



EUROPEAN UNION

OSCE Permanent Council No. 1267 Vienna, 14 May 2020

EU Statement in response to the report of the ODIHR Director, Ingibjörg Gísladóttir

The European Union warmly welcomes Director Ingibjörg Gísladóttir to the Permanent Council and we thank her for the detailed report. We underline our full support for the autonomy and mandate of ODIHR, which is exercised in a transparent and impartial manner. We thank ODIHR for supporting participating States in upholding their Human Dimension commitments, a core component of the OSCE's comprehensive concept of security, in particular during these unprecedented challenging times.

In the current situation related to COVID-19, protecting people's lives and health is the top priority of our governments. We recognize the urgency and necessity of the preventive measures implemented in many countries to effectively fight the pandemic, including within the EU. At the same time, we have to make sure that the current efforts in response to the global crisis do not have far-reaching repercussions on the enjoyment of human rights. We recall your appeal that these measures should be proportionate, temporary and in compliance with the rule of law, international obligations and OSCE commitments; they must remain subject to meaningful legislative and judicial oversight, including by parliaments, and be reviewed regularly to ensure they are still necessary, proportionate and adequate to address the threat that led to their introduction. We welcome that many participating States provided ODIHR with information on the state of emergency and/or measures taken in response to the current pandemic.

Madam Director,

As we mark the 30th anniversary of both the Copenhagen Document and the Paris Charter, we should indeed be proud of what we have achieved during these past decades, but nevertheless continue our efforts in ensuring that our societies remain democratic and based on universal human rights. We recognize that our OSCE commitments are as relevant as ever; and even more so in the current pandemic crisis. We call on all participating States to increase their efforts towards their full implementation and reversing existing violations. We remain gravely concerned about the dire human rights situation in the Autonomous Republic of Crimea and the City of Sevastopol since its illegal annexation by Russia, which we condemn and will not recognize.

Over the past year, on numerous occasions, we voiced our concerns related to worrying developments that restrict human rights and fundamental freedoms in many parts of the OSCE area, such as use of new legislation to unduly restrict the fundamental freedoms and to silence dissenting voices; shrinking space for civil society, human rights defenders, journalists and media actors; abusing and undermining the rule of law; persistence of the death penalty, as well as of practices of torture and other cruel, inhuman or degrading treatments or punishment. We see many of these challenges reflected in the Office's report and we welcome the new approach of illustrating the impact of your work in bringing about positive change in the participating States. We also see that the current pandemic is exacerbating existing human rights violations, as you have rightfully underlined, while bringing additional challenges and deepening pre-existing inequalities.

Madam Director,

You have addressed publicly or in bilateral exchanges many of these emerging challenges. We are aware that the EU and its Member States are not immune to problems and shortcomings, and the current unprecedented situation presents challenges to us all.

In relation to one of your recent statements referring to a crisis at EU's external borders, we would like to reiterate that the EU and its Member States remain determined to effectively protect our external borders and we will continue to take all necessary measures, in accordance with EU and international law. We would also like to recall relevant statements issued by the Council of the European Union on the 4th, 6th and 26th of March, where it expresses its full solidarity with Greece, Bulgaria and Cyprus

and other Member States, which might be similarly affected, including in efforts to effectively protect the EU's external borders.

The pandemic and its socio-economic consequences are having a disproportionate impact on the rights of women, children and elderly persons, and on all persons in vulnerable situations, including refugees, migrants and internally displaced persons. The response measures and actions should be inclusive, gender-responsive, taking into account the needs of those that are most at risk of experiencing any form of discrimination. The heavy impact of the crisis on economic and social rights also needs to be addressed.

In addition, we are aware that the measures taken in response to the current pandemic can be used as a pretext to limit the democratic and civic space, to question the respect of the rule of law, to curtail freedom of expression and access to information online and offline, thus raising concerns regarding their potential negative impact on the human rights situation across the OSCE. The measures should not be used to restrict the work of human rights defenders, journalists, media actors and civil society organisations. Digital technologies that have the potential to help contain the pandemic should be used in full respect of human rights including the right to privacy.

ODIHR's work remains vital also in the current context. We welcome the Office's continued efforts to support the human rights defenders and promote an enabling environment for their work, assist civil society organizations, as well as the continuous work on torture prevention. We value the expert guidance that ODIHR has continued to offer to participating States on: ensuring the rule of law and the independence of the judiciary, respecting human rights and fundamental freedoms, strengthening democratic institutions, increasing political participation of women, in particular of young women as future change-makers, as well as on ensuring inclusive and diverse societies by promoting tolerance and combating all forms of discrimination, including by preventing and combating hate crimes, promoting gender equality and combating gender-based violence.

Elections are a central element of the democratic process, and have been a key area of ODIHR's work since the Office's inception. We reiterate our full support to ODIHR's internationally recognised election observation methodology. We attach great importance to the recommendations emerging from the OSCE election observation missions, both inside and outside the EU, and remain committed to following-up on them, at the same time calling on other OSCE participating States to act likewise. We

welcome the creation, including with the support of the EU, of a centralized and searchable database of electoral recommendations to support institutions and civil society across the region in their follow-up efforts.

We also appreciate the work of ODIHR regarding the organization of the Human Dimension events, a valuable opportunity for all of us to engage meaningfully with civil society. In these extraordinary times, we remain committed to engaging constructively in the discussions on how we can best adapt our work to the current situation and we fully support the Albanian Chairmanship in its efforts to timely adopt the Decisions on the consensus-based Human Dimension events in 2020.

Madam Director,

The reported increase in requests for assistance from ODIHR by participating States underlines the valuable expertise that ODIHR offers and its crucial contribution to addressing the human rights challenges in the OSCE area. We believe that ODIHR must be sufficiently staffed and resourced to carry out its vital work, according to its mandate, and we call on all participating States to ensure that the Office receives the necessary funds.

The Candidate Countries REPUBLIC of NORTH MACEDONIA*, MONTENEGRO* and ALBANIA*, as well as UKRAINE, the REPUBLIC OF MOLDOVA, GEORGIA, and SAN MARINO align themselves with this statement.

* Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.