

CONTENTS

Preface	IX
Foreword <i>By Ambassador Gérard Stoudmann</i>	XI
The human dimension of the OSCE: an introduction	XIII
OSCE documents referred to in this compilation	XXI

| PART A |

THEMATIC COMPILATION OF OSCE HUMAN DIMENSION COMMITMENTS

I. GENERAL PROVISIONS

Human rights as “birth rights” deriving from the inherent dignity of the human person	5
Universality of human rights	6
Human rights, democracy and rule of law as main foundations of the human dimension	7
Human dimension as matter of international concern	8
Protection and promotion of human rights as basic purpose of government	9
The obligation to implement	10
Scope of legitimate restrictions to human rights	11
Adherence to OSCE commitments as basis for participation in the OSCE/CSCE process	12
Reference to obligations under international law	13

II. SPECIFIC HUMAN DIMENSION COMMITMENTS

<i>OSCE commitments relating to the right of self-determination of peoples</i>	21
<i>OSCE commitments relating to civil and political rights</i>	23
Right to life/abolition of the capital punishment	23
Prohibition of torture and other cruel, inhuman or degrading treatment or punishment	25
Prevention of trafficking in human beings	29
Freedom from arbitrary arrest or detention/pre-trial detention	32
Right to a fair trial	34

Right to effective remedies	36
Freedom of thought, conscience, religion or belief	39
Freedom of expression, free media and information	42
Freedom of association and the right of peaceful assembly	46
Freedom of movement/ human contacts	48
Respect for private and family life	51
Rights of the child	52
Rights of persons with disabilities	53
Property rights	54
Nationality/citizenship	55
Human rights defenders	56
Non-governmental organizations	58
<i>OSCE commitments relating to the rule of law</i>	61
Rule of law	61
Right to a fair trial/right to effective remedies	65
Independence of the judiciary	65
Ombudsman and national human rights institutions	67
<i>OSCE commitments relating to economic, social and cultural rights</i>	69
Economic and social rights	69
Workers' rights/conditions of work	72
Cultural rights/cultural heritage	73
Right to education	75
<i>OSCE commitments relating to pluralist democracy</i>	79
Democracy/democratic institutions	79
Elections	84
<i>OSCE commitments relating to tolerance and non-discrimination</i>	87
Equality and non-discrimination clauses	87
Equal rights of women and men	89
Prevention of aggressive nationalism, racism, chauvinism, xenophobia, anti-semitism and ethnic cleansing	91
<i>OSCE commitments relating to national minorities/indigenous populations</i>	97
National minorities	97
Roma and Sinti	104
Indigenous populations	106
<i>OSCE commitments relating to migration</i>	107
Migration, refugees, displaced persons and returnees	107

Migrant workers	110
<i>Derogation clauses/protection of human rights during a state of public emergency</i>	115
<i>International humanitarian law</i>	119

III. MECHANISMS TO MONITOR THE IMPLEMENTATION OF HUMAN DIMENSION COMMITMENTS

Vienna mechanism	123
Moscow mechanism	124

IV. OSCE INSTITUTIONS WITH PARTICULAR RELEVANCE FOR THE HUMAN DIMENSION

Office for Democratic Institutions and Human Rights	131
High Commissioner on National Minorities	139
Representative on Freedom of the Media	145

| PART B |

CHRONOLOGICAL COMPILATION OF HUMAN DIMENSION COMMITMENTS

Final Act of the Conference on Security and Co-operation in Europe, Helsinki, 1 August 1975	151
Concluding Document of Madrid – The Second Follow-up Meeting, 6 September 1983	179
Concluding Document of Vienna – The Third Follow-up Meeting, 15 January 1989	187
Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, 29 June 1990	205
Charter of Paris for a New Europe, 21 November 1990	221
Document of the Cracow Symposium on the Cultural Heritage of the CSCE Participating States, 6 June 1991	227
Report of the CSCE Meeting of Experts on National Minorities, Geneva, 19 July 1991	233
Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, 3 October 1991	241

| CONTENTS |

Concluding Document of Helsinki – The Fourth Follow-up Meeting, 10 July 1992	257
Document of the Third Meeting of the CSCE Council, Stockholm, 14–15 December 1992	267
Document of the Fourth Meeting of the CSCE Council, Rome, 30 November–1 December 1993	271
Concluding Document of Budapest, 6 December 1994	277
Lisbon Document, 3 December 1996	287
Istanbul Document, 19 November 1999	291
Decisions of the Eighth Meeting of the Ministerial Council, Vienna, 27–28 November 2000	299
Index	303