards regarding the election of religious leaders as it applies for other religious groups including the Jewish Central Board or the Catholic and Protestant Church in Greece, therefore to allow the Turkish community in Western Thrace to elect freely its own religious leaders and freely run the Mufti offices.

Forum 18

To participating States:

So to understand and address implementation gaps, as well as to assist OSCE participating States to advance freedom of religion or belief for all while ensuring security, participating States, OSCE institutions and field operations, and civil society could:

- monitor and analyse in concrete terms violations of everyone’s freedom of religion or belief and interlinked freedoms of expression, assembly and association in the OSCE region – including the targeting by some participating States of women exercising these freedoms;
- mainstream freedom of religion or belief work within an all human rights for all perspective, stressing implementation of all fundamental freedoms, including to be free from torture;
- insist in line with human dimension commitments that the non-negotiable most effective step to ensure security is to fully implement fundamental freedoms commitments;
- challenge the misuse of concepts such as “anti-terrorism”, “extremism”, “religious tolerance”, and “dialogue” to disguise human dimension commitment violations;
- use tools such as the EU Guidelines on the promotion and protection of freedom of religion or belief , the OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities and on Freedom of Association, the OSCE Guidelines on Freedom of Peaceful Assembly, and on the Protection of Human Rights Defenders.

Human Rights Vision Foundation

calls on the Government of Tajikistan

- to stop creating restrictions on their citizens' fundamental rights and freedoms at both the legislative and practical levels for their citizens and ensure that their obligations are fulfilled in accordance with international instruments signed with respect to the rights and freedoms of Tajik citizens.
- To abolish by-laws that contradict the norms of international acts.
- To repeal or amend the legislative provisions imposing disproportionate restrictions on the rights protected by Article 18 of the International Covenant on Civil and Political Rights and to abolish the discriminatory prohibition on registration of certain religious communities.
- To create democratic conditions for the development of the younger generation, so that they, in conditions of free choice, learn to distinguish between good and evil.

Human Rights Without Frontiers

To Russia

Like all of the main independent Russian human rights organizations, some of which were brutally persecuted by the Soviet Union but have illuminated principles that should inform civil society human rights activity, we demand that the Russian Federation

- put an end to the prosecution of Jehovah’s Witnesses;
- release from custody of all charged with extremism under Article 282.2 of the Criminal Code;
- overturn the Supreme court ruling prohibiting the activity of Jehovah’s Witness organizations.

To participating States:

- we urge all participating States to make the same points and to back them up with bilateral policies that make clear that no democratic state that truly honors human rights can have a normal relationship with the Russian Federation as long as its persecution of the Jehovah’s Witnesses persists.

La Chiesa di Dio Onnipotente (The Church of God Almighty)

To Italy

- We urge the Italy authorities not to deport the members of The Church of Almighty God but to grant them political asylum. None of them has committed any illegal act in Italy. At the same time, we call for the support of OSCE, to ensure our basic human rights in Italy and other OSCE participating states.

Order of St. Andrew

To Turkey:

The Order, therefore, respectfully submits that in order to comply with the tenants of the OSCE, to which the Turkish Government has committed, the Turkish Government, without further delay, must undertake the following

- Officially recognize that the Ecumenical Patriarchate and its institutions, as well as the institutions of other non-Muslim religious denominations and faiths in Turkey, have legal personality and standing, with rights to acquire, own, build and repair property. If necessary, the laws related to minority foundations should be amended.
- Fairly and expeditiously implement the August 2011 decree allowing for the return of confiscated property. The decree should be converted into settled law, and a truly independent body should be appointed to implement the law.
- Allow the Ecumenical Patriarchate to reopen the Theological School of Halki.
- Continue the reform process in connection with the election of a new Ecumenical Patriarch and abstain completely from any national or local government interference related to the internal governance of the Ecumenical Patriarchate or any other non-Muslim religious body.
- Fully implement the 1948 Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which Turkey has subscribed, and interpret the 1923 Lausanne Treaty so as to provide equal rights to all religious minority communities.
- Publicly commit that Hagia Sophia will remain a museum, as it has since 1935.

Public Organization "Public Advocacy"

To Montenegro:

we recommend that:

- the public authorities of Montenegro comprehend that the right to the freedom of religion is one of the fundamental human rights and that believers cannot be secondclass citizens because of their religious convictions;
- the public authorities protect the legal order and rights for all, including the Orthodox Church;
- the rule of law is applied in cases when attacks on the Orthodox Church are committed;

To participating States:

we recommend that:

- the OSCE and its Participating States pay careful attention to the above evidence of human rights violations and take effective action for their protection;
- the OSCE and its Participating States, as well as international community at large make every effort in order to prevent the Ukrainian Parliament from the adoption of the discriminatory Draft Laws
- the OSCE and its Participating States, as well as international community at large immediately intervene into the evolving religious confrontation in Ukraine, which might entail massive grave crimes against the faithful and religious organizations of the UOC in Ukraine.

Set My People Free

To participating States:

- Protection of former Muslims and assure their freedom to live as x-Muslims.
- The application of Islamic apostasy and blasphemy laws should be openly condemned and criminalised by OSCE countries.
- Islamic Institutions should condemn Islamic apostasy and blasphemy laws.
- That this subject will be brought up as an issue of concern by one of the introducers in HDIM plenary sessions.

Soteria International

- recommends ODIHR and the OSCE member states to explore how to guarantee the universality of human rights as universal principles, rather than cultural expressions.
- recommends ODIHR and the OSCE member states to explore how religion and spiritual systems from a universal perspective may provide answers to fundamental human needs and tools for developing human potentials.
- recommends the OSCE member states to the educational system to play a major role in reintegrating religion and belief as a constructive part of our lives. By integrating and understanding religions and belief systems by their universal principles, we overpass the differences between cultures, traditions and religions.

SOVA Center for Information and Analysis

To Russia:

Мы вновь призываем российские власти:

- Отменить дискриминационное решение о запрете Свидетелей Иеговы и отказаться от практики преследования последователей этой религии за приверженность своей вере.
- Отменить «антимиссионерские» поправки из «пакета Яровой», ограничивающие конституционное право на распространение религиозных убеждений.
- Пересмотреть в целом политику в отношении протестантских организаций и новых религиозных движений, поскольку наблюдаемая легитимация «антисектантских» настроений не только противоречит принципу свободы совести, но и угрожает безопасности общества.
- Исключить из Уголовного кодекса норму об оскорблении религиозных чувств как избыточную и неуместную для светского государства.

The European Union Office of The Church of Jesus Christ of Latter-day Saints

On behalf of the Church of Jesus Christ of Latter-day Saints, I would like to share the following recommendations:

- that the OSCE participating States promote the creation of national human rights institutes, or reinforce existing ones, providing adequate resources and training on religious literacy and FoRB for government officials and civil servants; To this effect, the importance of partnerships and collaborations with civil society organizations and churches cannot be overstated;
- that the OSCE participating States encourage interfaith and interreligious dialogue among churches and faith-based groups; Similarly, set up regular government-sponsored platforms where religious leaders and civil society can share their privileged view of society and their unique contributions;
- that the OSCE participating States consider hosting regional conferences on the topic of FoRB following the example of the Ministerial to Advance International Religious Freedom recently hosted by the United States;

- that leaders of the OSCE participating States, churches, philosophical and nonreligious organizations set high standards in promoting a responsible and respectful public discourse, based on mutual respect and willingness to learn from one another.

Western Thrace Minority University Graduates Association

To Greece:

- Respect the bilateral and international binding documents that has already been signed and ratified that safeguard religious rights of the Muslim Turkish Minority in Western Thrace
- Cease appointing religious elites and clergy to posts of muftiates, religious charitable foundations and mosques
- Develop the mechanism of collaboration with the Muslim Turkish minority so as to find possible solutions for the old and new problems regarding freedom of religion, conscience and belief inside Western Thrace

Recommendations to the OSCE Institutions

ADF Internationally

- strongly urges the OSCE to clearly reject a standard of religious freedom that would require individuals to live their faith privately and discreetly and recommit itself to the recognized standard in law – that is the right to freely and publicly manifest one’s religion.

European Center for Democracy Development

- We need a new convention, a new international instrument on the prohibition of forced assimilation of minorities, because in the world today there are no real binding instruments in this field. I call on the OSCE to pay attention to the absence of such a legal instrument today, and to start working on a new document that can block the path of forced assimilation.

Forum 18

To OSCE institutions:

So to understand and address implementation gaps, as well as to assist OSCE participating States to advance freedom of religion or belief for all while ensuring security, participating States, OSCE institutions and field operations, and civil society could:

- monitor and analyse in concrete terms violations of everyone’s freedom of religion or belief and interlinked freedoms of expression, assembly and association in the OSCE region – including the targeting by some participating States of women exercising these freedoms;
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- challenge the misuse of concepts such as “anti-terrorism”, “extremism”, “religious tolerance”, and “dialogue” to disguise human dimension commitment violations;
- use tools such as the EU Guidelines on the promotion and protection of freedom of religion or belief , the OSCE/Venice Commission Joint Guidelines on the Legal

Personality of Religion or Belief Communities and on Freedom of Association, the OSCE Guidelines on Freedom of Peaceful Assembly, and on the Protection of Human Rights Defenders.

Human Rights Vision Foundation

- We call upon all international human rights organizations, the OSCE and the UN Human Rights Committee to pay closer attention or strengthen control over the fulfillment by the Republic of Tajikistan of its obligations under the International Covenant on Civil and Political Rights.

International Platform Global Rights of Peaceful People

To OSCE:

- в случае признания Киевского патриархата поместной церковью срочно направить на территорию Украины своих специальных наблюдателей по делам религии с целью не допустить войны

Public Organization "Public Advocacy"

we recommend that:

- the OSCE and its Participating States pay careful attention to the above evidence of human rights violations and take effective action for their protection;
- to ensure that actions are taken to protect the rights of Orthodox believers in Ukraine and prevent interreligious clashes and help put an end to political, administrative and power pressure on the religious faith of the Ukrainian Orthodox Church.
- that the OSCE and its Participating States, as well as international community at large make every effort in order to prevent the Ukrainian Parliament from the adoption of the discriminatory Draft Laws
- the OSCE and its Participating States, as well as international community at large immediately intervene into the evolving religious confrontation in Ukraine, which might entail massive grave crimes against the faithful and religious organizations of the UOC in Ukraine.

Soteria International

- recommends ODIHR and the OSCE member states to explore how to guarantee the universality of human rights as universal principles, rather than cultural expressions.
- recommends ODIHR and the OSCE member states to explore how religion and spiritual systems from a universal perspective may provide answers to fundamental human needs and tools for developing human potentials.

Recommendations to the OSCE Field Missions

Forum 18

OSCE field operations:

So to understand and address implementation gaps, as well as to assist OSCE participating States to advance freedom of religion or belief for all while ensuring security, participating States, OSCE institutions and field operations, and civil society could:

- monitor and analyse in concrete terms violations of everyone's freedom of religion or belief and interlinked freedoms of expression, assembly and association in the OSCE region – including the targeting by some participating States of women exercising these freedoms;

- mainstream freedom of religion or belief work within an all human rights for all perspective, stressing implementation of all fundamental freedoms, including to be free from torture;
- insist in line with human dimension commitments that the non-negotiable most effective step to ensure security is to fully implement fundamental freedoms commitments;
- challenge the misuse of concepts such as “anti-terrorism”, “extremism”, “religious tolerance”, and “dialogue” to disguise human dimension commitment violations;
- use tools such as the EU Guidelines on the promotion and protection of freedom of religion or belief , the OSCE/Venice Commission Joint Guidelines on the Legal Personality of Religion or Belief Communities and on Freedom of Association, the OSCE Guidelines on Freedom of Peaceful Assembly, and on the Protection of Human Rights Defenders.

Recommendations to the International Organizations

Human Rights Vision Foundation

- We call upon all international human rights organizations, the OSCE and the UN Human Rights Committee to pay closer attention or strengthen control over the fulfillment by the Republic of Tajikistan of its obligations under the International Covenant on Civil and Political Rights.

Public Organization "Public Advocacy"

We recommend:

- that the OSCE and its participating States, as well as international community at large make every effort in order to prevent the Ukrainian Parliament from the adoption of the discriminatory Draft Laws
- that the OSCE and its participating States, as well as international community at large immediately intervene into the evolving religious confrontation in Ukraine, which might entail massive grave crimes against the faithful and religious organizations of the UOC in Ukraine.

Friday, 14 September 2018

Working session 8: Tolerance and non-discrimination I (continued)

Recommendations to participating States

Austria / European Union

- Persons belonging to national minorities should be able to exercise fully and effectively their human rights and fundamental freedoms without discrimination and in full equality before the law.
- Participating States meet the commitment made by all OSCE participating States, without exception, to fully cooperate with the High Commissioner in order to enable the High Commissioner to fulfil its mandate. This includes granting HCNM full, free and unrestricted access.
- Participating States extend an invitation to the HCNM and make full use of the expertise of this Institution. Quiet diplomacy, which the High Commissioner also implements, is complementary to public diplomacy and can help to bring results of lasting importance.

- We welcome the High Commissioner's continued focus on thematic work, and encourage the participating States to make full use of the rich body of advice thematic guidelines provide.

Russia

To Canada:

- судя по информации СМИ, украинские праворадикалы получают поддержку из Канады, правительство которой не только поддерживает с ними постоянный контакт (например, с батальоном «Азов»), но и поставляет упомянутой группировке крупнокалиберное оружие. В этой связи хотели бы призвать канадскую сторону прекратить поддерживать националистов.

Constantinopolitan Society

To Turkey:

- To take seriously into consideration the recommendations by EU and international organizations pertaining to minorities human rights and act upon them and make more strenuous efforts to prevent discrimination and intolerance

Federation of Western Thrace Turks in Europe

- We call upon Greece to take, without any further delay, all necessary measures so that the applicants benefit from proceedings in compliance with the ECtHR's judgments. Moreover, we call on Greece to provide tangible information on changes in the domestic courts' case law concerning registration of associations in Thrace following the adoption of the above-mentioned law, in light of the judgment (no.96/2018) of the Thrace Court of Appeal.

Human Rights Vision Foundation

- calls for establishing cooperation with Kyrgyzstan to improve the conditions for obtaining secondary education in schools in Tajikistan with the Kyrgyz language. Provide schools with educational materials in the Kyrgyz language and develop a plan to attract teachers.
- Turning to international institutions and Western countries, while establishing and maintaining relations with the government of Tajikistan, we call for a more rigid link between granting grants and other assistance with respect for human rights.

Latvian Human Rights Committee

For OSCE participating States:

- To use the existing OSCE human dimension mechanisms to promote implementation of the OSCE Copenhagen Document and Hague recommendations in Latvia;

For Latvia:

- To withdraw the language-related amendments of 2018 to the Education Law and to the Law On Institutions of Higher Education;
- Should some of the Education Law amendments mentioned above remain on the books for now, to invite UN, OSCE, UNESCO and Council of Europe experts to express their opinion in the Constitutional Court case on the issue;
- To accept the longstanding country visit request from the UN Special Rapporteur on minority issues, in line with the standing invitation issued by Latvia for the UN Special Procedures;
- To abolish statutory preferences given to the EU official languages in education laws, by applying the same flexibility to other languages as well;

- To make a declaration allowing the UN Committee on Elimination of Racial Discrimination to consider individual complaints;
- To ratify the additional protocol to the UNESCO Convention against Discrimination in Education and the protocol No. 12 to the European Convention on Human Rights;
- To train sufficient numbers of teachers and prepare sufficient range of textbooks for bilingual education;
- To distinguish Latvian language exam requirements for graduates of minority schools and Latvian-language-only schools;
- To stop the policy of disproportional closure and downgrading of minority schools;
- To restore the option of using Russian language in school graduation exams and statewide inter-school competitions;
- To reject the bills Nos. 901/Lp12, 1166/Lp12 and 1167/Lp12 and the language related provisions of the bills Nos. 1250/Lp12 and 1280/Lp12;
- To make the OSCE Hague recommendations the basis for the language policy in education.

Public Union "Labrys"

with the following recommendations we call on Kyrgyzstan, Kazakhstan, Tajikistan and Uzbekistan to:

- Withdraw all discriminatory legislations and policies and introduce antidiscrimination legislation and effective policies to promote tolerance and nondiscrimination.
- Develop and implement a system of awareness raising of law enforcement agencies on issues of sexual orientation and gender identity, including through the inclusion of educational blocks on SOGI in the curricula of higher education institutions that prepare law enforcement officers in cooperation with LGBT organizations.
- Guarantee equal access to justice and provide effective legal protection to LGBT people by law enforcement bodies.
- Work with anti-corruption agencies to combat acts of blackmailing and extortion of LGBT people by police officers.

Russian School of Estonia

To Estonia

- We call on the Estonian government not to ignore own and international legislation and to execute all available national minorities rights.

Recommendations to the OSCE Institutions

Constantinopolitan Society

To ODIHR:

Property Rights

- Issue immediately new regulations for the arbitrary suspended elections within the minority foundations and permit conduct of elections of board members in all foundations
- Terminate the fragmentation of minority Foundations (65 in number), thus allowing for the unification of the various minority Foundations by establishing a Body of Coordination of minority Foundations, as a key to their survival, efficiency and cost-effective functioning.
- Put an end to the expropriation of the real estate of the Greek minority.
- Solve the question of property that was seized and sold to third parties.

- Return the archives and the library of 50,000 valuable volumes of the Hellenic Literary Society of Constantinople – which has been illegally confiscated in 1925 – to a Greek Minority Foundation in Istanbul. The library represents the intellectual heritage of the Hellenism of Constantinople.
- Ensure the Greek citizens are able to fully enjoy their rights over inherited patrimonial property, by implementing as of March 2010 recommendations of the Council of Europe Venice Commission on the protection of property rights. Turkey should conform to the relevant rulings of the European Court for Human Rights.

Educational rights

- Support financially minority schools, as it is foreseen by the 1923 Lausanne Treaty
- Delete all-minority references from schoolbooks used for teaching in Turkey, as it forges historic realities, fosters discriminatory behavior against members of the minority and incites hate actions.

Human rights, non-discrimination issues

Ensure that Greek citizens are able to fully enjoy their rights over inherited patrimonial property.

- Restitute Turkish Republic citizenship to Greek minority members living abroad and issue permanent residence and work permit to those who are willing to return to Turkey.
- Fully implement the Universal Declaration of Human Rights and interpret the 1923 Lausanne Treaty so as to provide equal rights to the Greek Minority in Turkey.

European Center for Democracy Development

- I would like to turn to the leadership of the Office for Democratic Institutions and Human Rights to take under control the situation with developing Russophobia in Europe.

Latvian Human Rights Committee

For OSCE institutions:

- To conduct a fact-finding mission to Latvia, with participation of the Office of the High Commissioner on National Minorities and with a view to express recommendations;

Recommendations to the International Organizations

Human Rights Vision Foundation

- Turning to international institutions and Western countries, while establishing and maintaining relations with the government of Tajikistan, we call for a more rigid link between granting grants and other assistance with respect for human rights.

Independent human Rights Protectors (IHRP)

- I call international community to investigate at the international level the crimes committed by the Rahmon's regime and to call upon the regime to respect its international obligations and to abide by international law

Working session 9: Tolerance and non-discrimination II

Recommendations to participating States

Russia

- Вопросы защиты прав цыган постоянно поднимаются в рамках ОБСЕ, однако, к сожалению, мы не видим должной реакции на конкретные случаи их преследования. В этой связи хотели бы призвать государства-участники принять действенные меры по выполнению своих обязательств, касающихся защиты национальных меньшинств, в том числе с целью улучшения положения цыган в Европе.

Anti-Discrimination Centre “Memorial”

calls the national governments

- to come up with developed preventive plans against pogroms and collective groundless blame of ethnic groups for a crime. Police must be able to react rapidly and adequately to protect Roma when they are in a dangerous situation.

Central Council of German Sinti and Roma

calls upon the OSCE Participating States

- To establish national Truth and Reconciliation Commissions, or Expert Commissions on Antigypsyism in order to analyse the long-lasting, structural barriers to the equal public and political participation of Roma and Sinti, and in order to develop counter-strategies;
- To sanction antigypsyism as well as antisemitism with all available legal and political tools.

European Center for Democracy Development

- We need to adopt amendments to the existing Convention on the elimination of all forms of racial discrimination, we need to adopt binding documents within the OSCE and other international organizations that prohibit contemporary forms of racism, including the forms carried out under the pretext of the integration of minorities.
- I call upon the OSCE to think about the creation of a new document directed against new forms of Racism.

National Roma Centrum (NRC)

For the Member States

- Legal strengthening the existing legislation in order to ensure political representation of Roma especially Roma women and young people in the mainstream political parties.
- Voting education and awareness raising for political participation and representation shall be implemented by government constantly and not just during election campaigns and not just by Civil Society organizations. Special designed programs shall be designed and implemented by the government. Be part of the political processes and to be part of the decision making processes.
- Regular collection of updated data on the socio-economic and educational status of members of communities in order to improve the participation of smaller communities at the local level as a precondition for developing effective measures to promote effective equality;

- Increasing the level of awareness of language and manner understandable to all, including the members of the small(er) communities for access to the basic services and rights;
- Political representatives to have the opinion and needs of citizens, to work devotedly on a lawful and proper implementation of the responsibilities and obligations;

RomanoNet

Recommendation for participating states:

- The political parties should formulate their positions on addressing the area of Roma inclusion and provide opportunities to involve Roma men and women in party life. A positive vision, one of development, as opposed to the current discourse of restrictions, would support voter participation by Roma men and women.

Roma Women Fund "Chiricli"

To the Ukrainian Authorities

- To ensure that the effectiveness of the existing inter-ministerial coordination mechanism for the implementation of the National Roma Strategy and NAP is improved and expanded;
- To revise the National Roma Strategy and the Action Plan, articulating clearly-defined objectives, indicators and a realistic budget, as well as paying particular attention to the representation of Roma women and their needs;
- To maximize ownership of Roma in policies affecting them at the national and local levels and to promote the active role and participation of Roma communities in decision-making processes;
- Organize election-awareness campaign so as to increase participation of the Roma electorate in electoral processes.

Recommendations to the OSCE Institutions

Center of Equal Rights Expertise

- Monitoring of all forms of profiling, especially ethnic profiling, should be organized in the OSCE region.

Central Council of German Sinti and Roma

calls upon the OSCE

- To follow the Council of Europe and European Union to recognize antigypsyism as a specific form of racism, which constitutes the root cause of the exclusion of Roma and Sinti and a key barrier to their political participation;
- To adopt a Ministerial Council decision that strengthens the mandate of ODIHR to monitor and combat antigypsyism and to enhance the political participation of Roma and Sinti as key 2 priorities for an effective implementation of the OSCE Action Plan for Improving the Situation of Roma and Sinti;
- To monitor antigypsyism as part of the OSCE election observation missions, and to respond with its institutions.

calls upon the OSCE Parliamentary Assembly, Members of Parliament of the Participating States and political parties

- To endorse and respect the revised Charter of European Political Parties for a Non-Racist Society;

- To establish a Parliamentary Coalition for Combating Antigypsyism in order to confront antigypsyism by condemning prejudice, discrimination, hate speech and hate crimes in the public discourse, in particular by refraining from and condemning stigmatization of Roma and Sinti during electoral campaigns;
- To strengthen diverse leadership by engaging in dialogue and networks between political parties and Roma civil society; also by reaching out to Roma to be politically active and to become members and candidates of political parties.

National Roma Centrum (NRC)

To OSCE

- Political parties should design measures to promote minorities' participation, including Roma women's and young people in elections, including through the inclusion of quotas. Quotas are a powerful tool to achieve better political representation. Member states should consider setting strong quota laws or parity systems (with high quota percentage, rank order rules, strict sanctions).
 - Electoral systems and the geographical boundaries of electoral constituencies matter. Proportional electoral systems with closed lists have shown to increase women's political representation, and countries should consider switching to such systems.
 - To promote minority participation, the legal threshold for parties under proportionate representation systems should be low enough.
 - Voting mechanisms should be designed to provide the possibility for Roma women to be voted all over the country in those countries where the minorities are scattered.
 - Participation of Roma, especially young people and women, as voters should be increased in order to act as a powerful electoral constituency.
 - Funding should be made available for Roma women and youth who want to campaign in elections. In every country where there is a law regarding the use of election funding, financial resources should be available also to the Roma candidates in equal proportion.
- To Contact Point and Sinti Issues
- To organize political empowerment for the Roma representatives in the parliament where in order to educate them about the political skills and methods of presenting and lobby for Roma communities.

RomanoNet

Recommendation for the OSCE

- To extend the observation missions on local elections in all member states of OSCE, as the Local elections are most violated by bribes activities of political parties and different lobbying groups.

Roma Women Fund "Chiricli"

To ODIHR

- To support education programs targeting both Roma voters and candidates
- To proceed with the technical assistance for the effective implementation of the Odesa Declaration on access to identity documents by Roma
- To support political development programs that enhance Roma women and youth participation as voters and candidates, as an investment in future generations