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DRAFT RESOLUTION

FOR THE GENERAL COMMITTEE ON DEMOCRACY, HUMAN RIGHTS AND HUMANITARIAN QUESTIONS

*“30 Years since Helsinki:
Challenges ahead”*

RAPPORTEUR
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WASHINGTON D.C., 1 TO 5 JULY 2005

Draft Resolution

The OSCE Parliamentary Assembly,

1. Recalling that all human beings are born free and equal in dignity and rights (Article 1 of the Universal Declaration of Human Rights of the United Nations),
2. Further recalling that Article I of the Declaration of the States Parties to the Helsinki Final Act proclaims the equality of the participating States,
3. Reaffirming that peace constitutes a necessary precondition for the protection of the fundamental rights of the individual,
4. Recalling the declarations adopted at the Twelfth Annual Session of the Parliamentary Assembly in Rotterdam (9 July 2003), at the Thirteenth Annual Session of the Parliamentary Assembly in Edinburgh (9 July 2004), the 2004 OSCE Action Plan for the Promotion of Gender Equality, and the declarations adopted at all annual sessions of the OSCE-PA,
5. Bearing in mind that the struggle against terrorism is an integral part of the protection of human rights and that it can be effective only through actions taken at the international level,
6. Taking note of the new challenges to the safeguarding of human rights posed by the information society,
7. Considering the great challenges that the OSCE must take up in the area of human rights and fundamental rights, must be considered from an individual perspective, from an international perspective and from a collective perspective.

The OSCE Parliamentary Assembly:

8. Affirms that the fundamental division of humanity into two genders must be reflected at all stages of the decision-making process and be duly reflected in national and international representative institutions, political life and in all aspects of social life;
9. Affirms that some progress has already been made, but that gender equality certainly remains a goal to pursue as it can be considered as one of the keys to success;
10. Condemns once more all forms of criminal offences, trafficking and practices degrading to human dignity and all forms of trafficking in human beings and urges participating States to pool their efforts to combat this scourge;

11. Believes that legalized prostitution is a way to encourage trafficking of women and men, and that all those who, directly or indirectly, organize, encourage or profit from trafficking human beings for sexual purposes should receive penalties, with the victims of involuntary prostitution protected;
12. Urges participating States to organize their systems for the recording of civil status and census information so as to move towards an optimal degree of reliability, to guarantee the individual right of vote to all citizens;
13. Believes that the particular dangers to which children are exposed because of their particular vulnerability requires that their physical, moral and sexual integrity be given special protection;
14. Recalls the obligation of the participating States to allow OSCE observers to monitor whether election procedures are honest, free, fair and democratic and to co-operate in ensuring that such independent and impartial monitoring can take place in an unhindered environment;
15. Calls on the OSCE to continue its efforts to ensure the quality, as a priority objective, of election monitoring processes and recommends that participating States monitor the full transparency of the elections organized on their territory and allow effective monitoring of the operations;
16. Asks a special interest of OSCE for the effectiveness of judicial recourse and the absolute independence and impartiality of the magistrates charged with ruling on these matters;
17. Recommends that participating States no longer apply a criminal approach to abuse of freedom in the media and, in any case, that they do not make provision for or apply penal sentences when punishing such behaviour.
18. Calls on participating States to intensify their co-operation in combating various forms of discrimination, whether they be based on race, sex or political, philosophical or religious convictions, and which may be disseminated by the Internet and ask to encourage actions to fight child pornography on Internet;
19. Urges participating States to lend the support of their police authorities and international NGO to international efforts to combat child pornography and to co-operate completely and fairly in this effort;
20. Condemns all forms of terrorist acts, regardless of the perpetrators, motives or victims;
21. Demands that participating States no longer tolerate the issuing of calls for terrorist acts from their territories;
22. Supports participating States in taking all the appropriate measures to intensify their transborder co-operation so as to make it possible for those suspected of terrorist acts and those supporting them through financial, technical,

information-related or other means to be brought to justice and tried within a reasonable period of time and suggests that the OSCE should consider opening permanent offices in areas where human rights are likely to be violated or where the situation is such that it is likely to evolve to military conflicts;

23. Maintains the imperative need for international public law and respect for human dignity in the combating of terrorism and also the obligation to respect in the case of every prisoner of war the requirements set out in the Geneva Conventions, according him special status with the objective of a fair balance between public security and respect of human dignity;
24. Calls urgently on participating States, in accordance with the provisions of the International Covenant on Civil and Political Rights, to guarantee all prisoners, regardless of the offences that may have justified their imprisonment, the right to have examined the legality of their detention by independent and impartial tribunals, ruling in respect of the fundamental procedural guarantees, one of the most important of which is respect for the rights of the defence, and providing for evaluation authority not limited to a purely formal review.
25. Reaffirms, in accordance with the Charter of Paris of 21 November 1990, that the protection and promotion of the ethnic, cultural, linguistic and religious identity of national minorities forms an integral part of the requirements posed by the democratic principle;
26. Recommends that every attempt to bring religions closer together be supported;
27. Further recommends that this protection and the promotion of ethnic identity be incorporated in a dialogue process, as the only way of avoiding the calls for the dividing up of territories and calls on participating States to take particular account of these requirements for protection when organizing the way education is provided on their territory;
28. Takes into account, in that regard, the fundamental nature of the right to education and the need to allow, within the same State, the coexistence of educational establishments using different languages of instruction;
29. Underlines the important role of political parties in the organization and functioning of a democratic debate takes into account the institutional function that they perform and the essential link they provide between civil society and State decision-making bodies;
30. Invites participating States to establish procedures making it possible to prevent electoral operations from being disrupted by political groups that are not sufficiently representative or whose objectives and ideas are fascist and revisionist;

31. Demands that participating States ensure the respect for ideological pluralism in the organization of and access to national, regional and local media;
32. Advises that the diffusion of information reflecting the various views present in the major debates engaging public opinion should be ensured by means of independent monitoring bodies and recommends, in particular, that monitoring be carried out to ensure that there are no obvious discrepancies in the amount of television and radio airtime made available to representatives of different democratic political groups, especially during election campaigns;
33. Believes that participating States can step up the co-operation between their police forces in order to establish common processes in the implementation of preventive policies and social monitoring mechanisms, especially in prisons, and also in the creation of internal and external police oversight mechanisms and encourages the integration of national minorities into police forces.

