



## United States Mission to the OSCE

### Recommendations

Recommendations made by the U.S. Delegation  
at the Human Dimension Implementation Meeting, Warsaw  
October 2-13, 2006

#### Session 1

The United States recommends that

- The Government of Turkmenistan undertake a transparent investigation into the death in custody of journalist Ogalsapar Muradova,
- Participating States should enact and enforce laws such as Freedom of Information Acts that help ensure routine public access to government records, press conferences and judicial trials,
- Participating States should enact and enforce laws or regulations that promote parliamentary transparency such as affording timely public access to draft and enacted laws and regulations, legislative voting records and key government decisions,
- Participating States should remove administrative obstacles that hinder journalists from doing their job. These include but are not limited to:
  - Laws that effectively criminalize criticism of the government or government officials;
  - Restrictive and expensive accreditation requirements;
  - Travel bans prohibiting legitimate journalists from traveling internally or abroad; and
  - Excessive taxes on ink, paper and media equipment.
- Participating States should also ensure that journalists who are arrested, detained and charged have timely access to competent legal counsel and are immediately informed of the particular charges filed against them,
- Participating States should ensure the timely, thorough and independent investigation and, if necessary, prosecution of those who harass, intimidate or attack journalists.
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#### Session 2

The United States recommends that

- The Government of Uzbekistan implement comprehensive anti-trafficking legislation and make a concerted effort to address deficiencies in law enforcement and victim assistance of trafficked persons,
- Participating States consider whether the OSCE could have a role to play, either by gathering training and other materials which could be used as a basis for victim assistance programs in OSCE States, or by providing training directly.

### **Session 3**

The United States recommends that

- The OSCE give more attention to the potential relationship between large sporting events or other large conventions and the crime of human trafficking,
- Participating States support the draft Ministerial Decision on combating sexual exploitation of children.

### **Session 4**

The United States recommends that

- Participating States that do not have specific laws against sexual harassment should act to correct this legal gap in protection,
- ODIHR look into ways that the OSCE could assist Georgia in implementing their new law on crimes committed within the family, for instance by training social workers to monitor cases or establishing shelters,
- Participating States make it a priority to strengthen laws against domestic violence, and that ODIHR provide assistance where necessary,
- The Governments of Georgia and Kyrgyzstan take immediate action to eliminate the practice of abductions and forced marriages of young women.

### **Session 5**

The United States recommends that

- The Government of Kazakhstan end its practice of pressuring other governments to forcibly return Uzbek refugees and asylum seekers, as well as stop pressuring families of refugees; guarantee humane treatment of voluntary returnees; and to allow access to these individuals by the international community,
- The governments of Bosnia and Herzegovina, Croatia and Serbia to intensify their efforts to meet their goal of solving the remaining population displacement by the end of 2006 and ensure displaced persons and refugees can find durable solutions for resettlement,
- All participating States that do not already, treat the protection needs of vulnerable migrants, refugees and displaced persons as priorities, and for those that do, continue to uphold their international protection obligations.

### **Sessions 6 and 7**

The United States recommends that

- The Government of Uzbekistan take immediate steps to redress the serious deficiencies identified in the conclusions of the ODIHR trial monitoring report,

## **Session 9**

The United States recommends that

- The Government of the Russian Federation ensure that human rights, including the right to a fair trial, are observed in Chechnya.

## **Session 10**

The United States recommends that

- Participating States include an item on the agenda of the Permanent Council entitled “Follow-up to ODIHR Election Recommendations.” This could be done six to twelve months following the issuance of a final report on an election, to ensure that attention remains focused on ODIHR’s recommendations in the post-election environment,
- ODIHR devote increased attention to working with participating States as far in advance of elections as possible, without diminishing its essential work on election day and after. One way to do this could be to authorize ODIHR to prepare forward looking reports as warranted on the election climate in certain States with upcoming elections, to enable those countries to take advantage of ODIHR’s expertise and recommendations before the elections take place.

## **Session 12**

The United States recommends that

- The Government of Kazakhstan revise its electoral law banning public demonstrations between the end of voting and the release of the official election results.

## **Session 13**

The United States recommends that

- The Government of Uzbekistan bring its laws and policies into line with OSCE commitments and adopt the recommendations issued in 2003 by the OSCE Panel of Experts on Freedom of Religion or Belief,
- The Government of Turkmenistan resume reforms and invite the UN Rapporteur on Religious Freedom to visit Turkmenistan in the near future,
- The Government of Kazakhstan fully respect the right of all individuals to practice their religion or belief regardless of registration status,
- The Governments of Kyrgyzstan and Tajikistan work with the OSCE Missions and the OSCE Panel of Experts and consult with their local religious communities and human rights organizations as they develop new drafts of their religion laws, to ensure they comply with OSCE standards,
- The Government of Turkey remove impediments to the free exercise of religion for majority and minority communities alike. In addition, Turkey should remove the powers of expropriation and end the practice of expropriating religious properties in neighborhoods with few citizens. The U.S. also urges return to the Ecumenical Patriarchate full control of the Theological School at Halki,

- The Government of Belarus undertake major reform of that country's highly restrictive law on religion,
- Participating States consult with the Panel of Experts on Freedom of Religion or Belief when developing new legislation in this field.

#### **Session 14**

The United States recommends that

- The Kosovo authorities reach out to minorities, including by facilitating the return of refugees and displaced persons. We also call upon the leaders of the minority communities to respond and engage, including through participation in the provisional institutions of self-government,
- The Government of Greece implement a comprehensive view of ethnicity and human rights incorporating customary international law and OSCE commitments, including the right of individuals to identify their nationality without disadvantage,
- The Government of Turkey respect the rights of all its citizens by expanding the rights of minorities,
- The Government of Turkmenistan ensure that its policies and practices related to minorities are brought into conformity with relevant OSCE commitments,
- Participating States hold those accountable who commit racially or ethnically-motivated criminal acts.

#### **Session 15**

The United States recommends that

- Participating States consider giving greater attention to the subject of arbitrary eviction of Roma and Sinti, perhaps in the form of a specialized meeting,
- The participating States address the problem of a lack of personal identity documents that often impede Roma from exercising their rights fully, including the right to vote,
- The Government of the Russian Federation aggressively investigate and prosecute violent crimes against minorities,
- The Government of the Czech Republic implement the Public Defender's recommendations on the matter of sterilization of Romani women without informed consent.

#### **Session 16**

The United States recommends that

- Participating States continue to vigorously combat anti-Semitism and related violence,
- The Government of Moldova give serious reconsideration to its policies and practices regarding the Muslim community in Moldova in light of OSCE tolerance commitments,
- Government leaders in Turkey redouble their efforts to prevent violence, including by speaking publicly about the importance of inter-religious tolerance,
- The Government of Romania ensure that the planned changes to its religion law conform to OSCE norms.

## Session 17

The United States recommends that

- Participating States pass anti-discrimination laws, and seek the assistance of the legal advisor in the ODIHR Tolerance Program, the Panel of Experts on Freedom of Religion or Belief, or the ODIHR's Rule of Law unit in doing so,
- ODIHR Tolerance Program projects on education for Holocaust Remembrance, on police hate crimes training, and on combating anti-Semitism should be expanded, and ODIHR and the Panel of Experts on Religious Freedom should follow them up with educational programs to combat intolerance against Muslims, Christians and other religious communities,
- Participating States support a decision on a high level conference next year in Romania, based on the Cordoba format that specifically addresses established areas of concern, including issues of anti-Semitism,
- Participating States support ODIHR's plans to upgrade the Tolerance Program to a department, while maintaining the current distinct topical structure