



OUTCOME DOCUMENTS OF THE OSCE PARALLEL CIVIL SOCIETY CONFERENCE

MALTA, 4 DECEMBER 2024

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Introduction

The Civic Solidarity Platform, a network of more than 100 human rights, peacebuilding and democracy promotion NGOs from across the OSCE region,¹ convened the 2024 OSCE Parallel Civil Society Conference in Malta on 4 December, building upon the tradition of OSCE parallel civil society conferences in Astana in 2010, Vilnius in 2011, Dublin in 2012, Kiev in 2013, Basel in 2014, Belgrade in 2015, Hamburg in 2016, Vienna in 2017, Milano in 2018, Bratislava in 2019, Tirana in 2020, Stockholm in 2021, Łódź in 2022, and Skopje in 2023. At the conference in Malta, activists from across the OSCE region discussed and endorsed the Outcome Documents of the conference, developed by the Civic Solidarity Platform.

The Outcome Documents include the Malta Declaration entitled “A stronger and reformed OSCE is needed to ensure its ability to implement its mission and effectively respond to the crisis threatening our comprehensive security” and statements “Mobilise efforts to support Ukraine and resist the Russian aggression” and “Support democratic aspirations of the Belarusians and end impunity for crimes against humanity by the Lukashenka regime”.

The Declaration include chapters on the need for OSCE strengthening and reform at the times of crisis and on ensuring a stronger role of civil society in the upholding of the Helsinki principles, protection of civil society space and security of human rights defenders, combating torture and enforced disappearances in peaceful times and during conflict, the role of the OSCE in addressing the climate change and environmental degradation as a multidimensional security crisis, fighting discrimination of minorities, migrants and vulnerable groups, and recommendations on a pact for the future of the OSCE from a gender perspective. Several chapters of the Malta Declaration are based on the results of expert workshops and roundtables, organised by the Civic Solidarity Platform with the support of the Ministry of Foreign Affairs of Germany and the Ministry of Foreign Affairs of Finland.

The outcome documents are addressed to the governments of OSCE participating States that will be gathering in Malta for this year’s meeting of the OSCE Ministerial Council, as well as OSCE political bodies and institutions, including the current and the incoming Chairpersonships, the OSCE/ODIHR, the OSCE High Commissioner on National Minorities, the OSCE Representative on Freedom of the Media, the OSCE Parliamentary Assembly, the OSCE Secretary General, the OSCE Secretariat, and the OSCE field operations.

We hope that this analysis and the recommendations that flow from it will be studied carefully and used in the OSCE work. We look forward to substantive reaction from all interested stakeholders. We express our commitment as civil society actors to continue to actively engage in the work of the OSCE and our determination to contribute to the full realisation of the Helsinki principles, respect for human rights and fundamental freedoms, democracy and the rule of law throughout the OSCE region.

¹ The Civic Solidarity Platform (CSP) was established in December 2011 in Vilnius on the eve of the OSCE Parallel Civil Society Conference. Since then, it has grown to more than 100 member organisations from across the OSCE region. For more information about the CSP, please visit <https://www.civicsolidarity.org/>. The core group of the Platform founders had organised earlier the OSCE Parallel Civil Society Conference in Astana on the eve of the OSCE Summit in December 2010, and the CSP has been organising OSCE Parallel Civil Society Conferences since then.

At the times of crisis, the OSCE should be strengthened and reformed. A stronger role of civil society in the upholding of the Helsinki principles should be ensured.

The future of the OSCE appears uncertain at a time when, more than ever in the past 50 years, our region face multiple crises. There is an urgent need to strengthen and reform the OSCE to ensure that it is capable to effectively implement its mission on the basis of the Helsinki principles, including the establishment of new and sustainable security arrangements in the region.

As the OSCE approaches the 50th anniversary of the Helsinki Accords, OSCE participating States and people in the vast OSCE region are living through the worst security crisis in many decades, encompassing all three dimensions of comprehensive security. The OSCE is paralysed at the time when, along with other intergovernmental organisations, it must address enormous challenges central to its mission, including finding effective ways to stop the continued Russian aggression, ensure justice, prevent other conflicts, address growing repression and the climate crisis.

The OSCE suffers from acute diversion of positions of participating States on key matters of international relations and common security. This diversion created a dramatic situation of a lack of consensus as a direct consequence of the abuse of its decision-making procedures by a small minority of participating States which are at the same time the main violators of the Helsinki principles and the OSCE commitments. This has essentially paralysed and decapitated the organisation. The OSCE institutional framework relies on the foundational principles of the inviolability of borders, interconnectedness of all three dimensions of security, the binding nature of UN human rights norms, and the essential importance of multilateral cooperation in addressing common problems. These principles are underpinned by the recognition that the human dimension commitments “are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned” and on the acknowledgment of civil society as a key partner in the advancement of the Helsinki principles and the implementation of OSCE commitments.

To safeguard the very principle of cooperative security in Europe, North America and Eurasia against mounting pressure, a *strategic and intelligent refocusing* of the OSCE and *prioritising* of its programmatic activities are essential. This process may be also called “*downsizing*” as focusing and prioritising implies concentrating on core issues and giving up on less essential activities. The core of a smart downsizing must be the establishment of a robust and open platform for dialogue and negotiation that enables participating States to better navigate and reconcile highly divergent political positions but at the same time maintaining essential elements of the Helsinki Principles.

It is obvious to civil society members that fundamental reforms of the OSCE are required. OSCE bodies and participating States must reflect on what should be preserved and strengthened, what should be removed or fundamentally altered, and what should be developed instead. Essentially, we are talking about “reinventing the OSCE” to make it fit for the new challenging times.

There are core principles that need to be preserved: the comprehensive security concept, the importance of multilateralism, and the unique place the OSCE provides for civil society are as essential today as 50 years ago. We need to uphold this conceptual framework and develop new instruments that would allow the Helsinki concept to effectively work at the time when many States are not like-minded anymore.

Among new approaches, the inclusion of non-state interest representation from the societies of participating States is essential. Without this element, cooperative security cannot be sustainably ensured. This necessity stems from the current significant deficit in representation. The need for enhanced representation is driven by globally rising expectations for civic representation and participation – often a result of expanded access to education and enhanced communication within national and global public spheres.

A refocused, restructured, and downsized yet functionally smarter OSCE must amplify the visibility of civil society to ensure that groups not represented by state actors and OSCE personnel are adequately included in negotiations as well as in development, implementation and assessment of OSCE programmes and activities. This restructured approach would align the OSCE with the reality of increasing political divergence across the OSCE region and at the same time with contemporary demands for representation and participation of societies.

For this reason, we call for the elaboration of a clear and functional mandate of the *CiO Special Representative on Civil Society*, first established by the North Macedonian Chairpersonship in 2023, as part of the OSCE+50 process during Finland’s OSCE Chairpersonship in 2025. This should be done in close cooperation with civil society to ensure that strong representation of civil society concerns at the highest level is ensured and maintained. The Special Representative should serve as a focal point assisting in effective communication between civil society and OSCE bodies and institutions and act as a driving force in efforts to ensure broader and more effective civil society engagement in OSCE work as well as in stimulating actions in the OSCE to address the problem of shrinking space for civil society across the OSCE region. Moreover, building up this mandate in a meaningful way under the Chairpersonship of Finland should serve as a normative example for future chairpersonships, setting a standard for representing civil society’s concerns effectively in a changing OSCE.

Enhanced role of civil society would also require much more attention to civil society analysis and recommendations presented at OSCE events, including the Parallel Civil Society Conferences ahead of the Ministerial Council meeting, and provision of substantive reaction to them by the leadership of OSCE bodies and institutions and participating States. This would include holding an annual meeting of the incoming OSCE Chairperson with a broad group of civil society representatives soon after the Parallel Conference or early in the Chairpersonship year to discuss priorities and cooperation on the implementation of civil society recommendations, and holding regular Chairpersonship consultations with civil society throughout the year. In their turn, supportive participating States should establish an informal “group of friends of civil society” which would focus on developing joint strategies on reversing the backlash against civil society, expanding civil society space in the OSCE region and enhancing civil society participation in OSCE work, and reactivate informal annual “stakeholders meetings” of a group of supporting States with civil society. Last but not least is the need for serious attention to and substantive discussions of the outcomes of the Helsinki+50 Reflection Process organized by the Civic Solidarity Platform. Analysis and recommendations of the process are to be ready by the beginning of summer 2025.

One thing is certain: increased demands for citizen participation worldwide cannot be reversed. These demands must be considered beyond the exclusive claims of state elites, especially from countries with lower levels of domestic political representation, if the OSCE is to achieve sustainable security in the 21st century.

Civil society space and security of human rights defenders: Shrinking freedom and decreased ability of civil society to uphold the Helsinki principles

Over the years, shrinking space for civil society across the OSCE region has remained our key concern. Despite repeated calls issued by civil society organisations, including in the outcome documents of all previous OSCE Parallel Conferences, to OSCE bodies and participating States to take a strong action to protect civil society space and reverse the backlash against independent NGOs and civic activists, legislation and practices restricting the right to freedom of association continue to be actively developed and applied by governments in the OSCE region. Worst repressive practices aimed at curtailing independent civic participation and shutting down critical voices are being reproduced by non-democratic regimes in a growing number of participating States. A war against independent civil society aimed at its elimination is expanding.

This attack is an important part of a global backlash against democracy, human rights, and rule of law. NGOs and activists are specifically targeted because they are key actors in defending these cornerstones of comprehensive security, promoting the Helsinki principles and building the tools of citizen participation in the governance. Autocratic regimes beware of this and are trying to get rid of independent civil society exactly because civic control threatens their rule by exposing their destruction of democratic institutions, trumping on fundamental human rights, their abuse of power and corruption.

In 2024, legislation on foreign agents was adopted in Georgia and Kyrgyzstan, reproducing the Russian repressive model. Several other states discuss introducing this kind of legislation, such as in Turkey. NGOs and activists face serious pressure in Russia, Belarus, most Central Asian states, Azerbaijan, and Turkey, where the authorities use various legal and extra-legal instruments for persecution.

Security of human rights defenders continues to rapidly deteriorate in the large part of the OSCE region. The main tools of politically-motivated persecution of human rights defenders and civil society activists for their legitimate work and exercise of their fundamental rights include (but are not limited to) designating them and their organisations as “foreign agents”, “undesirable organisation”, “extremists” or “terrorists” and administrative and criminal persecution for violation of these special laws; persecution on the basis of fabricated charges of the alleged commitment of other “political crimes” such as slander, insulting officials, “distribution of fake information”, “discrediting the army”, or the alleged commitment of “regular” crimes, especially those that are perceived in society as shameful such as theft, smuggling, counterfeiting money, storage of pornographic materials, paedophilia, etc.; searches at homes and offices with confiscation of equipment and documents; arbitrary detention; lack of access to legal remedies; unfair trials; closed trials; enforced disappearance, including incommunicado detention; creating torturous conditions in prison; blocking access to lawyers and families; blocking of bank accounts; physical attacks, including by GONGOs and vigilant groups associated with the authorities; smear campaigns and public defamation; threats in public statements or in the internet; lack of investigation of and impunity for attacks, threats and other forms of harassment; and the refusal to implement decisions of international bodies to stop violation of human rights of the persecuted activists.

The Russian aggression against Ukraine war has a devastating effect on Ukrainian civil society. This includes deaths of many human rights defenders, civil society activists and journalists who perished as

both civilians under the Russian attacks and in the ranks of the Armed Forces. Many others were subjected to captivity and imprisonment in Russia and the occupied territories.

Russian civil society continues its work in the face of severe repression, with the continuously expanding application by the authorities of the “foreign agent” and “undesirable organisations” legislation, anti-extremism and anti-terrorism laws, and the war-time censorship laws on “discrediting the Russian army” and “spreading fake information”. Leading NGOs have been liquidated, many activists convicted to prison terms, and the remnants of civil society are systematically persecuted. Nevertheless, despite the high risks, human rights defenders inside Russia continue speaking out against the war and repression, provide vital support to victims of repression and Ukrainians deported to Russia, and cooperate to find information about imprisoned Ukrainians. Thousands of dissenters have had to flee Russia due to a risk of persecution and are actively engaged in supporting Ukraine, countering Kremlin’s disinformation and propaganda, and fighting against Putin’s aggression. This uphill battle against the regime’s internal repression and external aggression demonstrates the readiness of human rights defenders to resist against all odds the attempts to illegally restrict the activities of civil society and uphold the human rights values and the Helsinki principles.

Belarusian civil society continues to face systematic pressure from the authorities. Since 2021, more than 1,800 NGOs have been forcibly dissolved or liquidated under the threat of severe consequences. A number of human rights defenders were convicted to long-term prison sentences on fabricated charges, including our colleagues from the Civic Solidarity Platform member organisations. As other political prisoners in Belarus, they are subjected to inhuman and degrading treatment, and many of them are cut off from contacts with the outside world. The authorities use a range of repressive measures to repress civic engagement, including discrediting and harassing opponents in exile, using the tools of transborder repression. The authorities designated many civil society organisations as 'extremist formations' and their websites and social networks as 'extremist material'. This classification criminalises any interaction with these organisations or their content, effectively cutting Belarusian citizens off from value narratives. Civil society organisations in Belarus face considerable difficulties in accessing funding, and the authorities are doing their utmost to cut off their contacts with organisations abroad, including those in the diaspora.

The future of civil society in Georgia is under significant threat. The adoption of the so-called “foreign agents law” in May this year, the government’s autocratic rhetoric and actions demonstrate its readiness and determination to crash and eliminate civil society. The Prime Minister’s statement of 28 November to postpone “putting the issue of opening negotiations with the European Union on the agenda until the end of 2028” continues the consolidation of autocracy. This is reminiscent of Yanukovich’s statement of 21 November 2013 on suspending preparations for Ukraine’s EU association agreement. Following this statement, a massive wave of protests swept the Georgian capital and the entire country. For several days now, the Georgian people have been firmly demanding that the government restore the stolen votes from the parliamentary elections on 26 October, enabling the people to reclaim the country's future and its Euro-Atlantic trajectory. The authoritarian government of Georgia, which has usurped power, is confronting legitimate peaceful protest with brutal police force by beating and mutilating people, using water cannons in the cold weather and tear gas. Today, the government has only one support of its power, repression. However, the people are no longer afraid, they are ready to fight to the end for the future of Georgia. Georgian civil society is actively involved in the protests, monitors the developments and assists victims of police violence. Amid the global rise of autocracy, Georgia might be a good example where

international tools for supporting civil society and democratic aspirations of the people need to be strengthened proportionally to the scale of the threat and adapted to the evolving realities.

In the summer of 2024, the Cabinet of Ministers of the Kyrgyz Republic introduced into the legislation a provision on keeping a register of non-profit organisations “performing the functions of a foreign representative” and conducting inspections of their activities, following the model of the Russian “foreign agents” law. Organisations included in this register will be subject to special control by state authorities, mandatory financial audit and state inspections.

Kazakhstan continues to maintain a register of persons receiving money and other property from foreign states, international and foreign organisations. The register includes human rights NGOs, public foundations, law offices, and mass media. Associations included in this register face discrimination. In addition to putting pressure on the recipients of foreign funding, the authorities have recently moved to the tightening of regulation on domestic funding. A new law on charitable activities is being prepared, with a working group on its drafting established in October this year. The same justification is used for the adoption of this law as the one used earlier when the register of recipients of foreign funding was established: the need to increase transparency of and trust to civil society organisations and to decrease the level of fraud through collection of donations. Earlier this year, authorities investigated at least four cases of donation campaigns by human rights NGOs and charitable organisations, including by identifying through banks all persons who had made donations, interrogating them, and asking them to submit complaints against the NGO which received the donations. If new restricting regulations are adopted, they will likely negatively affect all organisations collecting donations, including those who collect donations for such purposes as election monitoring, medical treatment of children, assistance to the poor and victims of natural disasters, and will have a negative impact on religious organisations.

Azerbaijan is tightening its grip on independent civil society, with activists working on anti-corruption, election observation and public information being the key targets of repression, the latest wave of which started a year ago. A number of them are held in detention. Today, Azerbaijan holds at least 319 political prisoners. At the run-up to major events, such as presidential and parliamentary elections held in February and September 2024, respectively, and the UN climate conference COP29 in November 2024, the government intensified the crackdown on civil society and fundamental freedoms. On November 11-22 this year, COP29 took place in Baku, where world leaders and climate activists gathered to discuss global climate cooperation. Ahead of and during this period, imprisoned civil society activists and other political prisoners faced intensified restrictions. Several detainees reported being denied access to their lawyers during court hearings, disruptions in communication with their families, and heightened physical violence in detention facilities. Pre-trial detention of several human rights defenders was extended by courts for several months without substantial justification. New bans on travel abroad, rearrest of recently released activists, and deportation of activists from Turkey and Georgia to Azerbaijan have been part of the attack. Harsh conditions in custody and mistreatment of activists in detention have continued, leading in some cases to hunger strikes and self-mutilation in protest. Earlier, international donors were forced to leave the country through adoption of laws and regulations prohibiting foreign grants to CSOs. A majority of human rights defenders, who fear for their lives, had to flee the country and continue to operate in exile.

Turkey has never been a fully functional democracy, but three major turning points in the recent history stand out, leading to the shrinking of civil society space and dramatically reducing the ability to exercise

fundamental rights and freedoms. The first two turning points manifested with the government crackdown in response to the Gezi park protests in 2013 and the termination of the peace talks in 2015. This crackdown further accelerated as a result of the government response to the 2016 coup attempt, including the introduction of the state of emergency and the transition to a presidential system with no checks and balances. The state of emergency laws were increasingly made permanent by having their provisions embedded in other legal regulations and have continued to be used as a tool of oppression. The government employs a wide range of strategies to obstruct or criminalise the work of human rights defenders. These include enacting new laws designed to impede civil society activities, maliciously applying existing legislation, particularly anti-terrorism and national security laws, and leveraging administrative and judicial powers to suppress dissent. These measures are often accompanied by disseminating false information and organising smear campaigns against civil society organisations and human rights defenders. As a result, now Turkey has almost a closed civic space without freedom of expression and freedom of peaceful assembly. The situation may quickly deteriorate even further, as recently the government put the adoption of a “foreign agent” law on the agenda with very broad definitions and extremely harsh penalties.

In Tajikistan, NGOs are under extreme pressure, and in the Pamir region their situation is critical.

In Turkmenistan, independent civil society was eliminated long ago and is non-existent.

Across the OSCE region, human rights defenders face difficulties in obtaining visas and crossing borders. They are attacked, criminalized, and subjected to defamation campaigns in the media.

Civil society fights practically alone, as international institutions demonstrate impotence in the protection of civil society space and human rights defenders. Numerous international norms and OSCE commitments on freedom of association and security of human rights defenders do not work.

Democratic states and intergovernmental organisations should have vested interest in stopping this growing backlash and protecting civil society space, not the least because without input from civil society, it would be much more difficult if not impossible for governments, diplomats, and experts in the OSCE and other international bodies to do their work, not speaking of people in these societies who may be deprived of legal assistance, vital information, social support, and many other services provided by NGOs.

Democratic states, intergovernmental organisations, including the OSCE, and donors should treat civil society organisations as important partners and agents of change, not merely as objects of solidarity and support. Civil society organisations and activists have knowledge, expertise, dedication, courage, and agency. Enabling civil society to be actors of change requires not only believing in it but developing and implementing a proactive strategy of support. It is a much more serious investment in the future of individual societies and the whole region, which entails investing in the provision of new technology, analytical instruments and modern communication tools to civil society, building up its expert capacity, supplying core funding as opposed to project-based funding and multi-year funding as opposed to a short-term. This new type of institutional support should be provided not only to leading international NGOs but, equally importantly, to exiled civil society groups fleeing from repression and their colleagues who still remain inside autocratic countries.

Importantly, the ability of NGO and activists to cooperate on international level has to be insured, including receiving visas and traveling without impediment, as difficult as it may be in the times of the war in Europe and the application of tightened security measures and sanctions. Democratic states and intergovernmental organisations should make every effort to prevent double isolation of NGOs who continue operating inside the countries ruled by authoritarian regimes, not allow cutting them off from international cooperation, and make sure they remain an integral part of global civil society.

We call on OSCE bodies and OSCE participating States:

- to put the problem of shrinking civil society space and persecution of human rights defenders and other civil society members much higher on the OSCE agenda. Include addressing this problem in the thematic priorities of OSCE Chairpersonships;
- to step up efforts to support independent civil society organisations to ensure their ability to promote human rights, democratic values, and the rule of law;
- to activate work at ODIHR on securing civil society space and protecting civil society activists, using an array of tools such as developing a system of indicators on the freedom of association and security of human rights defenders, holding systematic monitoring and documentation of the situation in OSCE participating States, producing and issuing annual reports, conducting assessment of draft laws, issuing public statements, regular monitoring of politically motivated trials, updating the existing guidelines, developing new guidelines and promoting them;
- to more actively use the 2014 ODIHR Guidelines on Security of Human Rights Defenders and 2015 ODIHR/Venice Commission Guidelines on Freedom of Association;
- to task the ODIHR Expert Panel on Freedom of Assembly and Association to work on the revision of the Guidelines on Security of Human Rights Defenders and the Guidelines on Freedom of Association, taking into account the negative practice in many states in the last few years and the recent ECtHR case-law and Venice Commission opinions;
- to develop and put to work a system of reacting to repressive laws and policies restricting civil society space and cases of attacks on and harassment of human rights defenders and other civil society activists and NGOs, that would involve relevant OSCE bodies and institutions, including the Chairpersonship, CiO Special Representative on Civil Society, ODIHR, Secretary General, Parliamentary Assembly, field presences, etc. This system should be developed with an understanding that there is a need for a clearer “division of labour” between various OSCE bodies and institutions in reacting to threats to civil society space. This problem could be potentially solved by developing an OSCE-wide strategy/action plan on the protection of civil society space with clearly assigned responsibilities. Chairpersonship, including the Special Representative on Civil Society, and ODIHR could take a lead in developing such a strategy, in cooperation with civil society;
- to focus OSCE protective efforts on those civil society actors which are directly involved in or contribute to OSCE’s programmes and activities, those working in the areas affected by conflicts, those who are involved in cross-border monitoring of human rights, and any individuals or groups that face reprisals for their interaction with OSCE bodies and institutions;
- to initiate broad consultations among OSCE participating States on actions to ensure the release of imprisoned human rights defenders and civil society activists, paying particular attention to political prisoners in Russia, Belarus, Azerbaijan, Georgia, Turkmenistan, Tajikistan, Uzbekistan, and Kazakhstan;

- to extend annually the mandate of the CiO Special Representative on Civil Society, appoint a high-level public figure to this position, consider tasking the mandate holder with acting as a focal point between various OSCE bodies and institutions on matters of civil society participation in OSCE work and protection of civil society space across the OSCE region, fill the mandate with concrete tools, allocate necessary financial and administrative resources;
- to more clearly define the mandate of the CiO Special Representative on Civil Society and ensure an active role of this mandate holder. The Special Representative could assist in effective communication between civil society and OSCE bodies and institutions and act as a driving force in efforts to ensure broader and more effective civil society engagement in OSCE work as well as in stimulating actions in the OSCE to address the problem of shrinking space for civil society and persecution of human rights defenders;
- to establish an informal “group of friends of civil society” comprised of supportive participating States to develop joint strategies on reversing the backlash against civil society, expanding civil society space in the OSCE region and enhancing civil society participation in OSCE work; hold its regular consultations and meetings, consider joint initiatives and develop modalities of their implementation jointly with civil society;
- to organise special events at OSCE PA on the issue of shrinking space for civil society and persecution of civic activists and encourage PA members to “bring home” these discussions and initiate legislation in national parliaments for the enabling of civil society work;
- to develop a clearer mandate for OSCE PA Special Representative on Civil Society and support her/his work in coordination with the work of the CiO Special Representative on Civil Society.

Combating torture and enforced disappearances in peaceful times and during conflict: High time to put MC Decision 7/20 to active use

Over the past decade, a series of steps have been implemented within the OSCE framework to prioritise the prohibition of torture in the OSCE region and to develop effective mechanisms for preventing torture and ill-treatment. These efforts culminated in the adoption of MC Decision 7/20 “Prevention and eradication of torture and other cruel, inhuman or degrading treatment or punishment” (hereinafter, Decision 7/20) during the OSCE Ministerial Council meeting in Turin in December 2020.² This document reaffirmed all the commitments previously made within the OSCE and introduced several new ones. Specifically, it extended commitments of participating States to include preventing enforced disappearances and prolonged incommunicado detention as well as stressed the importance of adopting “an integrated and victim-centred approach encompassing prevention, access to justice, accountability, redress and the enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible.”

Unfortunately, during the past four years since the adoption of Decision 7/20, the implementation of commitments under the Decision has deteriorated.

Observations by the CSP Working Group on the Fight against Torture show that no OSCE participating States have implemented their commitments under Decision 7/20 in full. To varying degrees across OSCE countries, challenges persist in areas such as criminalisation of torture in national legislation, accessibility and adequacy of statistical data, guarantees regarding the inadmissibility of evidence obtained by means of torture, fundamental legal safeguards for persons deprived of their liberty, conditions of detention, and compliance with the standards of effective investigation. Even in countries where the domestic legislation provides for redress to victims, no – or very limited – specific information is available on actual measures taken in terms of compensation awarded or reparation programmes in place, including rehabilitation programmes and support for NGOs, which provide such programmes.³

Ignoring obligations to prevent torture — established both by international bodies and national authorities — reinforces the growing process of habituation of violence and torture in the context of ongoing wars. In OSCE countries studied in the framework of the Index on Torture, an annual research project conducted by the CSP, personnel of penitentiary institutions, law enforcement bodies, and the judiciary demonstrate induced acceptance of torture. This is due both to the widely shared misconception of torture as an effective tool of protection and a means of achieving public safety when it is used in respect of those who are considered dangerous to society, and to the perception of torture as a typical and integral (habitual) action within law enforcement agencies. The lack of an appropriate response to torture becomes part of this process of normalizing torture and ill-treatment.

The research⁴ conducted by Crude Accountability in 2023 in cooperation with members of the Turkmenistan Working Group and the CSP Working Group on the Fight against Torture was aimed at drawing attention to the ongoing horrors of enforced disappearances in the context of armed conflict and political repression. The practice of enforced disappearance not only tortures the main victim by placing them in isolation, but also torments the family members of the victim who do not know the status of their loved one, while simultaneously facing the possibility of the same fate happening to them at any moment.

² <https://www.osce.org/files/f/documents/3/d/473199.pdf>

³ <https://civicsolidarity.org/article/on-the-urgency-of-establishing-a-panel-on-experts-on-torture-prevention-within-the-odhr/>

⁴ <https://crudeaccountability.org/enforced-disappearances-in-the-osce-region/>

This practice is a form of terror, designed to envelop the society in a sea of fear. Enforced disappearances are often the tool of repressive regimes to silence opposition such as in Turkmenistan or Belarus, but also happen in conflict zones with the capture of soldiers and civilians alike by the armies, governments, and other armed parties involved in the conflict. Examples include during the Russian occupation of Ukrainian territories in 2014-2022 and the large-scale invasion since 2022, wars in Nagorno Karabakh, and wars in Western Balkans in the 1990s. Serving the same purpose of terrorising and intimidating the population at large as well as the individuals who have disappeared and their families, it is a brutal and hideous show of force. Enforced disappearances are also used as a tool against minority groups, most often in repressive regimes. We have examples of this in the CSP policy papers documenting enforced disappearances in the OSCE region, including in Chechnya, where LGBTIQ people are terrorised and disappeared by the regime. This problem was also documented in the 2018 OSCE Moscow Mechanism report.⁵

In the Russian region of North Caucasus there is also a violent practice of subjecting to kidnapping and the enforced disappearance of young women who try to escape severe patriarchal control in their families, including orders to stay at home all the time, coercion to marriage, etc. When the women flee their homes for other cities outside of North Caucasus, their families try to track them down and submit false allegations of a crime to the police, like theft. Russian police officers find them, detain and return them to their families or to the police from the North Caucasus, the representatives of which arrive promptly. Despite the fact that they are not minors, they are treated as dependents who must remain under control of their fathers or families. A fabricated criminal case is closed. After this kidnapping with the cooperation of the police, these women often disappear – most likely kept in full isolation by their families, without any contact with the outside world. In cases when human rights defenders generated a lot of publicity, videos with these women were published, often with evidence of violence, in which they say that everything is fine and they are happy to be with their families and ask to be left alone.

The situation of missing Ukrainian civilians and prisoners of war and their treatment in Russian custody is a matter of particular and urgent concern. Over 50,000 people are missing due to the Russian aggression in Ukraine, according to the Ukrainian Register of Missing Persons under Special Circumstances. More than 14,000 Ukrainian civilians are held in Russian captivity, mainly *incommunicado*, according to the Coordination Headquarters for the Treatment of Prisoners of War. Unfortunately, this data is incomplete, as Russia, contrary to international humanitarian law, does not provide relevant information. Prisoners of war and civilians in illegal detention also suffer from other gross violations of human rights and international humanitarian law; they are systematically subjected to torture and ill-treatment. According to the testimonies of Ukrainian prisoners of war and Ukrainian civilians held in Russian custody who were exchanged, the vast majority, if not all, are subjected to horrific torture in places of detention in the occupied territories and in institutions of the Russian penitentiary system, including secret places of detention. At least two institutions are known to be used specifically for torturing Ukrainian prisoners – the pretrial detention center in Taganrog and correctional colony No. 10 in the Republic of Mordovia. Russia refuses to acknowledge this. According to the Office of the Prosecutor General of Ukraine, there are at least 71 places in total where Ukrainians are being held, both on the occupied territories of Ukraine and in Russia. Russian lawyers and the International Committee of the Red Cross are not allowed into these institutions. There is not a single criminal case opened in Russia on the facts of torture against Ukrainian civilians and PoWs in these and other institutions of the Russian penitentiary system.

⁵ <https://www.osce.org/files/f/documents/b/7/407402.pdf>

In many cases, Russian authorities fabricate criminal cases against Ukrainian civilians and PoWs followed by sham trials, guilty verdicts and long-term sentences. Thus, trials are weaponised as a tool of persecution against Ukrainians and, given the mass character of such proceedings, denying a fair trial reaches a threshold of an atrocity crime. Ukrainian PoWs are subjected to especially harsh show trials, often paraded as “Nazis” or “terrorists” before the Russian public, being falsely accused of serious crimes under Russian criminal law they did not commit. The perpetrators include prosecutors, judges and possibly officials of the Russian Ministry of Justice. Their conduct is no less serious than that of those perpetrators who subject victims to torture or other inhuman treatment, as they legitimise further violence against victims who receive lengthy sentences, often in strict regime colonies.

All of the above convincingly illustrates that the situation with the implementation of Decision 7/20 in the OSCE region is critical and deteriorating. The standard, business-as-usual measures of monitoring, reviews, and calling for steps to be taken to prevent torture are clearly insufficient. The CSP has repeatedly emphasized at various OSCE venues that "an obligation can only be effective if it is implemented in concrete practical steps" and has called upon the OSCE bodies and participating States to develop action plans or roadmaps aimed at ensuring the implementation of commitments under Decision 7/20.

Recommendations

This is precisely why we deem it highly important at this moment to reinstate the ODIHR Advisory Panel on the Prevention of Torture, which functioned from 1998 to 2003, and to infuse its work with new substance. The panel would have a vital mandate of continuous monitoring of the implementation of the new expanded commitments on torture prevention under Decision 7/20 by OSCE participating States, developing model guidelines regarding implementation of the Decision’s commitments, formulating recommendations for essential reforms aimed at achieving more comprehensive compliance with these commitments by the States, providing expert input to ODIHR in the form of written comments and peer review on ODIHR legislative reviews and other legal assistance for OSCE participating States, keeping abreast of information about important developments and major trends relating to international and national standards and practices on the implementation of Decision No. 7/20, regularly sharing related information with ODIHR with a view to recommending possible further ODIHR engagement, and providing guidance and support to OSCE and participating States in their essential reform efforts. More details regarding the Advisory Panel can be found in the policy paper prepared by the CSP Working Group on the Fight Against Torture.⁶

To OSCE participating States

- Develop national Roadmaps or Action Plans for the implementation of the main provisions of the OSCE Ministerial Council Decision 7/20 on Prevention and Eradication of Torture and other cruel, inhuman or degrading treatment or punishment.

In respect of prevention and eradication of torture, national Action Plans should include actions to ensure proper criminalization of torture and sanctions for acts of torture in the national criminal codes, clear presentation of statistics on documented cases of torture and ill-treatment, development and approval of protocols for the investigation of cases of torture and ill-treatment, reforms of medical services in the police and penitentiary institutions to ensure in practice their full

⁶ https://drive.google.com/file/d/16MX0askX1NPJKY2XTsrG4vdwFMT-J_So/view

independence, excluding their departmental affiliation with law enforcement agencies, development of programs for the rehabilitation of torture survivors.

In respect of prevention and eradication of enforced disappearances, national Action Plans should include actions aimed at:

- inclusion in legislation and practice the absolute prohibition of enforced disappearances, including acts of enforced disappearances, attempts to commit enforced disappearances, and acts of complicity or participation in enforced disappearances, and providing for appropriate penalties reflecting their grave nature;
- implementation of effective legal and procedural safeguards throughout all stages of detention;
- ensuring full and ongoing government cooperation, in line with their respective obligations under international law, with applicable international preventive bodies or mechanisms and with relevant national bodies, such as national human rights institutions, including by allowing unrestricted access to places of detention if such access is an obligation for a participating State under the international law;
- ensuring that all allegations of enforced disappearances are investigated promptly, effectively, thoroughly, and impartially by competent and independent national authorities, and ensuring that complainants and witnesses are protected against ill-treatment and intimidation;
- providing redress for the victims of enforced disappearances, encompassing effective remedy and adequate, effective and prompt reparation, which should include restitution, fair and adequate compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Such Action Plans should concern not only eradicating enforced disappearances committed by their governments or their agents in their own countries and elsewhere and effectively investigating their past crimes of disappearances, but also effectively addressing enforced disappearances in all OSCE participating States, based on the Helsinki principle that the human dimension commitments “are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned.”⁷

- Those OSCE participating States that have not yet ratified the Optional Protocol to the UN Convention against Torture and/or the International Convention for the Protection of All Persons from Enforced Disappearance should do it.

To OSCE institutions:

- ODIHR, in cooperation with the OSCE Chairpersonship, should develop an OSCE Roadmap or Action Plan for the implementation of the main provisions of Decision 7/20 with a clear list of actions to be undertaken in the OSCE aimed at the implementation of Decision 7/20 provisions regarding both the prevention torture and enforced disappearances in places of detention, which should include, among other measures, development of standards for the disclosure of statistical data on cases of torture and elaboration of guidelines for effective torture investigation and preservation of evidence;
- ODIHR should reinstate the ODIHR Advisory Panel on the Prevention of Torture. The panel would have a vital mandate of monitoring the implementation of the new expanded commitments on

⁷ Document of the 1991 Moscow Meeting of the Conference on the Human Dimension of the CSCE. P. 2. <https://www.osce.org/files/f/documents/2/3/14310.pdf>

torture prevention under Decision 7/20 by OSCE participating States, developing model guidelines regarding the implementation of the Decision's commitments, and providing guidance and support to the OSCE and participating States in their essential reform efforts;

- Consider engaging in the execution of judgments and decisions of international bodies against participating States in cases involving torture and other ill-treatment by law enforcement officials.

To OSCE Chairpersonship:

- Chairpersonships should work with ODIHR to develop an OSCE Roadmap or Action Plan for the implementation of Decision 7/20;
- Chairpersonships should encourage participating States to develop realistic national action plans on the implementation of Decision 7/20;
- Chairpersonships should assist ODIHR in reinstating the ODIHR expert panel on torture prevention and taking practical steps to organize the panel's work on developing model guidelines and other activities for assistance OSCE institutions and participating states.

Climate change and environmental degradation as a multidimensional security crisis: The role of the OSCE in addressing the crisis in cooperation with civil society

Climate change is an existential threat facing the world, including all OSCE participating States. As good environmental governance has been part of the OSCE political commitments starting from the 1975 Helsinki Final Act, and as the Helsinki principles are based on the concept of comprehensive security, OSCE participating States, bodies, and institutions should acknowledge that there can be no holistic security without climate security, and there can be no climate security without climate justice. This means including the most vulnerable in discussions and decision-making regarding climate mitigation and adaptation, and requires a fundamental reassessment of security in the OSCE framework. Threats to environmental security, including the climate crisis, which are growing exponentially, should be addressed at a higher political level and beyond the OSCE second dimension as a multidimensional issue, impacting all three dimensions and requiring urgent and serious attention. This must include the development and vigorous implementation of new programs, allocation of necessary resources, and possible adoption of new OSCE commitments.

Environmental degradation caused by human impacts, including extractive industries, overuse of resources, and war pose an enormous security threat to the OSCE region. At the same time, transboundary environmental concerns, including water scarcity, human migration, and greenhouse gas emissions, can serve as focal points for climate security engagement among participating States, with other intergovernmental organizations, and between OSCE bodies and civil society.

The intersectional nature of the climate crisis requires that OSCE bodies and participating States, in partnership with civil society, address the potential for the emergence and proliferation of violent conflict caused by struggle over natural resources, climate-induced migration, negative impacts on the economy and food security, gender impacts, persecution of minorities, violation of Indigenous rights, abuse of international institutions and platforms by authoritarian leaders, and persecution of environmental and climate defenders in any efforts to address security concerns, including climate, in the OSCE region. The climate crisis impacts these areas and others in the broad sweep of its devastation. While the OSCE has identified many of these areas, good environmental governance, effective work on climate change and environmental security, and the other areas of intersection in this sphere require that justice and human rights be more broadly included in the concept. This requires a fundamental reassessment of the second and third dimensions in the OSCE context.

The connection between violent conflict and environmental security is a two-way street: environmental problems can not only cause violence and wars, but can also be a result of war. The Russian full-scale invasion of Ukraine demonstrates ways the environment can be weaponized. Russia's bombing of the Kakhovka dam is one horrific example of how military action destroys communities, livelihoods, biodiversity, and human life. The threats related to abuse by the Russian military of the Zaporizhzhya nuclear power plant provide a chilling example. Military conflict in Nagorno-Karabakh is another example, with substantial environmental impacts destroying civilian lives and compromising environmentally fragile areas.

Authoritarian regimes weaponize climate and environmental concerns in another way, as we have witnessed most recently in Azerbaijan's abuse of the COP29 meeting of the UNFCCC in Baku. Not only is

the government of Azerbaijan using the COP29 to further its own energy agenda through fossil fuel deals, but it is also silencing the voices of environmental and climate defenders and independent journalists who report on environmental issues by harassing, imprisoning, and torturing those who speak out. Likewise, Russia has attempted to block transport of grain from Ukraine as a tool of political, economic, and military pressure in the course of its large-scale aggression against Ukraine. This corresponds with the Russian government's campaign of persecution of environmental defenders, including designating NGOs and activists as "foreign agents" and "undesirable organizations," shutting down environmental NGOs, arresting activists on fabricated charges, and physically assaulting them.

Azerbaijan and Russia are not alone in repressing environmental and climate voices. Defenders throughout the OSCE region – and the world – are at risk. Since 2012, over 2100 environmental and land defenders have lost their lives, including in the OSCE region.

However, the climate crisis can also serve as a unifying element in the OSCE's current politicized context, bringing the region together in new and potentially positive ways. Health, food security, natural resource sharing (water as an example), combating poverty, and minimizing negative environmental impacts can serve as areas for improved cooperation. Education, science, data collection and sharing, and engagement between civil society and participating States can minimize the ability of authoritarian regimes to instrumentalize climate and environmental issues to their benefit and create a more secure OSCE region.

Recommendations to OSCE bodies, institutions and participating States:

- Building on the existing OSCE commitments in this field, enshrined in the 2021 MC Decision on Strengthening Co-operation to Address the Challenges Caused by Climate Change,⁸ the 2014 Basel MC Decision on Enhancing Disaster Risk Reduction,⁹ the 2013 Kiev MC Decision on Improving the Environmental Footprint of Energy-related Activities in the OSCE Region,¹⁰ the 2009 Athens MC Decision on Migration Management,¹¹ and the 2007 OSCE Madrid Declaration on Environment and Security,¹² the OSCE should broaden its concept of environmental security and the climate crisis to highlight the intersectional and interdimensional nature of the issue, including impacts on migration, gender, minorities, Indigenous rights, conflict, and transboundary issues; to put environmental security and the climate crisis much higher on the OSCE agenda; to substantially activate work in this field; and support these efforts by providing the necessary resources.
- The OSCE should establish the position of a Rapporteur on Security of Environmental and Climate Defenders or include this problem in the mandate of the CiO Special Representative on Civil Society. For its part, ODIHR should include the situation of environmental and climate defenders in its monitoring of and reporting on security of human rights defenders. Much as the United Nations has expanded its human rights mandate to include environment and climate change specifically, the OSCE can broaden its second and third dimension mandates to include the protection of environmental and climate defenders.

⁸ <https://www.osce.org/chairmanship/507050>

⁹ <https://www.osce.org/mc/130406>

¹⁰ <https://www.osce.org/mc/109342>

¹¹ <https://www.osce.org/cio/40711>

¹² <https://www.osce.org/mc/29550>

- OSCE participating States should create an informal “friends of the environment” working group to engage with civil society and community members focused on environmental and climate issues.
- Office of the Coordinator of OSCE Economic and Environmental Activities within the OSCE Secretariat and OSCE field operations should be activated in more substantial ways to engage civil society and local communities. This engagement should utilize the resources of the Aarhus Center Network with its more than 30 centres in all four OSCE sub-regions. Civil society groups and local community members are invaluable sources of data on climate related issues including emissions, resource use, and regional solutions. Civil society should be much more vigorously included in OSCE work on environmental security and climate change to ensure that climate and environmental policy and programs of the OSCE and its participating States help the people and communities that most need support.
- Relevant OSCE bodies, such as the Office of the Coordinator of OSCE Economic and Environmental Activities within the OSCE Secretariat, the OSCE Economic and Environmental Forum, and the Economic and Environmental Committee should create more opportunities for input from civil society, invite civil society experts and members of affected communities to speak at their meetings, include their representatives in monitoring, reporting, analysis, deliberations and program development, implementation and assessment.

Discrimination of minorities, migrants and vulnerable groups: A blow to the universality of human rights and the democratic fabric of our societies

Xenophobia, discrimination and migrantophobia in Russia and the influence of Russian policies on other countries

The problem of discrimination, violation of the rights of members of minority groups, and exclusion of vulnerable groups is growing in a number of countries of the OSCE region. Influence of Russia in the region is the biggest concern. Russian government and its propaganda demonstrate aggressive and xenophobic attitudes to the people from other countries – first of all to Ukrainians, but also to migrants from Central Asia and Southern Caucasus, as well as to people from the so-called “collective West”, and at the same time support nationalistic and homophobic discourse towards people from Russia itself, targeting ethnic and religious minorities, LGBTIQ people, and even attacking the rights of women.

Russia’s large-scale aggression against Ukraine not only causes death and destruction, but brings discriminatory practices to the population on the occupied territories, including Ukrainians, Roma and other minorities from Ukraine, who happen to be under the control of the Russian authorities. Of special concern are the rights of Ukrainian children in schools and other educational centres on the occupied territories and the Ukrainian children who were deported to Russia: they are forced to study Russia textbooks full of militarist propaganda and hatred to all “non-Russian values”, denying Ukrainian identity and dignity and indoctrinating children in the imperial ideology of the “Russian World”.

Russia exports these policies to other countries. Xenophobic and homophobic laws and practices are imposed not only on those under the control of the Russian regime, but also on neighbouring countries through political, ideological and economic influence, supported by local conservative (in some cases religious) groups and politicians. It concerns Georgia, Belarus and Kyrgyzstan which adopted discriminatory laws very similar to the Russian ones. This might also affect other Central Asian countries.

Some other countries, like Moldova, Bulgaria and others, have experienced hostile Russian influence on the election process with attempts to use the issue of minority rights (in particular, Gagauz and Roma) for undermining democracy, spreading hate speech and dividing societies. Moreover, Russia uses the demagogic propaganda of “protecting the rights of the Russian-speaking population” in all the neighbouring countries as part of its hybrid instruments of malign influence to put pressure on their governments and societies.

Meanwhile, in Russia dozens of minority rights defenders were labelled in 2024 as “extremists” and de-facto criminalised for working on cultural, environmental, social and political rights of indigenous peoples in the country. Earlier, the same kind of repression had been used against LGBTIQ activists.

Minorities and indigenous peoples of Russia suffer from the disproportional forced mobilisation of their members to the frontline in the aggressive war against Ukraine where thousands of them are killed. The same discrimination is used in respect of labour migrants who recently acquired Russian citizenship, and other vulnerable groups such as orphans, people with mental health issues, prisoners.

Millions of labour migrants from poor countries live and work in Russia. For decades, they have been suffering from the violation of their social and economic rights, aggressive nationalism, and brutal attacks from the right wing groups. Situation has significantly worsened for them since 2022: political pressure is

growing and includes bans on many professions and activities (for example, for those who are in an irregular legal status it is forbidden to drive, marry, or study), the increasing number of deportations, etc.

Police raids targeting visible minorities, most often migrants from Central Asia but also Roma and other minority groups, are regularly carried out in all parts of Russia, often with the participation of extreme nationalist groups. Migrants and members of minorities are charged with serious crimes (terrorism, murder, etc.), and the state propaganda uses these arguments to justify violations of their rights and discriminatory practices. At the same time criminal situation in the country is dramatic for two other main reasons: the use of convicted criminals in the war against Ukraine, when after the end of their military service contract they return and commit violent crimes again and again, and the ignoring by the law enforcement bodies of real challenges, including real terrorist organisations because the police and prosecution focus their attention on repression against civil society and other innocent people such as Ukrainians, migrants, indigenous people, members of religious minorities such as Jehovah witness, and LGBTIQ people.

In the most recent development, a new law has been introduced in the Russian Duma, demanding the sufficient knowledge of the Russian language as a condition for being enrolled in a school for all children from migrant families, even into the first grade for 6-7 years old kids. This would isolate a large number of children and deprive them of the fundamental right to education in a blatant violation of international norms and provisions of the Russian Constitution.

Recommendations to OSCE bodies, institutions and participating States:

- condemn and oppose application of discriminatory laws and practices targeting members of minorities, migrants and vulnerable groups on the national and international level, promote protection of their rights;
- oppose adoption in the countries of the OSCE region of new legislation violating the rights of members of these groups as well as other repressive laws, such as the “foreign agent” laws, which negatively affect the ability of civil society to work on the protection of minorities;
- take measures for supporting victims of discrimination and xenophobia in Russia and other countries;
- in documenting war crimes committed by Russia in Ukraine, pay particular attention to crimes against vulnerable groups such as LGBTIQ, Roma, other minorities, children, youth, women;
- pay particular attention to the problem of forced Russification and indoctrination in the imperial ideology of the “Russian World” of Ukrainian children on the occupied territories and in the situation of deportation to Russia;
- condemn, oppose and take action to prevent recruitment into the Russian army for its war against Ukraine citizens from other countries, such as North Korea, India, Nepal, Sudan, Yemen, etc. and engage in dialogue with governments of these states, calling them to protect their citizens’ rights in Russia and put an end to this practice;
- address the problem of the export of discriminatory, xenophobic and homophobic laws and practices from Russia to neighbouring countries through political, ideological and economic influence, and the use of Russia of the issue of minorities rights and the pretext of “protecting the rights of the Russian-speaking population” in the neighbouring countries as hybrid instruments of undermining democratic processes and malign influence.

Discrimination against minorities in other countries

Several countries in the OSCE region showcase persistent discrimination against ethnic, linguistic and religious minorities, with the worsening of the situation in recent years.

In Türkiye, the discrimination embedded in state policies towards minorities, which has persisted over time and continues to this day, is an obstacle to the development of minority rights. This discrimination was particularly on display in the aftermath of the earthquake which happened in February 2023 in the Eastern provinces of Türkiye, where traditionally many minority groups reside. Immediately after the earthquakes and even a year later, numerous reports have been published pointing out the many shortcomings in the state's disaster management.¹³ An important outcome of the earthquakes for all affected minorities was that they were once again confronted with discriminatory attitudes and practices during the aftermath of the disaster, just when they needed help and support the most.

The discrimination against the Dom people in the disaster region of Türkiye is extremely worrying. Already marginalised and subjected to profound prejudice and social exclusion, the Dom communities encountered significant obstacles in coping with the aftermath of the earthquake due to the existing marginalisation and discrimination that they face. Accessing help from official institutions and NGOs proved challenging for almost all Dom groups after the earthquakes. They were also unfairly labelled as 'looters' and 'thieves' by other groups.¹⁴

In Tajikistan, the Pamiri minority living in the Gorno-Badakhshan Autonomous Oblast (GBAO), continues to experience a security crackdown and repression, following a violent suppression of protests leading to a series of clashes between security forces and local community members in 2022. The authorities launched a total crackdown on the Pamiri activists; many human rights defenders, journalists, and even linguists who promoted the Pamiri languages have received huge prison sentences and are being held in torturous conditions. The government imposed restrictions on the community's religious and cultural practices. The GBAO events of 2022 triggered further outward migration, affecting the Pamiri community significantly. The Pamiri minority has for years been denied the right to self-identification in population censuses and registration papers.

The Karakalpaks in Uzbekistan are also subjected to similar repression after the July 2022 protests that broke out over a proposed constitutional change which would strip Karakalpakstan of its autonomy. The Republic of Karakalpakstan, according to its own Constitution and the Constitution of Uzbekistan, has sovereignty and the right to secede from Uzbekistan on the basis of a universal referendum of the people of Karakalpakstan. The proposed constitutional change was scrapped in response to the protests. However, those who tried to advocate for the preservation of Karakalpakstan's sovereignty have been persecuted and sentenced to prison terms. At the same time, Karakalpak refugees are being persecuted in other countries, from where the Uzbek authorities are seeking their extradition.

Some members of the Dungan (Hui) community in Kazakhstan are still in detention after unfair trials for trying to stop ethnic-based pogroms with murders, robberies and arson in their villages in 2020, which affected hundreds of people and forced thousands to flee.

¹³ To find most of them: *Recent Earthquake Reports*, 05.04.2023, <https://baskamecra.com/guncel-deprem-raporlari/>

¹⁴ Elcin Aktoprak, "Unveiling Discrimination: Minorities in Türkiye", Minority Rights Group report, April 2024. <https://minorityrights.org/resources/unveiling-discrimination-minorities-in-turkiye/>

The Mugat (Jughi) minority in the countries of Central Asia continues to face difficulties in accessing education, employment, healthcare and housing. Like European Roma, the Mugat communities in Tajikistan, Uzbekistan, Kyrgyzstan and Kazakhstan face discrimination and social exclusion mainly due to their semi-nomadic lifestyle and ingrained societal stereotypes, while relevant institutions remain indifferent to manifestations of intolerance and mistreatment against them. Girls and women belonging to the community are particularly vulnerable.¹⁵

Migrantophobia and the rise of the far-right political parties in Europe

The OSCE region is grappling with a troubling surge in anti-migrant narratives, amplified by the increasing prominence of far-right political movements. These narratives frame migrants as a threat to economic stability, cultural cohesion, and national security, sowing division and fear across communities. The tragic consequences of such rhetoric are visible at European borders, where more than 60,620 refugee deaths have been documented due to restrictive and inhumane policies.¹⁶ In countries such as Italy and Greece, border violence and pushbacks further underscore the human cost of anti-migrant sentiment.

In 2019, far-right parties, such as the Freedom Party of Austria (FPÖ), launched a “national call for remigration,” urging migrants to return to their home countries. This campaign targeted individuals who were perceived as unwilling or incapable of assimilating, portraying them as a threat to Austrian society. In the 2024 parliamentary election campaign, the FPÖ emphasized “remigration,” particularly of individuals from Islamic countries. The party’s platform included plans to halt all asylum applications and restore “homogeneity” among Austrians, reinforcing anti-migrant sentiments.¹⁷

Not far from the Austrian far-right is Germany’s Alternative für Deutschland (AfD) party, which has capitalised on similar tensions by incorporating xenophobic expression into the mainstream discourse. In 2023, the Bavarian branch of the AfD adopted a “Resolution for Remigration,” proposing the return of migrants with perceived low integration capabilities – a move that can be argued to be a “deportation plan”.¹⁸

Similar xenophobic agenda is pursued by far-right political parties in other European countries such as France, Italy, the Netherlands, Belgium, Sweden, Spain, etc. where they use economic problems and social insecurity of the public to put the blame on migrants and mobilise support on this platform. It is of no surprise that such normalisation of migrantophobia encourages discriminatory policies and hate crimes, with a significant increase in attacks on migrants reported in places with strong far-right influence.¹⁹

¹⁵ Aziz Berdiqulov, “Situation of Minorities in Tajikistan”, Minority Rights Group, September 2024. <https://minorityrights.org/app/uploads/2024/10/mrg-tajik-en-1.pdf>

¹⁶ Fatal Policies of Fortress Europe. Report by United for Intercultural Action, May 2024. <https://unitedagainstrefugeedeaths.eu/>

¹⁷ Christoph B. Schiltz. Von „Remigration“ bis Anti-Wokismus – Das sind die radikalen Pläne der FPÖ. Welt, 02.10.2024. <https://www.welt.de/politik/ausland/article253780866/Wahl-in-Oesterreich-Von-Remigration-bis-Anti-Wokismus-Die-radikalen-Plaene-der-FPOE.html>

¹⁸ AfD-Beschluss zur „Remigration“ löst Entsetzen aus. Welt, 26.11.2024. <https://www.welt.de/politik/deutschland/article254669798/AfD-Bayern-Boeses-Erwachen-Scharfe-Kritik-am-Parteitagsbeschluss-zur-Remigration.html>

¹⁹ Annual report on ECRI’s activities covering the period from 1 January to 31 December 2023. The European Commission against Racism and Intolerance (ECRI) of the Council of Europe, 20.06.2024. <https://rm.coe.int/annual-report-on-ecri-s-activities-covering-the-period-from-1-january-/1680b0505d>

Harsh and often brutal treatment of migrants arriving at the border on foot or by sea by governments of such countries as Hungary, Poland, Italy, Greece, Finland, Baltic states and some others, justified by security considerations or the fighting against artificial migration crises organised by the third countries, goes contrary to EU regulations on migration, international human rights norms, and the basic principles of humanity. This is accompanied by impunity for making ships with migrants sink with resulting in casualties or for deaths of migrants resulting from clearly excessive use of force or the denial of medical assistance and food. Meanwhile, it is possible to practice a different approach: for example, Spain shows a better example and better results.

Beyond the tragic consequences demonstrated by the statistics, this dangerous trend undermines the principles of universal human rights, leaving migrants and refugees in increasingly precarious situations while damaging the democratic fabric of our societies.

It is time to take decisive actions. We propose the following recommendations to OSCE bodies, institutions and participating States:

- ODIHR must work closely with grassroots organisations to amplify stories of resilience and hope that highlight the positive contributions of migrants to society. By fostering empathy and challenging disinformation, ODIHR can help create a counter-narrative to the toxic rhetoric that dehumanises migrants and refugees. Supporting projects that showcase these lived experiences is crucial to building bridges of understanding in increasingly polarised communities.
- The OSCE Representative on Freedom of the Media (RFoM) plays a vital role in addressing the harmful stereotypes propagated through biased reporting as well as ensuring a kickback against smear campaigns and legal proceedings targeting human rights defenders working to protect migrants. By partnering with civil society, the RFoM can ensure that discriminatory media practices are exposed and challenged. Through robust training programs for journalists, ethical reporting can be encouraged, offering a more balanced and fair portrayal of migration and diversity.
- The OSCE High Commissioner on National Minorities should facilitate meaningful dialogue between local governments, civil society, and migrant communities to shape inclusive migration policies that protect everyone's rights. Addressing hate speech and fostering social cohesion require equipping policymakers with the tools and resources to create environments where diversity is celebrated, not feared.

As members of civil society committed to combating racism, xenophobia, and hate, we stand ready to support the OSCE bodies and institutions in their efforts to counteract anti-migrant narratives and create a future where every individual is valued and protected. Through collaboration and collective action, we can build societies that uphold the principles of human dignity and solidarity.

The rise of anti-Muslim racism and Islamophobia in the OSCE region

Anti-Muslim racism is on the rise across the OSCE region, fuelled by political, social, and economic crises. Muslim communities increasingly face discrimination in employment, education, and public life, with visibly Muslim women being especially targeted through verbal and physical abuse. In Austria, for instance, anti-Muslim incidents reported to the *Dokustelle für Islamophobie und antimuslimischen Rassismus* surged by over 70% between 2020 and 2023. Similar patterns can be observed in other countries, where far-right parties continue to normalise xenophobic rhetoric.

This worrying trend intersects with broader anti-gender narratives and the erosion of fundamental rights, disproportionately impacting Muslim women who face both gender-based and religious discrimination. The recent FRA study *Being Muslim in the EU*²⁰ highlights that one in three Muslims reported experiencing discrimination in the past year, with visibly Muslim women facing the highest rates of verbal abuse and harassment. The study also found that 45% of Muslims feel excluded from society, and many report systemic barriers in accessing employment, education, and housing. These systemic issues often pave the way for policies that further marginalise Muslim communities, including bans on religious symbols and restrictions on faith-based practices.

Organisations working to combat anti-Muslim racism across the OSCE region face increasing challenges, including criminalisation, underfunding, and targeted attacks. Many of these groups, like Austria's *Dokustelle für Islamophobie und antimuslimischen Rassismus*, have seen their funding significantly reduced or cut entirely. This defunding undermines their critical work in documenting incidents, supporting victims, and advocating for policy change. This not only isolates these organisations but also weakens broader civil society networks. The impact is particularly severe in the context where far-right and anti-Muslim narratives dominate public discourse, making it even harder for these groups to operate effectively.

Additionally, peaceful expressions of solidarity with Palestine have become highly criminalised in many parts of the OSCE region. Activists and organisations who raise awareness about human rights violations or advocate for Palestinian causes often face accusations of extremism or anti-Semitism, regardless of the peaceful nature of their work. This criminalisation stifles freedom of expression and assembly while perpetuating a climate of fear and self-censorship, particularly among Muslim communities.

All OSCE participating States have committed to combating prejudice, intolerance, discrimination and hate crime, and it is the primary responsibility of governments to ensure all citizens are safe, whatever their background, and to promote respect and dialogue. On the occasion of the International Day to Combat Islamophobia this March, the Personal Representative of the CiO on Combating Intolerance and Discrimination against Muslims, Ambassador Evren Dagdelen Akgun, noted that "Cases of deliberate attempts to tarnish the sanctity of Islam, of Muslims being stereotyped, attacked; instances of their beliefs belittled or culture represented as a threat and justified in the guise of security concerns are widespread, even normalised in some countries." She underlined that "efforts to address these problems in their entirety will not only contribute to harmonious societies but also to international peace." Dagdelen Akgun urged all participating States to search for ways to effectively implement their commitments.²¹

Recommendations to OSCE bodies, institutions and participating States:

- Enhanced monitoring and reporting: The OSCE Office for Democratic Institutions and Human Rights and the CiO Personal Representative on Combating Intolerance and Discrimination against Muslims should strengthen efforts to systematically monitor and document anti-Muslim incidents across the OSCE region, with an emphasis on disaggregated data addressing gender and intersectionality.
- Targeted capacity building: The OSCE High Commissioner on National Minorities and the CiO Personal Representative on Combating Intolerance and Discrimination against Muslims should

²⁰ Being Muslim in the EU: Findings Q&A. European Union Agency for Fundamental Rights, 25.10.2024. https://fra.europa.eu/sites/default/files/fra_uploads/fra-2024-being-muslim-in-the-eu-findings-q-and-a_en.pdf

²¹ More determined efforts needed to combat anti-Muslim prejudice amidst surge in hatred, OSCE says. Press-release by the OSCE, 15.03.2024. <https://www.osce.org/chairpersonship/564821>

support local civil society organisations in building resilience to hate crimes and train public officials on recognising and addressing anti-Muslim racism.

- Policy advocacy: The OSCE, including the CiO Personal Representative on Combating Intolerance and Discrimination against Muslims, should push for adoption of national legislation that explicitly combats religious discrimination, with a focus on addressing the unique vulnerabilities of Muslim women who are often affected by overlapping forms of violence.
- Public awareness campaigns: The OSCE, including the CiO Personal Representative on Combating Intolerance and Discrimination against Muslims, should partner with CSOs to challenge anti-Muslim stereotypes through education, media initiatives, and programs promoting interfaith dialogue.
- Promote collaboration and inclusion: The OSCE, including the CiO Personal Representative on Combating Intolerance and Discrimination against Muslims, should foster partnerships between governments and civil society organisations to combat anti-Muslim racism, ensuring these organisations are recognized as legitimate and essential actors in advancing human rights.
- Ensure sustainable funding: OSCE participating States should establish dedicated funding streams for CSOs addressing anti-Muslim racism, ensuring their work is not undermined by politically motivated defunding or reliance on temporary grants.
- Raise awareness of repercussions: The OSCE, including the CiO Personal Representative on Combating Intolerance and Discrimination against Muslims, should highlight the harmful consequences of criminalising civil society organisations and peaceful activism, urging participating States to create an enabling environment for these actors to thrive.
- Defend freedom of expression: The OSCE, including the CiO Personal Representative on Combating Intolerance and Discrimination against Muslims, the OSCE Representative on Freedom of the Media and the ODIHR, should advocate for the protection of free speech and peaceful activism, particularly in contexts where expressions of solidarity with Palestine or other human rights causes are criminalised. The OSCE should work to prevent the misuse of laws to silence dissent or delegitimise advocacy efforts.

The rise of anti-Semitism in the OSCE region

Anti-Semitism has reached alarming rates in the OSCE region, affecting Jews both online and offline. This is especially concerning given the impact that the ongoing conflict in the Middle East has had on Jewish communities in Europe and beyond.

The EU Agency for Fundamental Rights' (FRA) third survey on discrimination and hate crime against Jews in the EU reveals their experiences and perceptions of anti-Semitism and shows the obstacles they face in living an openly Jewish life. Even though the survey pre-dates the Hamas attacks on 7 October 2023 and Israel's military response in Gaza, the subsequent report published in July 2024 includes information about anti-Semitism collected from 12 Jewish community organisations since the attack. According to the report, Jewish people have experienced more antisemitic incidents since October 2023, with some organisations reporting an increase of more than 400%.

The survey results point to:

- rising anti-Semitism: 80% of respondents feel that anti-Semitism has grown in their country in the five years before the survey;

- high levels of anti-Semitism online: 90% of respondents encountered anti-Semitism online in the year before the survey;
- anti-Semitism in the public sphere: in the year before the survey, 56% of respondents encountered offline anti-Semitism from people they know and 51% in the media;
- harassment: 37% say they were harassed because they are Jewish in the year before the survey. Most of them experienced harassment multiple times. Anti-Semitic harassment and violence mostly take place in streets, parks, or shops;
- safety and security concerns: most respondents continue to worry for their own (53%) and their family's (60%) safety and security. Over the years, FRA research has shown that anti-Semitism tends to increase in times of tension in the Middle East. In this survey, 75% feel that people hold them responsible for the Israeli government's actions because they are Jewish;
- hidden lives: 76% hide their Jewish identity at least occasionally, and 34% avoid Jewish events or sites because they do not feel safe. As a reaction to online anti-Semitism, 24% of respondents avoid posting content that would identify them as Jewish, 23% say that they limited their participation in online discussions, and 16% reduced their use of certain platforms, websites or services.²²

US-based Anti-Defamation League (ADL) reported more than 10,000 anti-Semitic incidents in the U.S. in the year since the 7 October attack, according to ADL preliminary data. This is the highest number of incidents ever recorded in any single year period since ADL started tracking in 1979. According to the ADL Center on Extremism, which gathers reports and tracks antisemitic incident data, these more than 10,000 anti-Semitic incidents break down into the following categories:

- over 8,015 incidents of verbal or written harassment;
- over 1,840 incidents of vandalism;
- over 150 incidents of physical assault.²³

At the OSCE Conference on Addressing Anti-Semitism in April this year, Rabbi Andrew Baker, the CiO Personal Representative on Combating Anti-Semitism, stated that “When OSCE participating States met in Berlin twenty years ago, they were facing a resurgence of anti-Semitism which only some governments recognised and fewer still had the means to combat. Today, we have considerable tools and guidelines accompanied by significant OSCE commitments. And yet, rather than celebrating this success, we are forced to acknowledge that this stubbornly persistent age-old hatred has reached unprecedented levels, especially in the months since 7 October. We must find the way to protect and reassure vulnerable Jewish communities throughout the OSCE region and restore the civility, cohesion, and respect for diversity that bind us together.”²⁴

Recommendations to OSCE bodies, institutions and participating States:

²² “Jewish People’s Experiences and Perceptions of Antisemitism”, European Union Agency for Fundamental Rights, 11.07.2024. <https://fra.europa.eu/en/publication/2024/experiences-and-perceptions-antisemitism-third-survey>

²³ “Over 10,000 Antisemitic Incidents Recorded in the U.S. since Oct. 7, 2023, According to ADL Preliminary Data”, ADL press-release, October 6, 2024, <https://www.adl.org/resources/press-release/over-10000-antisemitic-incidents-recorded-us-oct-7-2023-according-adl>

²⁴ OSCE calls for enhanced interfaith and intercultural dialogue to address rising anti-Semitism and all forms of intolerance and discrimination. Press-release by the OSCE, 09.04.2024. <https://www.osce.org/chairpersonship/566404>

- Participating States should vigorously implement a renewed agenda for the OSCE and its participating States to close gaps in the fight against anti-Semitism, set by the April 2024 OSCE Conference on Addressing Anti-Semitism;
- Participating States should actively use many available OSCE tools and guidelines on combating anti-Semitism to effectively implement their OSCE commitments, such as fighting online and offline hate speech targeting Jewish individuals and communities, including the proliferation of anti-Semitic conspiracy theories across digital platforms, under-reporting of hate crimes, property damage, and threats against Jewish individuals and communities;
- Participating States should support the activities of the CiO Personal Representative on Combating Anti-Semitism and implement the Representative's recommendations.

Persecution of LGBTIQ people in Russia and other countries

In 2013, a law banning the so-called "LGBT propaganda" was adopted in Russia. Initially framed as a measure to "protect children", this law was extended to all age groups in 2022. Under the pretext of protecting "traditional values", the authorities have been increasing discrimination and stigmatisation of LGBTIQ people ever since, undermining their fundamental human rights.

Following the onset of Russia's full-scale invasion of Ukraine in 2022, anti-LGBTIQ policies have reached alarming proportions. First, the law banning transgender transition was introduced, depriving transgender people from access to essential medical assistance. Soon, the Russian Supreme Court declared a non-existent "public international LGBT movement and all its subdivisions" an extremist organisation, creating a legal basis for prohibiting and systematic persecution of any public and private gatherings of LGBTIQ people, provision of services to LGBTIQ people, and the work of civil society organisations protecting the rights or providing assistance to LGBTIQ people.

Combined with more aggressive application of the anti-"LGBT propaganda" legislation which includes now prohibition and persecution of public display of LGBTIQ relationships, public expression of solidarity with LGBTIQ people, and mentioning of LGBTIQ people in the media and films, these increasingly repressive policies of the Russian government have put LGBTIQ people in the situation of extreme discrimination pressure and isolation. The majority of specialised NGOs have been forced to shut down or relocate to other countries. Not surprisingly, without protection and facing great risks, a growing number of Russian LGBTIQ people seek refuge in other countries.

According to research provided by human rights organisations,

- in 2023, more than 4,000 administrative cases were filed for violations of the "LGBT propaganda" law;²⁵ several criminal cases have been opened;
- more than 60% of LGBTIQ people in Russia have experienced discrimination and/or violence related to their identity;²⁶

²⁵ Homophobia and transphobia are becoming the ideology of war. A brief chronology of the prohibition of LGBT+ in modern Russia (in Russian). MediaZona, 30.11.2023. <https://zona.media/article/2023/11/30/chronicle>

²⁶ On the situation on LGBT+ people in Russia in 2023 (in Russian). Report by the Coming Out and the Sphere Foundation, 2024. <https://comingoutspb.org/wp-content/uploads/2024/05/doklad-vyhod-sfera-2023.pdf>

- the amount of political asylum requests in other countries from LGBTIQ people from Russia has increased by 400% in the last two years.²⁷

The situation of LGBTIQ people in Chechnya continues to be a matter of very serious concern. They are terrorised by the regime of Ramzan Kadyrov, detained, often in secret places, tortured to obtain “confession” and data on their contacts, and subjected to enforced disappearances. Often, LGBTIQ are “returned” by force to their families and become victims of “honour killings”. According to human rights defenders, LGBTIQ people from Chechnya are forcibly sent to war in Ukraine as cannon fodder in assault troops.

Following the adoption of anti-LGBTIQ laws in Russia, persecution of LGBTIQ parents has also intensified. There are cases of children being removed from LGBTIQ parents without any legal ground. At the legislative level, a law was passed banning adoption of children by people from countries that do not prohibit same-sex partnerships as well as from countries that allow transgender transition.²⁸

This data highlights that Russian public policy strives not for an abstract “protection of traditional values” but for direct persecution of millions of people. These actions are unacceptable and require immediate condemnation and reaction. Discrimination against millions of people undermines the foundations of international human rights law, the principle of non-discrimination and the concept of universality of human rights for all.

The attack on the rights of LGBTIQ people is a part of a wider anti-gender backlash aimed at undermining equality and the very principle of the universality of human rights. The “best practices” from Russia could be – in fact, already are being – adopted by autocratic regimes in other countries of the OSCE region to justify their own repressive rule and consolidate their power. We witness a worrying trend of the spread of anti-gender narratives, legislation and practices, refined over the past 20 years in Russia, to other countries such as Belarus, Kazakhstan, Kyrgyzstan, Georgia, and others.

In Belarus, pressure on LGBTIQ community has increased dramatically this year. In September 2024 alone, up to 20 LGBTIQ people in Belarus were detained under various pretexts. According to the authors of the “Report on the situation with the LGBT+ community in Belarus”,²⁹ this may become a new point of reference when the Lukashenka regime began openly persecuting LGBTIQ people. The increase in the persecution is formally explained, among other things, by the fact that in March 2024, the Ministry of Culture issued Resolution No. 24, in which it equated the demonstration of “non-traditional sexual relations” with pornography, effectively prohibiting any discussion of LGBTIQ issues in a positive or neutral way. Moreover, by putting homosexual relations and transsexualism on a par with zoo-, necro- and paedophilia, which is a criminal offense, this resolution not only stigmatizes LGBTIQ persons, but also leads to criminalisation of their status. All this is publicly justified by the desire to preserve “traditional values.” The security forces have already begun to use the resolution as a legal basis for initiating criminal cases under the chargers of “the manufacture and distribution of pornographic materials or objects of a

²⁷ In 2022, a record number of Russians requested asylum in the United States and some European countries. But the probability of a positive decision is less than 50%, and you can wait for it for years (in Russian). Yesli but’ tochnym, 13.07.2023. <https://tochno.st/materials/v-2022-godu-rekordnoe-kolichestvo-rossiyan-zaprosili-ubezhishche-v-ssha-i-nekotorykh-stranakh-evropy-no-veroyatnost-polozhitelnogo-resheniya-menshe-50-a-zhdat-ego-mozhno-godami>

²⁸ “I was banned”. How the situation of LGBTIQ people and organizations in Russia has changed after the full-scale invasion of Ukraine. Report by EQUAL PostOst (European Queer Alliance of PostOst Community), 2023. <https://equal-postost.org/reports>

²⁹ LGBTIQ+ in Belarus: isolation, repression and destruction of identity under the guise of traditions (in Russian). Legal Initiative, 19.11.2024. <https://legin.info/documents/46>

pornographic nature”. In the course of its massive offensive against civil society in recent years, the Belarusian authorities have eliminated all human rights organisations, including those that defended the rights of LGBTIQ people, leaving the latter practically without protection.

A law banning “LGBT propaganda among minors” was passed in Kyrgyzstan in 2023, echoing the similar Russian law of 2013 and resonating with the hostile anti-LGBTIQ rhetoric by Kyrgyzstani government officials, MPs and religious leaders and with the harassment of LGBTIQ activists.

In October this year, Georgia adopted a wide-ranging anti-LGBTIQ legislation, introduced by the governing Georgian Dream party. The parliamentary majority, controlled by the party, overcame a presidential veto on the bill. The law bans same-sex marriage, adoption of children by same-sex couples, gender-affirming care and changing one’s gender on identity documents, and depiction of LGBTIQ people in media.

In the European Union, LGBTIQ face more violence, harassment, and bullying than before, with younger LGBTIQ people being particularly vulnerable, according to the latest survey of the EU Agency for Fundamental Rights.³⁰ By copying the language of hatred promoted by anti-gender political forces in autocratic states and misusing the concept of so-called “traditional values,” right-wing populist parties in democratic countries attempt to undermine these democracies from within. In Hungary, discrimination against LGBTIQ people has appeared with increasing emphasis in the narratives and legislations pushed through parliament by the ruling parties since 2010 and seemingly culminated in the Propaganda Law in 2021. Meanwhile, according to multiple surveys, it is obvious that while LGBTIQ people appear to be more accepted among Hungarian society, legislative developments have not followed the same trend. According to a recent report by Amnesty International, in the context of these legislative amendments, NGOs and others defending equality and LGBTIQ rights in Hungary have repeatedly come under attack.³¹

According to ILGA-Europe’s 2024 report, the status of LGBTIQ rights in Poland is the worst among the European Union countries, resulting from many years of hostile anti-LGBTIQ legislation, policies, practices and rhetoric of the previous government and a disappointingly slow process of positive change under the current government, despite its electoral promises in 2023.³² Efforts are being made to rewrite guidelines on the access to trans-specific healthcare in Slovakia, Croatia, France and the UK, and some Italian regions are withdrawing parenthood rights from same-sex couples.

As pointed out by ILGA-Europe, while authoritarian leaders across Europe continue to use the scapegoating of LGBTIQ people to divide societies and mobilise their electorates, others are conversely showing robust political will to honour commitments to advancing and protecting the human rights of LGBTIQ people. Thus, several countries made the biggest progress the last year, including Greece, Germany, Iceland, Estonia, and Liechtenstein. For the ninth year in a row, Malta continues to occupy the number one spot on the Rainbow Map by ILGA-Europe, currently followed by Iceland, Belgium, Spain, Denmark, Finland, and Norway.³³

³⁰ LGBTIQ at a crossroads: progress and challenges. Survey by the EU Agency for Fundamental Rights, 14 May 2024.

<https://fra.europa.eu/en/publication/2024/lgbtiq-crossroads-progress-and-challenges>

³¹ Hungary: From Freedom to Censorship: the Consequences of the Hungarian Propaganda Law. Amnesty International, 27.04.2024. <https://www.amnesty.org/en/documents/eur27/7754/2024/en/>

³² 2024 Rainbow Map. ILGA-Europe, 2024. <https://rainbowmap.ilga-europe.org/>

³³ With elections looming, Rainbow Map shows Europe is not equipped against attacks from the far-right.

Press-release by ILGA-Europe, 15.05.2024. <https://www.ilga-europe.org/press-release/with-elections-looming-rainbow-map-shows-europe-is-not-equipped-against-attacks-from-the-far-right/>

Recommendations to OSCE bodies, institutions and participating States:

- include protection of the rights of LGBTIQ people, combatting discrimination and hate crime against them in the OSCE agenda;
- include monitoring of and reporting on discrimination and hate crime against LGBTIQ people, legislative analysis, cooperation with specialised civil society organisations, assistance to participating States, elaboration of relevant guidelines, and other activities on protection of the rights of LGBTIQ people in ODIHR's programme on tolerance and non-discrimination;
- include in OSCE police training programmes a culture of zero tolerance towards violence and harassment of LGBTIQ people to ensure that the police recognise, record and properly investigate LGBTIQ hate crime so that victims feel safe to report attacks and are treated fairly;
- condemn the policy and practices of discrimination and repression of LGBTIQ people at all levels;
- act with confidence: impose sanctions against those involved in enacting and enforcing discriminatory laws;
- provide protection for LGBTIQ people seeking asylum;
- protect human rights as a universal value. Repression aimed at suppressing social groups is a threat to all members of the society and to those who fight for equality, freedom and dignity.

We cannot allow discrimination, hatred and violence to become the norm in the 21st century. Silence supports oppression. Only through decisive joint action we can stop the spread of these dangerous policies and practices.

A Pact for the Future of the OSCE from a gender perspective³⁴

We strongly believe that the OSCE needs a Pact for the Future similar to the one of the United Nations. A broad debate in civil society is needed, and it is already going on. As a Working Group on Women and Gender Realities, operating actively in the Civic Solidarity Platform, we strongly recommend to give specific attention to the following analysis and recommendations for this process.

Being aware of the difficulties of the OSCE fulfilling the ideas and goals of the Helsinki principles, the difficulties of the consensus principle of 57 States in times when power politics, conflicts and hostilities overrule cooperation, diplomacy and the will to build and preserve peace, we nevertheless count on the Helsinki principles as the basis for organising a common security in Europe and in the whole OSCE region. This is relevant for the safety and rights of individuals for the future of humanity as a whole as well as for the safety of women in particular. It is crucial for the understanding and further development of commons, for the survival in a sustainable natural environment.

Being aware of the fact that “Realpolitik” widely neglects the added value that the OSCE has brought to the continent after the Cold War, we consider the shrinking space for civil society as highly dangerous, especially when this is accompanied by major attacks on feminist critical voices and serves intentionally to destroy an open, participatory and intersectional approach. As a network of women committed to contributing to keep the OSCE in the spirit of the Helsinki principles as a relevant actor in the political field, we strongly emphasize a cross-dimensional approach taking into account human security and intersectional challenges.

The human dimension needs a feminist perspective

We see the necessity to establish mechanisms to ensure a strong and sustainable international governmental and civil society cooperation, grounded in an intersectional understanding of our diverse but connected realities on the ground. A Pact should articulate support for social movements including feminist movements, (women) human rights defenders, and peacebuilders, and call for them to be funded and meaningfully included. It should condemn shrinking space, reprisals, and repression of civil society.

We see a strong need to include analysis of gendered power dynamics or patriarchy, because it is not enough calling for “gender equality” and participation of women for transformation of gendered power structures. A Pact should use the language from *A New Agenda for Peace* to recognise the systemic nature of the current power dynamics as a cause of inequalities, the consequential gender-based violence, and conflicts exacerbating pre-existing patterns of violence, discrimination, and gender-based inequalities that are sustained by structural inequalities.

³⁴ This chapter has been produced by the Civic Solidarity’s Working Group on Women and Gender Realities in the OSCE area. The Working Group takes advantage of many constructive ideas proposed and discussed on the level of the Summit for the Future of the United Nations. The WG has issued in 2024 the results of an internal consultation, conducted by Luisa del Turco, based on a peer to peer exchange and a digital survey on the Women Peace and Security Agenda and related National Action Plans. The consultation report includes perceptions of the group members on the impact of WPS policies and obstacles for its implementation along with a list of recommendations informing the Group’s advocacy in view of the 25th anniversary of UNSCR 1325. The Working Group published in 2024 a book based on women’s stories about peace, war, and human rights under the title “What makes me feel safe”, edited by the Group members Heidi Meinzolt and Annemarie Sancar. Based on feminist analysis and their intersectional understanding of existential needs, of care and commons, the stories show new pathways to peace and justice. The collection of stories mirrors the diversity of choices and challenges in women’s lives and is an inspiration to follow a transformative agenda.

A Pact could have a dedicated section on gender and intersectionality, or ensure its integration throughout the Pact. Either way, the Pact must better address intersectional oppressions and inequalities based on race, class, ethnicity, age, cultural background, disability, sexual orientation and gender identity, among others. It should recognise the structural impacts these oppressions have on achieving and maintaining peace, justice, equality, rights of people with disabilities and vulnerabilities.

The security dimension needs a preventive lens

We emphasise that the OSCE focus should be on preventing conflicts. Disarmament, demilitarisation, reduction of military spending, curtailing the international arms trade and arms production, and eliminating nuclear weapons should be named as specific measures used to that end. The paragraph on this subject should also reflect the gendered, racialised, and other power dynamics as part of the root causes of armed conflict and violence, and highlight the role of imperialism, economic dominance, and resource extraction in conflict dynamics. Imperative for this paragraph is also the inclusion of a gender lens and support for movements that are working towards peace.

We count on a structural perspective where tackling poverty and inequality, by dismantling capitalism, racism, patriarchy, ecological destruction, and militarism are part of a “package” in ensuring sustainable development.

A Pact should support the call in *A New Agenda for Peace* for an updated OSCE study on the social and economic impacts of military spending, obliging states to immediately reduce military spending with the aim of total elimination of weapons production within five years and redirecting towards communal well-being and ecological regeneration.

In discussing the interconnection between international peace and security, sustainable development, and human rights, a Pact must also highlight social justice, including the centrality of equal access to societal good, and equality within and between countries as one of the pillars of international peace. This could be integrated in a new Gender Action Plan/GAP based on the Women, Peace and Security agenda and accompanied by local to regional to Action plans.

This section should recognise that militarisation is a key impediment to diplomacy and peace, and it should avoid using militarised language that plays on people’s fears. A Pact should renounce the language of new international threats, creating a sense of insecurity that encourages military action. This must be replaced with the language of prevention, focusing on disarmament and demilitarisation as a key tool for preventing conflicts.

As part of key analysis, it should focus on how patriarchy and militarised masculinities are part of the root causes of armed conflict and must be dismantled to prevent violence, including gender-based violence. A paragraph should also include stronger language on Women, Peace and Security, recognising that the current structures of decision-making on peace and security are themselves patriarchal and that they need to be transformed. Participation in decision-making should extend beyond women to also include grassroots activists, peacebuilders, feminists, human rights defenders, and impacted communities.

Economy and environment need to enable participation and protection

We strongly emphasise the necessity of a serious commitment to protecting the planet by recognising the need to re-think economic growth as part of sustainable development, despite its current inclusion in SDG 8. There is no evidence that economic growth can be decoupled from resource consumption and extraction, which undermine all other sustainable development goals. Thus, a Pact should call for the decoupling of development from the concept of growth, reversing of the overexploitation of natural resources, and re-centre development around communal well-being, global justice and ecological regeneration, and ensure that degrowth policies are at the centre of all future economic planning.

We are convinced that the current policies are insufficient, considering the prevalence of violence against women and girls across the entire OSCE region. It should be made more clear that women and girls are deprived of their right to live free from violence, in all spheres of life, private and public. Violence is one of the strongest patriarchal mechanisms to oppress women and girls and to prevent them from fully participating in all spheres of society. The Pact should demand all actors to step up their efforts to eliminate all forms of discrimination and violence against women and girls, to guarantee effective legal and social protection from violence as well as comprehensive and empowering support based on human rights and the needs of women and girls survivors of violence. This should include, among other things, the right to economic support and housing, including to women and girls facing multiple and intersecting forms of violence, and to accelerate and step up action to achieve gender equality in all domains, including electoral laws that allow equal representation in all decision making bodies.

Mobilise Efforts to Support Ukraine and Resist the Russian Aggression

Statement of the OSCE Parallel Civil Society Conference 2024

Valletta, Malta • 4 December 2024

This statement is a call for stronger action by OSCE participating States and the wider international community to increase support for Ukraine in the face of unprecedented Russian aggression. Its recommendations are essential to protect Ukraine's sovereignty, protect its people, preserve global security, uphold international law, and ensure justice and accountability.

As the unprovoked and unlawful large-scale aggression by the Russian Federation against Ukraine continues for the third year and the overall Russian invasion into the country for the tenth year, we reaffirm our unwavering solidarity with the Ukrainian people and our support to Ukraine. The brutal Russian invasion with the complicity of Belarus and assistance by Iran and North Korea violates the fundamental principles of international law and key international agreements, including the UN Charter and the Helsinki Final Act. It poses a grave threat not only to Ukraine's sovereignty but the sovereignty of other states and the broader framework of international peace and security. Ukraine is at the forefront of the struggle for our common security and our common values, proclaimed in the Helsinki Final Act.

The consequences of this war are catastrophic. Daily missile attacks, bombing, drone strikes and military assaults on populated areas have resulted in massive civilian casualties, destruction of critical infrastructure, annihilation of entire cities, and displacement of millions of people. Systematic violations of international humanitarian and human rights law, including indiscriminate strikes, deliberate attacks on civilian targets, use of prohibited weapons, including chemical weapons, the threat of using nuclear weapons, extrajudicial executions, enforced disappearances, torture, deportation of Ukrainian children to Russia and Belarus followed by attempts at their "russification", deliberate environmental damage, etc. are well documented. These actions constitute war crimes and crimes against humanity, underscoring the urgent need for a comprehensive international response. They are accompanied by massive anti-Ukrainian propaganda, hate speech, genocidal rhetoric, and the denial of the very existence of Ukrainians as a national group in statements of top Russian officials and propagandists.

The war has a devastating effect on Ukrainian civil society. This includes deaths of many human rights defenders, civil society activists and journalists who perished as both civilians under Russian attacks and in the ranks of the Armed Forces. Many others were subjected to captivity and imprisonment in Russia and the occupied territories.

At the time when many nations feel the impact of the war on their economies and the wellbeing of their societies, and when the Kremlin is doing its best to exploit the war fatigue and convince the world that Russia is winning, OSCE participating States should ensure their unity in responding to the aggression and mobilise strong effort to support Ukraine and end the war in a way that does not allow Russia to win and that ensures a just and sustainable peace.

Ending the war through diplomacy should be based on the principles of international law, non-recognition of the annexation of the occupied territories, preservation of Ukraine's sovereignty, ensure its security and provide guarantees of non-repetition of the aggression. Fair and effective compensation and reparations, return of all deported and illegally detained Ukrainians, and bringing perpetrators of

international crimes to justice should be an integral part of a solution to end the war. Calling for a diplomatic solution without insisting on the conditions based on the international law would play into the hands of the aggressor and encourage new aggressive wars.

To address the escalating crisis, we outline the following key recommendations, some of which are applicable in the OSCE framework and some in other multilateral settings and state actions:

1. To the international community

Increase military assistance to allow Ukraine to defend its people and territories:

- Ensure a continuous supply of the latest air defence systems, long-range artillery and missiles, and other modern military equipment to enable Ukraine to protect its civilian population and recover the occupied territories.
- Provide Ukraine with the necessary resources to neutralise Russian military production and supply chains, including targeted support for counter-offensive operations.

Strengthen sanctions against the aggressor and its accomplices:

- Expand economic sanctions against Russia and its allies to cover all sectors that contribute to Russia's military economy, close existing loopholes and punish states, organisations and individuals that help evade sanctions. Significantly increase control of sanctions enforcement and penalties for their violations.
- Stop all purchases of Russian energy resources and impose secondary sanctions on entities that trade with Russia.
- Impose sanctions on perpetrators of international crimes.

Meet energy and humanitarian needs of Ukraine:

- Provide necessary financial and technical support to Ukraine to repair its energy infrastructure, especially as winter exacerbates existing problems.
- Provide essential humanitarian assistance, including heating systems, medicine and food, to support displaced people and vulnerable groups.

Focus on human rights protection:

- Intensify efforts to secure the release of tens of thousands of Ukrainian civilians, illegally detained in Russia. Their detention is a blatant violation of international law.
- Take action to facilitate the return of Ukrainian children deported to Russia and Belarus.
- Develop a mechanism for international response to the forced indoctrination of deported Ukrainian citizens, especially minors. This activity of Russia and Belarus is part of a planned genocide of the Ukrainian people, which cannot remain without a proper response from the international community.
- Combat Russian propaganda and disinformation by anti-fake programmes, public education, monitoring and documentation, legal action, and lawfully restricting activities of propaganda outlets.

Ensure justice and accountability

- Facilitate the ICC work in investigating war crimes and crimes against humanity committed by Russia. Resist the efforts to exercise political pressure on the Court aimed at preventing it from effective investigation and issuance of new arrest warrants.
- Open criminal proceedings against Russian war criminals at the national level on the basis of the universal jurisdiction principle.
- Ensure that victims of war crimes have access to reparations and support mechanisms, including psychological assistance and reintegration programs.

2. Recommendations for action in the OSCE framework

Strengthen monitoring and documentation:

- Strengthen the capacity of OSCE monitoring missions to document human rights and international humanitarian law violations in the course of the Russian aggression against Ukraine, using tools such as ODIHR documentation programmes and the Moscow Mechanism.
- Establish a special OSCE working group on the deportation of Ukrainian civilians and facilitate international cooperation on this issue.
- Create mechanisms for investigating and documenting the use of chemical weapons by Russian troops in Ukraine.
- Start consultations between states on the inadmissibility of the threats to use nuclear weapons as blackmail against a non-nuclear state.

Advocate for effective application of accountability mechanisms to ensure justice:

- Use the OSCE platform to support the efforts of Ukraine and the Council of Europe to establish a special international tribunal to prosecute the crime of aggression, in coordination with other international organizations.
- Facilitate discussions among OSCE participating States to address jurisdictional gaps that impede justice for war crimes and crimes against humanity in Ukraine.

Support civil society initiatives:

- Create opportunities within the OSCE to strengthen the voice of Ukrainian civil society organizations, ensuring their participation in shaping the political response to the crisis.
- Provide technical and financial assistance to grassroots organizations working on documentation, advocacy and humanitarian assistance.
- Use documentation by Ukrainian and international NGOs for elaborating analysis by OSCE bodies, institutions and participating States and shaping their positions.
- Initiate broad consultations among OSCE participating States on actions to ensure the release of political prisoners, including those persecuted for speaking up against the Russian aggression and publicising information about the crimes committed by Russia against Ukrainian people. Pay particular attention to political prisoners in Russia, Belarus, Azerbaijan, Georgia, Turkmenistan, Tajikistan, Uzbekistan, and Kazakhstan.

Support democratic aspirations of the Belarusians and end impunity for crimes against humanity by the Lukashenka regime

Statement of the OSCE Parallel Civil Society Conference 2024

Valletta, Malta • 4 December 2024

Holding on illegally to power in Belarus since 1996, usurper Lukashenka has engaged in regular cycles of systemic and systematic repression for almost thirty years. Since August 2020, Lukashenka and his associates have once again proved that they are criminals responsible for electoral fraud, mass torture, extrajudicial execution of protestors, incarceration of more than three and a half thousand political prisoners, detention of more than 65 thousand of people, forcing hundreds of thousands to flee the country, eliminating civil society and independent media, spreading hatred against critics of the regime and neighbouring states in propagandistic media, manufacturing the migration crisis to destabilise the EU, and assisting Moscow in evasion of economic sanctions.

More than four years after the attempted peaceful revolution of 2020 and the start of the ongoing wave of unprecedented repression in Belarus, there has been no progress in bringing perpetrators to justice. Impunity continues to prevail, encouraging the *de facto* authorities to intensify their repressive policies. Arbitrary detention, unfair trials, and subjecting prisoners to torture and inhuman and degrading treatment continue on a daily basis. Many political prisoners are held *incommunicado* and some have been driven to death by torturous conditions. Feeling impunity, the Lukashenka regime has resumed transnational repression, including by resorting to the threat of assassinations and the possibility of the loss of citizenship and property by those who fled the country and continue working for a democratic transition or simply remain vocal in criticising the regime.

Against the background of Russia's aggression against Ukraine, the need to fight impunity in Belarus has receded into the background on the international agenda. Moreover, this has emboldened the Lukashenka regime to continue and intensify the repression, as it has been happening in the last few weeks in preparation to the new "presidential elections" in January 2025, with hundreds of new arbitrary detentions and the opening of new criminal cases.

There are reasonable grounds to believe that, at least since June 2020, the Lukashenka regime perpetrated crimes against humanity against Belarusians. Crimes against humanity in Belarus should prompt the appropriate reaction on the part of the international community, which must be aimed at closing the accountability gap and ensuring effective, prompt, and fair investigation leading to the efficient prosecution of alleged perpetrators, irrespective of their official status, and punishment of those responsible by a court of law.

However, hopes for the effective use of existing international justice mechanisms or creating new mechanisms have not been fulfilled. Active efforts are needed to launch international justice mechanisms to end the impunity of the Lukashenka regime. This will not only ensure justice for the victims and weaken the ongoing repression, but also undermine the regime's dictatorial control of the society and inspire Belarusians to continue their struggle for an independent and democratic Belarus. It is high time to translate the promises of accountability into concrete action on the part of the international community.

Investigations by national justice systems based on the principle of universal jurisdiction in countries to which victims of human rights violations in Belarus have fled, have stumbled and face many legal, institutional, procedural, and documentation obstacles.³⁵ Efforts of the UN investigative mechanism on Belarus, the UN Special Rapporteur, OSCE Moscow Mechanism rapporteurs, international and Belarusian NGOs have led to the documentation of numerous serious violations of international human rights law and grave international crimes, committed by the Belarusian authorities, providing convincing evidence to serve as a strong basis for legal action. Case files with evidence, accumulated by the International Accountability Platform for Belarus, are ready for a transfer to investigation bodies, but this has not happened. Democratic states should intensify their efforts to overcome obstacles and realise the untapped potential of universal jurisdiction. While heads of states and governments, such as Lukashenka, enjoy immunity from criminal jurisdiction in the domestic courts of foreign countries, numerous alleged mid- and low-level perpetrators should be held accountable by national justice systems.

In addition to more vigorously using the universal jurisdiction mechanism in national law enforcement systems, there is a range of other international legal avenues that concerned States should pursue. Lithuania took the lead in initiating an investigation by the International Criminal Court by referring to the ICC Prosecutor the situation in Belarus and neighbouring countries to which thousands of Belarusians have fled, on the grounds of the interrelated crimes against humanity of persecution, which was committed inside Belarus, and of deportation to these neighbouring states.³⁶ The investigation should determine whether one or more specific persons, such as Aliaksandr Lukashenka and his associates, should be charged with the commission of such crimes. The Prosecutor of the Court is further able to seek the issuance of a warrant of arrest in respect of Lukashenka, in order to ensure his appearance at trial for the crimes against humanity.

Given the Court's tremendous workload due to investigation of war crimes and crimes against humanity committed by the Russian military and public officials in Ukraine, it is very important to bring the situation in Belarus higher on the ICC agenda by submitting referrals similar the one by Lithuania by other states. Should the Court open an investigation, states, intergovernmental organisations and civil society should facilitate its work in investigating crimes against humanity allegedly committed the Lukashenka regime by providing evidence. In this regard, a new investigation in the framework of the OSCE Moscow Mechanism to study the forced displacement and persecution of the Belarusians targeted is the cross-border nature of the crimes would be very welcome and could serve as a crucial instrument to raise the awareness of the international community, obtain a timely expert assessment of the situation and develop a consolidated approach of the OSCE participating States. Importantly, efforts to exercise political pressure on the Court aimed at preventing it from the issuance of arrest warrants should be resisted. States should refrain from undermining the ICC jurisdiction by making statements that they will not exercise their obligation as parties to the Rome Statue to arrest the suspects in respect of whom warrants were issued, if they travel to their countries.

Even if the ICC effectively investigates the alleged crimes and issues arrest warrants for the top officials of the Lukashenka regime, this will not close the accountability gap. Given jurisdictional limitations, the ICC will be unable to exercise jurisdiction in respect of all crimes against humanity allegedly committed in Belarus, besides the interconnected crimes of persecution and of deportation. Therefore, concerned

³⁵ Dr. Natalia Kravchuk, Yuri Dzhibladze. Challenges in the application of the universal jurisdiction principle in respect of cases from Belarus. Research report by iSANS, November 2023. <https://isans.org/analysis/reports/challenges-in-the-application-of-the-universal-jurisdiction-principle-in-respect-of-cases-from-belarus.html>

³⁶ <https://www.icc-cpi.int/lithuania-belarus>

States may decide to establish a Special international criminal tribunal to ensure individual criminal responsibility of a wider circle of perpetrators. Such a Special Tribunal may be established on the basis of a multilateral international treaty without a UN resolution, since an attempt to obtain a majority of votes in the General Assembly carries significant risks of delay. Building an international coalition for the creation of a Special Tribunal for Belarus, with a leading role played by significant European states and those States on the territories of which victims of crimes against humanity allegedly committed in Belarus reside nowadays, will be able to translate this discussion into a practical plane. Special Tribunal for Belarus does not necessarily have to be an expensive institution and spend a lot of time to render justice, using the lessons learned from the functioning of previous special international criminal tribunals. Creation of a Special Tribunal for Belarus with jurisdiction to prosecute the whole range of crimes against humanity in this country would be an effective international response to the widespread crimes against humanity in the heart of Europe.³⁷

Aside from pursuing individual criminal responsibility, the responsibility of the state of Belarus should also be addressed. Jurisdiction of the International Court of Justice, as a principal judicial organ of the United Nations, includes establishment of State responsibility for the violations of international treaties. Belarus participates in at least two applicable international human rights treaties, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Elimination of All Forms of Discrimination against Women. Any or several States Parties to these conventions may initiate a dispute with Belarus regarding the use of torture and other forms of ill-treatment, in particular sexualised violence against women, by the Belarusian authorities in the run up to the 2020 presidential election and in its aftermath and refer it to the Court. The application lodged with the Court will constitute the first case against Belarus before a principal judicial organ of the UN and will be capable of sending a strong and clear signal to the Belarusian authorities about the resolve of States to protect the dignity of the civilian population. Although examination of the case by the ICJ may take considerable time, it is possible to achieve an important goal at the initial stage of the procedure, having immediately requested that the Court indicates provisional measures, including release of political prisoners or at least ensuring independent access to them in order to stop their incommunicado detention. The regime representatives will most likely take certain steps in this direction in order to avoid the adverse judgment of the Court. This approach can lead to a serious improvement of the situation.

The Lukashenka regime has committed crimes not only against Belarusians but became a direct accomplice in the Russian aggression against Ukraine. Its actions as an accomplice qualify as an act of aggression according to article 3 of the UN General Assembly Resolution 3314 on the definition of aggression. UN GA Resolution adopted on 2 March 2022 deplored the involvement of Belarus in the unlawful use of force against Ukraine. It is imperative to bring Lukashenka and his associates to justice for complicity in the aggression, along with Putin and his associates, in the framework of a yet to be established special international tribunal for the crime of aggression against Ukraine. There is enough documentation proving the Lukashenka regime's complicity in the aggression. We encourage States to actively participate in efforts to create such a Tribunal and facilitate inclusion of the complicity of Lukashenka and his associates in its mandate.

Likewise, members of the Lukashenka regime should be held accountable for the commission of crimes against humanity in Ukraine, including forced deportation of Ukrainian children to Belarus and Russian while the regime propagandists should be brought to justice for the incitement to genocide of Ukrainians

³⁷ Dr. Sergei Golubok. Special Tribunal for Belarus: Legal and policy implications. ISANS, July 2023. <https://isans.org/analysis/policy-papers/special-tribunal-for-belarus-legal-and-policy-implications.html>

as a national group, along with Russian propagandists. This could be done in the framework of the ongoing ICC investigation of the situation in Ukraine.

It is very important to give survivors of torture and other international crimes a voice in the delivery of justice and shaping a new democratic order. As stated by Belarusian human rights defenders, “The experiences of people who have suffered provide unique insight into the changes needed to restore justice. Ignoring their voices could lead to new forms of injustice and the reproduction of problems identical to those we are fighting against today. International standards state that transitional justice processes should be victim-centred, recognizing their central role and special status in the design and implementation of these processes.”³⁸

It is imperative for the international community to transform eloquent declarations in support of the Belarusian people into particular legal actions to ensure international accountability of Belarus as a state and individual criminal responsibility of Lukashenka and his associates, as well as his judges, prosecutors, penitentiary and police officers who are allegedly responsible for grave crimes.

While the fate of Belarus largely depends on the situation on the battlefields in Ukraine and the way the aggression against Ukraine will end, it is also clear that developments in Belarus are very important for the outcome of the war and the future of the whole region. If international actions to stop repression and support democratic transition in the country are side-lined, Belarus may soon become completely absorbed by the Russian authoritarian and aggressive regime and turned into a springboard for aggression not only against Ukraine but against its Western neighbours.

³⁸ Belarus: How survivors of torture and/or cruel treatment perceive justice. Comprehensive Mixed-Methods Study by Viasna Human Rights Centre and The International Committee for Investigation of Torture in Belarus, November 2024. https://spring96.org/files/book/en/analytical_research_en.pdf