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DRAFT RESOLUTION

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

The OSCE: Region of Change

**RAPPORTEUR
Mr. Coşkun Çörüz
The Netherlands**

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

Rapporteur: Mr. Coşkun Çörüz (The Netherlands)

1. Considering that OSCE participating States in the Helsinki Final Act of 1975 have acknowledged that respect for human rights and the fundamental freedoms of the Human Dimension are an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations among themselves,
2. Noting that in the Madrid Concluding Document of 1983 participating States have expressed that the principles of the Human Dimension should be respected and put into practice by every participating State, irrespective of their political, economic or social systems, as well as of their size, geographical location or level of economic development,
3. Recalling that the OSCE region has seen change on an historic scale since 1975, but that all OSCE principles and commitments, without exception, have been categorically and irrevocably reaffirmed in the Astana Commemorative Declaration of 2010,
4. Stressing that the Heads of State and Government in Astana expressly stated that the commitments undertaken in the field of the Human Dimension are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned,
5. Pointing out that in 2012 human rights are still routinely violated in many OSCE participating States and that many of them do not observe their commitments in the Human Dimension,
6. Stressing that OSCE human rights standards are minimum standards,
7. Taking the view that, notwithstanding many positive developments in many areas, in recent years in some respects and in some participating States the commitment to OSCE principles in the Human Dimension has regressed and that overall this Dimension is not strong enough,
8. Considering, therefore, that it is necessary to revise and strengthen OSCE tools to provide a proper, genuine form for monitoring the participating States' compliance with human rights commitments and that existing tools, such as the Moscow Mechanism, should be more frequently and more effectively applied,
9. Observing that a country that holds the Chairmanship of the OSCE can expect closer scrutiny of the way it fulfils its commitments to its guiding principles and that such a country therefore has a particular responsibility to provide a good example with regard to respecting these commitments,
10. Noting that with the 1990 Copenhagen Document the OSCE participating States recognized the independence of the judiciary as an essential element of the Human

Dimension with regard to the full expression of the inherent dignity and of the equal and inalienable rights of all human beings and that the Ministerial Council in 2005 declared that the right to a fair trial, the right to an effective remedy, and the right not to be subjected to arbitrary arrest or detention constitute the basis of rule of law,

11. Recalling the Final Report of the Supplementary Human Dimension Meeting on Prison Reform of 2002, which includes comprehensive recommendations to bring conditions in detention facilities in line with United Nations legal documents like the UN Standard Minimum Rules for the Treatment of Prisoners and the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol,

The OSCE Parliamentary Assembly:

12. Calls on all the OSCE participating States to assume full responsibility for a complete and effective implementation of their commitments in the fields of human rights, fundamental freedoms, democracy and the rule of law;
13. Reiterates its call on the OSCE participating States for a more frequent and effective application of existing procedures in cases of clear, gross and uncorrected violations of OSCE commitments, including, when necessary, the Moscow Mechanism and the “consensus minus one” procedure, in accordance with the provisions contained in the Prague Document on Further Development of CSCE Institutions and Structures (30 and 31 January 1992);
14. Calls on those participating States that hold the Chairmanship of the OSCE, now and in the future, to set the standard for exemplary observance of their commitments in the Human Dimension and to plan for a follow-up and deepening of their commitment to OSCE standards and mechanisms for the period after their term in office;
15. Reaffirms the absolute necessity of a functioning, independent and transparent judiciary in fulfilling Human Dimension commitments, as the guarantee of access to justice and the right to a fair trial and the best way to safeguard against inappropriate interference with due process of law;
16. Recalls the Assembly's 2010 Declaration on politically-motivated notices in the INTERPOL system, and expresses concern regarding the abuse of the INTERPOL Red Notice system by participating States whose judicial systems do not meet international standards;
17. Emphasizes that there should not be any political prisoners in the OSCE area;
18. Urges participating States to ensure that the conditions in their detention centers are in conformity with United Nations standards and to allow visits of international prison monitoring missions;
19. Calls on those participating States that have not already done so, to ratify the Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;

20. Commends the work of the OSCE field missions;
21. Urges the OSCE Ministerial Council to adopt full, effective and long-term, at least three-year, mandates for OSCE field missions that include monitoring and reporting activities in all spheres, including the areas of human rights and the Human Dimension;
22. Calls on the Permanent Council to re-open the OSCE field missions in Belarus and Georgia, whose mandates remain relevant today;
23. Repeats its request to the OSCE Permanent Council to organize special meetings with regard to the violation of OSCE commitments in the Human Dimension, to conduct these meetings in a way that is open to the public, the media and civil society representatives, and to undertake in this way the continuous monitoring of the condition of human rights and democracy in the OSCE region.

