

2023 Warsaw Human Dimension Conference

Annotated Agenda

Introduction

In 1992 at the Helsinki Summit, OSCE Heads of State or Government agreed that a Human Dimension Implementation Meeting (HDIM) should be held annually. A decade later, the participating States all agreed to the modalities for the holding of the annual HDIM, including commitments for adopting relevant procedural decisions at set deadlines. Unfortunately, the procedural decisions prescribed for the holding of HDIM was yet again blocked this year.

The 2023 OSCE Chairpersonship of North Macedonia is instead organizing this two-week conference dedicated to discussing the state of human rights and fundamental freedoms in the OSCE area, with the support of the OSCE Office for Democratic Institutions (ODIHR). As a platform to evaluate the implementation of the OSCE Human Dimension commitments, participating States, civil society and other participants are encouraged to reflect on concerns as well as positive developments in their respective countries and fields of expertise, present their work and raise issues that merit the urgent attention of the international community.

During the eight thematic plenary sessions, participants have the opportunity to address a broad range of the OSCE human dimension commitments, covering democratic Institutions, the rule of law, tolerance and non-discrimination, fundamental freedoms and humanitarian issues.

Following many years of democratic backsliding in the OSCE region with civil society and human rights defenders facing increasing difficulties in their work, and against the backdrop of Russia's war of aggression against Ukraine, many of these commitments are in need of review and renewed attention to make their promise real in the lives of men and women through this region. The meeting also offers an opportunity to explore the tools available to States, as well as to hold them accountable. To this end, OSCE participating States have invoked the Moscow Mechanism at several occasions in recent years to better understand the impacts of the Russian aggression against Ukraine on the human rights of all involved, including children, but also to assess the deteriorating human rights situation in some states.

Even more broadly, threats to democratic institutions and human rights abound. Electoral paying fields are unlevel, media outlets are often constrained or push discriminatory narratives, and women, youth and persons with disabilities still need support accessing their rights. Over these 10 days, participating States, civil society representatives, national human rights institutions, human rights defenders and the international community, particularly the OSCE structures, its field operations and autonomous institutions, have the opportunity to come together around these issues not only to look back, but to discuss ways forward to make people's lives within the OSCE more secure, equitable and just.

Tuesday, 3 October

Thematic Plenary Session I: Democratic Institutions

Democratic elections; Democracy at the national, regional and local levels; Ensuring equal enjoyment of rights and equal participation in political and public life

OSCE participating States have committed to hold democratic and free elections with full respect for relevant human rights standards. They mandated ODIHR to undertake election observation activities and to assist participating States to follow-up on electoral recommendations. Election observation findings from last year show that the OSCE participating States have dealt with a number of common matters, such as an increased focus on technology integration in the electoral process, the ever-growing use of social media platforms for political campaigning and related spreading of mis- and dis-information, as well as campaign finance-related issues. Some States, however, are facing challenges in the organization of democratic elections due to conflicts and related emergency situations. Challenges in the implementation of some election-related commitments also remain and are related, among others, to ensuring the right to stand and securing the level playing field for contestants, and the ability of independent citizen observers to operate. Of particular note are longstanding issues pertaining to suffrage rights for persons with disabilities, ensuring equal participation of women and men, and of young voters in elections.

Meanwhile, throughout the OSCE region, there have been efforts to shift the balance of powers at the national, regional, and local levels in favor of a stronger executive in many OSCE countries. This trend, combined with ever-increasing polarization, negatively affects citizens' trust in democratic institutions, particularly in political parties and their elected representatives. Democratic institutions must mirror societal diversity, guaranteeing equal participation of every citizen in political and public life. Pluralism constitutes an important pillar of the OSCE [commitments](#). The OSCE has consistently advocated for participating States to reinforce political engagement, particularly among historically underrepresented groups, such as [women](#), [youth](#) and [persons with disabilities](#).

This thematic session will focus on the challenges participating States face in meeting their commitments to democratic institutions, and conduct democratic elections. Discussion will center around ensuring equal opportunities in political and public life, and ways of encouraging diverse representation and increased participation of underrepresented populations. OSCE participating States are encouraged to share good practices in addressing these challenges and discuss how they are implementing ODIHR's recommendations focusing on concrete examples of removing barriers that women, persons with disabilities and youth face in participating in elections and political life and to better understand how increasing polarization affects democratic participation.

Wednesday, 4 October

Thematic Plenary Session II: Fundamental Freedoms I

Freedom of opinion and expression, Media freedom; Safety of journalists

Safeguarding independence of media as a foundation of media freedom

Independent and ethical journalism is a foundation of media freedom, and necessary to provide reliable, verifiable, and universally accessible information to serve democracy and the public interest.

Yet media independence is under increased pressure, due to a complex constellation of factors including political influences, attempts to delegitimize independent sources of information, declining trust in news media, market failures, and disruptions in business models.

At a time where the global information ecosystem is marred by serious threats of disinformation, misinformation, propaganda, manipulation and state-sponsored influence operations, independent and ethical journalism can be a crucial antidote, providing access to information, allowing the public to make informed decisions, hold leaders accountable, and hear a diversity of opinions.

Independent reporting, factual representation, and giving a voice to marginalized communities is particularly important for a more accurate reflection of the variety of cultural, social, and political perspectives within society. Moreover, independent media can also play a transformative role in achieving gender equality in societies, but this requires safeguarding and promoting women's voices in the media. The safety of women journalists is not only an issue of gender equality; it also directly impacts the quality of democracy.

Civil society organizations (CSOs) play an important role in assessing and promoting media freedom across the OSCE region, also often using it as an indicator of the condition of a democracy – where journalists come under pressure, sooner or later democracy also comes under pressure – and vice versa: where democracy withers away, media freedom falls victim.

This session will explore the concept of independence - from what, for whom, and by what means? During the session, participants are encouraged to reflect on the challenges to independent media and discuss various approaches to safeguarding it and ensuring that independence as a foundation of media freedom can serve as a universal public good.

Thursday, 5 October

Thematic Plenary Session III: Tolerance and Non-Discrimination I

Addressing racism, xenophobia, discrimination and intolerance

OSCE participating States have recognized in several Ministerial Council Decisions that tolerance and non-discrimination are important elements in the promotion of human rights and democratic values and in ensuring comprehensive security. However, despite progress made in implementing these commitments, manifestations of intolerance, discrimination and hate crime, including online, are a reality for many members of different ethnic, religious, or other groups in the OSCE region. The gendered dimension to these problems also persists as intolerance and discriminatory hate negatively and differently impact the lives of women and girls, men and boys, and others.

The need for timely and comprehensive measures by national authorities to address racism, xenophobia, and other forms of discrimination and intolerance therefore remains pressing. Along with governments and civil society organizations play an integral role in addressing these phenomena, including through monitoring and reporting bias-motivated incidents, providing assistance and support to victims, and in promoting mutual respect and understanding; indeed, [OSCE commitments](#) recognize the critical need for co-operation between state authorities and civil society in this important effort.

The aim of this thematic plenary session is to discuss the progress participating States have made towards implementing their commitments on tolerance and non-discrimination with a specific focus on challenges, lessons learned, and opportunities in light of ongoing experience in this area. Speakers and participants are especially invited to make recommendations for how issues of intolerance, discrimination, and hate can effectively addressed by governments, civil society organizations, and other relevant stakeholders.

Friday, 6 October

Plenary Session IV: Fundamental Freedoms II

Freedom of thought, conscience, religion or belief; Freedom of Peaceful assembly and association; National human rights institutions

Human rights and fundamental freedoms are indivisible and interdependent, and one set of rights cannot be enjoyed fully without the other. In particular, the rights to freedoms of peaceful assembly and association are instrumental in enabling the full and effective exercise of other civil, political, economic, social and cultural rights. OSCE [commitments](#) provide a strong case for the recognition that the right to associate and peacefully assemble is intrinsic to democratic societies. A robust set of OSCE commitments also govern freedom of religion or belief, including the freedom of everyone to manifest their religion or belief, individually or in community with others, in private or in public.

However, worrying patterns, including serious violations of these rights continue. Human rights defenders and civil society organizations have faced significant challenges in exercising these rights that are indispensable for their human rights work. Women human rights defenders have increasingly faced gendered threats as a result of their work, while those working on gender equality are among the most heavily targeted. Overly broad legislation aimed at countering terrorism and so-called “extremism” are sometimes used to restrict dissenting voices and may have a discriminatory effect on certain religious communities. Some states have introduced legal reforms leading to the criminalization of legitimate human rights work.

National human rights institutions are key actors in this regard and OSCE participating States have [underlined](#) their importance in bridging between state authorities and civil society. NHRIs play an important role in ensuring full respect for human rights, including by disseminating information on the protection and promotion of freedom of peaceful assembly and association, and freedom of religion or belief. Yet across the OSCE region threats and attacks against NHRIs have increased.

The purpose of this thematic plenary session is to share progress, good practice and challenges to raising awareness about the nature and scope of individuals’ human rights and fundamental freedoms, as well as the interdependence and indivisibility of human rights. Introducers and speakers will discuss the role of NHRIs and threats they face, while assessing participating States’ implementation of their commitments to ensure full enjoyment of the freedom of religion or belief, including aspects of religious freedom that touch upon the right to freedom of peaceful assembly and association.

Monday, 9 October

Thematic Plenary Session V: Rule of Law I

Democratic law-making, Independence of the judiciary, Right to a fair trial

OSCE participating States have affirmed the crucial role that independent judiciaries play in upholding the rule of law and in safeguarding human rights and fundamental freedoms ([Copenhagen 1990](#)) and have committed to ensuring that judicial independence is both guaranteed in law and respected in practice, even during states of emergency ([Moscow 1991](#)). In practice, it can be difficult to establish and maintain a system of checks and balances between state powers that adequately safeguards the independence of the judiciary while at the same time ensuring that justice is administered in a transparent and accountable manner. Public knowledge and understanding of the importance of an independent judiciary are integral to the sustainability of such a system in the broader context of rule of law culture. Effective guarantee of the right to a fair trial depends on genuinely independent modes of selection, appointment, transfer and discipline of judges. Fair trial monitoring, as all OSCE participating States have agreed to accept as a confidence building measure ([Copenhagen 1990](#)) may serve as a useful tool to ensure that courts uphold the rights of participants in judicial proceedings.

Given the ongoing erosion of the rule of law, democratic and constitutional standards and overall decline of public trust in democratic institutions over the last decades, promoting openness, transparency, inclusiveness and accountability is essential to strengthening democratic institutions and processes. This is especially relevant when looking at the weaknesses of contemporary law-making, often characterized by the lack of proper policy discussions, impact assessments or public consultations prior to drafting legislation, as well as the practice of side-lining democratic institutions throughout the legislative process. Such shortcomings are even more flagrant in time of crisis, emergency or martial law, when urgent procedures are used to adopt legislation restricting human rights without proper democratic safeguards and marginalizing even more the voices of under-represented groups, including women, youth, national minorities and persons with disabilities. OSCE participating States should seek to develop and adopt laws through open, transparent and inclusive processes, in line with OSCE human dimension commitments, even during time of crisis.

The goal of this thematic plenary session is to discuss challenges and good practice from OSCE participating States in designing and implementing measures to safeguard the independence of the judiciary. Participants will consider the role of civil society in promoting the independence of the judiciary and advocating compliance with fair trial standards. Discussion will also cover the opportunities and challenges that new technologies and digital transformation pose to the functioning of democratic institutions and processes, including law-making. States and speakers may share contemporary law-making trends that increase the effectiveness, efficiency, transparency, inclusiveness and accountability of the legislative process and how new technologies may support that purpose.

Tuesday, 10 October

Plenary Session VI: Rule of Law II

Prevention and eradication of torture; Protection of human rights and fighting terrorism; Abolition of capital punishment

Freedom from torture or other cruel, inhuman or degrading treatment or punishment is a non-derogable right. OSCE participating States have [repeatedly](#) recalled that no exceptional circumstances whatsoever can be invoked as a justification of torture. In spite of this absolute prohibition, torture and other ill-treatment continues to occur in the OSCE. ODIHR has [reported](#) the widespread pattern of torture and ill-treatment in Russian Federation occupied areas of Ukraine.

Persons deprived of their liberty are placed in a situation of heightened vulnerability to human rights violations, including torture and other ill-treatment, requiring appropriate measures to ensure respect for their human rights and dignity. The risk of abuse for women and girls, including sexual and gender-based violence, is particularly high, and goes unreported due to fear of retribution and stigma. Independent oversight mechanisms play a crucial role to prevent torture and other ill-treatment and to address cases of abuse.

There is a growing international consensus that the death penalty amounts to a cruel, inhuman and degrading treatment and punishment. OSCE Participating States have [committed](#) to keeping the question of eliminating capital punishment under consideration, and to exchanging information on the question of the abolition of the death penalty and the provision of information on the use of the death penalty to the public.

Ensuring respect for human rights and the rule of law is also a prerequisite for the legitimacy and effectiveness of counter-terrorism efforts. OSCE participating States have [consistently pledged](#) to fully respect their obligations under international law, including human rights, refugee law and international humanitarian law, in the fight against terrorism. At the same time, counter-terrorism laws are being tightened across the OSCE region with far-reaching human rights implications. This worrying dynamic is exacerbated by the labelling of civil society and dissenting voices as "terrorists" or "extremists", curtailing their legitimate work in many OSCE participating States. Measures that lack human rights safeguards and accountability, a gender perspective, and ineffective oversight mechanisms are counterproductive in the short and long term. Meaningful, inclusive engagement between governments and civil society as well as intergovernmental organizations is, thus, essential for developing and sustaining human rights compliant approaches to preventing and combating terrorism.

This session will assess OSCE participating States' progress in ensuring greater accountability for acts of torture and other ill-treatment, and eliminating the root causes and institutional incentives for these violations of human rights. Measures towards abolition of the death penalty, as well as preventing its resurgence where its use has already ended will also be discussed. Finally, participating States can take stock of their compliance with human rights obligations while countering terrorism.

Wednesday, 11 October

Plenary Session VII: Tolerance and Non-Discrimination II

Rights of persons belonging to national minorities, Treatment of citizens of other States and human rights of migrants and Roma and Sinti issues

The [Copenhagen Document](#) obligates OSCE participating States to intensify efforts in combating racial and ethnic hatred, xenophobia, and discrimination against all individuals, including those belonging to national minorities, migrants and refugees, as well as Roma and Sinti. More broadly, the OSCE continues to strengthen the role that members of minority communities, including youth and women, can play in preventing conflicts and sustaining peace, including by increasing their participation in the public life of their countries. In this regard, young peoples' opportunities for bridge-building can play a key role. Recognizing this nexus, this year, the OSCE High Commissioner for National Minorities will publish a new set of recommendations on the social and economic participation of national minorities that encourages the participating States to increase capacities of national minorities, including youth and women, to strengthen their socio-economic participation in society.

OSCE participating States have recognized migration and integration issues as an inherent aspect of the comprehensive approach to security ([Brussels 2006](#)) and [committed](#) to safeguard the human rights of people on the move - refugees, displaced persons, stateless persons, migrant workers or other migrants. Different groups of migrants are differently impacted by migration management measures and better involving migrants and refugees in shaping inclusive migration and integration policies can improve them. Human rights-based border management policies need to ensure consistent attention to the specific needs of persons taking into account intersecting factors such as gender, ethnicity, age and disability.

Likewise, this year marks the 20th anniversary of the adoption of the [OSCE Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area](#), where OSCE participating States are called upon to ensure the rights of Roma and Sinti communities. The Action Plan particularly focuses on combating racism and discrimination, which is still persistent throughout the OSCE region, and impends the participation of Roma and Sinti in all walks of life. In view of the anniversary occasion, ODIHR will publish its fourth [Status Report](#) assessing the progress made in implementing the Action Plan, and the challenges and trends that have surfaced or intensified during the past five years as they affect the situation of Roma and Sinti, as well as relevant policy and its implementation by the participating States.

The purpose of this session is to take stock and review challenges relating to the access to rights of persons belonging to national minorities, the treatment of citizens of other states and migrants' human rights, as well as issues pertaining to the Roma and Sinti communities. Furthermore, it will create space to share existing good practices and assess implementation of OSCE commitments on these topics.

Thursday, 12 October

Plenary Session VIII: Humanitarian Issues

Trafficking in human beings; Humanitarian challenges, including in the context of armed conflict; Freedom of movement; Refugees and displaced persons; Persons at risk of displacement

Armed conflict, natural disasters or economic crises are some of the many reasons people leave or are forced to flee their country or place of origin, including within the OSCE region. The Russian Federation's war of aggression against Ukraine in 2022 triggered one of the fastest and largest forced displacement crises since World War II in Europe.

This increased forced movement creates manifold humanitarian and other challenges for OSCE participating States. In particular, armed conflicts cause people to be displaced internally, as well as flee to safety across borders. OSCE participating states have [deplored](#) the plight of civil populations most affected in such conflicts and acknowledged a concerted effort required to share the common burden. They also affirmed that all governments are accountable to each other for their behavior towards their citizens and neighbors, and that individuals are to be held personally accountable for war crimes and violations of international humanitarian law.

Gender affects every stage of a displaced persons' journey during a crisis, which often exacerbates existing gender inequalities. It is essential to take women's and men's experiences into account to address the wide spectrum of humanitarian challenges caused by mass displacement. In addition, economic and social inequality and discrimination heighten the risk for refugees and displaced persons to become victims of human trafficking. In this context, children are at particular risk and OSCE participating States have [recognized](#) the need for special measures to protect trafficked minors from further exploitation, mindful of their psychological and physical well-being.

While participating States need to respond to increased movement of persons and have the right to protect their borders, they also [committed](#) to facilitate freedom of movement and human contacts across borders. While doing so, States are obliged to respect and protect the human rights of refugees, displaced persons and persons at risk of displacement, including their dignified treatment at borders and during refugee status determinations. Implementing these commitments also requires effective and meaningful partnership with CSOs who are able to reach conflict-affected communities and find themselves at the forefront in responding to the needs of vulnerable individuals affected by conflict and displacement.

This thematic plenary session will focus on ensuring humanitarian assistance in situations of armed conflict, both in places of origin to prevent displacement, as well as to alleviate the humanitarian situation when communities are displaced. Attention will be given to the progress participating States have made towards implementing their commitments on freedom of movement, as well as the key role played by CSOs with a specific focus on challenges, lessons learned, and opportunities. Participants are encouraged to share good practices to protect trafficked minors from further exploitation, while mindful of their psychological and physical well-being, as well as human rights-compliant refugee status determinations.