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THE OSCE/ODIHR SEMINAR
HUMAN RIGHTS:
THE ROLE OF FIELD MISSIONS

APRIL 1999

A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe

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Commission on Security and Cooperation in Europe
234 Ford House Office Building
Washington, DC 20515-6460
(202) 225-1901
csce@mail.house.gov
http://www.house.gov/csce/

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ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

ABOUT THE COMMISSION (CSCE)

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

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INTRODUCTION

In late April, the Warsaw-based Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) held a four-day seminar on "Human Rights: The Role of Field Missions." The topic for the ODIHR's annual seminar was chosen in light of the growing number and size of OSCE missions, each of which must address human rights issues in the context of different mandates. Indeed, some missions appear to have mandates which might encourage their members to want to ignore human rights problems, but the situation in the countries where these missions are deployed can have human rights abuses so severe that monitoring and reporting become a central activity. Even where human rights are highlighted in mandates, the work of field mission can be hampered by a lack of expertise and training, coordination problems and inadequate support by OSCE institutions and participating States.

At the time of the seminar, the OSCE had deployed 11 long-term missions, 8 other field activities similar to missions, and three representative offices to assist implementation of bilateral agreements. These field operations are located mostly in the Balkans, the Baltics, the Caucuses, Central Asia and thew westernmost states emerging from the former Soviet Union, and they range in size from four to 2000 mandated mission members (the number of deployed mission members is often lower). The largest and most well-known missions are those in Bosnia-Herzegovina, Croatia and, eclipsing the other two, Kosovo. Indeed, it was the preparation for the Kosovo Verification Mission (KVM) which sparked the idea of having the seminar, and the KVM's withdrawal just over one month earlier and the subsequent, ongoing NATO action against Yugoslav and Serbian forces were the dominant issues in European affairs at the time the seminar was held.

OPENING SESSION

The opening plenary session featured welcoming remarks by Polish Foreign Minister Branislav Geremek, who was the Chairman-in-Office during the heightened mission activity which developed in 1998. His address which recalled OSCE doctines on human rights, in particular the role of human rights violations as a source of conflict and its legitimacy as a subject in state-to-state discourse. He emphasized especially the need to build democratic institutions in southeastern Europe and expressed concern about the existing human rights situation in neighboring Belarus.

One of two opening guest speakers was KVM Head Ambassador William Walker of the United States, who described the increasing threats to his mission and the marginalization of its work leading up to its withdrawal just over one month earlier. He advised the audience to reject concepts of moral equivalence and attempted even-handedness in the face of massive human rights abuses by one side relative to the other. The Deputy High Representative in Bosnia-Herzegovina, Ian Martin, was the other guest speaker and offered more practical advice on establishing and deploying missions. He noted the need for the OSCE to develop its operational capabilities in a way that its advantageous flexibility could be maintained rather than replaced by a rigid bureaucracy. The final scheduled speaker was Ambassador Gerard Stoudmann of Switzerland, Director of the ODIHR, who described the reasons why the Office felt it important to devote a seminar to the human rights work of field missions.

Opening plenary statements were then made by other participants, including the delegations of Germany – for the European Union, the United States, Russia, Sweden – for the Nordic states, the Council of Europe and the U.N. Commission for Human Rights. Ambassador Norman Anderson, Head

of the U.S. Delegation and former Head of the OSCE Spillover Monitor Mission to Skopje (Macedonia), noted that the broader concept of security which included human rights, highlighted earlier by Geremek, was not artificial but real, as Milosevic's genocidal policies in Kosovo demonstrate. Ambassador Anderson made some opening suggestions for missions regarding personnel, training, balanced operations, transparency, authority, managing multiple responsibilities, educational outreach, post-election work and coordination with other OSCE institutions. He concluded that, ultimately, OSCE missions must remain true to the ideals which bound the OSCE participating States together a quarter century ago when they signed the Helsinki Final Act.

The Russian delegation used the opening plenary to criticize the OSCE for advocating flexibility over accountability in deploying missions, arguing that some missions serve the interests of just a few participating States. The KVM and its withdrawal was singled out in this regard. The Russian statement also criticized unequal OSCE mission deployments, asking why the OSCE is not deploying missions to deal with Kurds in Turkey, the division of Cyprus or the violence in Northern Ireland. It concluded by arguing that NATO's bombing of civilian targets in Serbia will make both the OSCE and the United Nations become irrelevant.

WORKING GROUPS

During the second and third day of the seminar, the participants broke into two working groups, one on the role of human rights and field missions in conflict and crisis situations, and the other on the role of field missions in promoting and protecting human rights generally. The two working groups had a moderator and, for each of their four sessions, one or more speakers to initiate discussion with their own comments.

In both groups, there was productive discussion which included government officials coming from capitals as well as from Vienna-based delegations to the OSCE, staff from the OSCE and the OSCE Parliamentary Assembly, members of several OSCE missions, and non-governmental organizations concerned about human rights in th OSCE region. Common themes in both groups included:

Personnel and Training: There was considerable criticism of the process of secondment of personnel, which can leave missions with less than qualified personnel. A six-month secondment contract is not conducive to attracting really qualified people, especially when some governments provide significantly better compensation than others. Direct OSCE hiring was suggested, but government representatives stressed that participating States would not simply provide the funds while losing control of their use and supporting a larger OSCE bureacracy to administer mission hiring. Switzerland, Canada and Norway described their programs to make training as human rights field officers a prerequisite for being placed on national rosters for secondment, and this seemed a good compromise between the two views. In conflict and crisis situations, mission members should already have considerable knowledge of international human rights standards. In such situations, it is often easier to make military officers available, who are great at logistics but inclined to define mandates narrowly and, with some notable exceptions, are not adept at human rights work.

Mandates: There was little question among the participants that human rights should be part of every mission's mandate. At issue was the degree to which the human rights mandate should be defined, with some arguing for a detailed, specific mandate which adds authority when being implemented, and others arguing for broad, general mandates which allow for flexibility in what can often be highly divergent conditions even within a country.

Reporting: Participants mostly accepted the notion that monitoring and reporting was the essence of human rights field work, but some argued strongly that, while "bearing witness" is itself a worthy goal, mission members needed to be empowered to do more. Unfortunately, there were few answers to the question of how to do this, especially in dangerous conflict situations. There was general agreement that reporting should be regular, although some cautioned that if it were to become too frequent and routine it could lose its impact on those responsible for human rights violations.

Publicity: There was some of the traditional debate within the human rights community between the advantages of quiet and public diplomacy. A related topic was the degree to which a mission should maintain a good relationship with the host government, which in some cases might bear at least some of the responsibility for the human rights violations taking place. While the prevailing view favored publicity, some participants, such as those representing the International Committee of the Red Cross, noted that the success of their particular human rights endeavors required confidentiality. There were several calls for OSCE mission reports to be made public documents.

Examples used in much of the discussion focused on the few large missions (Kosovo, Bosnia-Herzegovina) which represent the overwhelming number of mission members, prompting mission members from elsewhere, especially from Central Asia and Balkan states with a smaller OSCE presence, to note their differences. In particular, persons coming from these missions noted the work they can do in organizing seminars, programs and similar activities if given the funds to do so. They pointed out that their work is often ignored because it is successful in keeping a situation which is admittedly less than desirable from nevertheless growing worse.

The proximity of Warsaw to Belarus enabled several non-governmental organizations from that country to come to the seminar. In the working group setting, they criticized the Belarus authorities for their poor human rights record, especially in the area of elections and freedom of assembly. In response, Belarus officials claimed that they had, indeed, implemented recommendations made by the OSCE in these areas. The U.S. Delegation, among others, took issue with this claim, and expressed concern over restrictions on non-governmental organizations in Belarus, including the need for them to register. The Belarusian human rights activists called on the seminar's participants to take measures to prevent human rights organizationsm, trade unions, political parties and other non-governmental organizations from being banned in Belarus, which a recently passed decree seemed intended to do.

CLOSING SESSION

The seminar's closing took place in a final, plenary session. Rapporteurs from the two working groups combined their work into one report which summarized the discussions. They concluded that:

Although every mission is specific and although there are different approaches to the tasks and definitions at hand, some overarching understanding emerged about essential guidelines in the context of field operations in the area of human rights. These guidelines can be summarized as follows:

- First and foremost the responsibility for the promotion and protection of human rights lies with the participating States.
- Human rights are an integral part of all field missions, reflecting the participating States commitment to OSCE principles and obligation under international human rights law.
- Human rights are an integral part of long-term security and stability-building, which can be achieved best by cooperation and coordination within the OSCE family and among international and local actors.
- The successful implementation of human dimension issues is inalienably linked to an overall integrated and consistent approach.

Their report went on to list more specific recommendations for the field, for OSCE insitutions and for the participating States and Chairman-in-Office. ODIHR Director Stoudmann stressed the need to address the issues of secondment and training, and expressed his own disappointment that some participating States, particularly from western Europe, were not adequately represented at the seminar.

The Rapporteurs were followed by Janne Haaland Matlary, Deputy Foreign Minister of Norway, representing the current Chairman-in-Office, who noted that the Norwegian Chairmanship considers the Human Dimension of the OSCE to be one of its priorities. After referring to the unacceptable human rights violations and crimes against humanity in Kosovo, she stressed that states have a duty to provide their citizens with human security, without which other human rights cannot be enjoyed. She noted the difficulties with the expanding number of larger missions, including financial implications, but highlighted two recent steps–a rapid planning and start-up structure within the OSCE Secretariat, and a comprehensive training strategy for mission work–which can make the OSCE a more effective organization in the field.

Other speakers at the closing plenary were the United States, , Germany–for the European Union, the Holy See, Uzbekistan, Croatia, the Council of Europe, the Jacob Blaustein Institute and Poland. Ambassador Anderson, for the United States, echoed the first guideline of the rapporteurs' report, hoping that further emphasis on the human rights work of missions does not lead some states to relegate all human rights work to missions. Indeed, he added, the human rights work of mission will be enhanced if the perpetrators of human rights violations know missions do not operate in a vacuum, and noted the increased effectiveness that could come from better coordination among OSCE institutions and cooperation with other institutions, including non-governmental organizations. He concluded that "we cannot step out of the shadow which Kosovo casts over us at this time. We can, however, leave with a renewed sense of hope that the OSCE will help reverse the effects of Belgrade's barbaric ethnic cleansing campaign, and more ably promote human rights and fundamental freedoms whenever and wherever they may be threatened."

CONCLUSION

The April 1999 ODIHR Seminar on the role of field missions in promoting and protecting human rights was, by virtually all accounts, a useful gathering. It's success can be credited to the organizational arrangements made by the ODIHR, including the selection of moderators who genuinely facilitated discussion. The Rapporteurs' report started with some good guidelines, but the remaining recommendations were somewhat sterile in their presentation and might have been better if presented separately and in more detail. While some participating States were not represented and there could have been better attendance by non-governmental organizations from mission-hosting countries other than Belarus, overall there was a good diversity and balance in the participation, allowing views to be expressed from different angles of a common problem. The opening statement of the Russian delegation threatened to draw the seminar into a polemical exchange over Kosovo, the KVM and NATO, the remarks were not extraneous, and, once said, were not provocatively repeated. Finally, in preparation for the seminar, the International League for Human Rights and the Jacob Blaustein Institute organized its own, one-day seminar on the same subject in Washington, DC, from which came a set of concrete recommendations to the OSCE which were presented in Warsaw.

U.S. Government preparation for the seminar – in particular the selection of a former head of mission to lead the delegation and the inclusion of staff from the OSCE desk in Washington, the U.S. Mission to the OSCE in Vienna, and Helsinki Commission staff with field experience – resulted in high visibility for the United States at the seminar.

Ultimately, the success of the seminar must be measured in the degree to which it produces change in the performance of the OSCE missions regarding human rights activities. The attention drawn to the whole issue was itself useful, but the participating States themselves must follow up, first in giving the Human Dimension higher priority in OSCE across the board, and in ensuring that missions they decide to deploy are tasked and enabled to carry out human rights work in what are often very difficult circumstances.

APPENDICES

APPENDIX A: OPENING STATEMENT OF AMBASSADOR NORMAN ANDERSON, HEAD OF THE U.S. DELEGATION

April 27, 1999

Mr. Chairman, field missions deployed by the OSCE have significant differences. Some are large; others are small. Some are deployed in areas of conflict or near-conflict, while others operate in regions where conflict has ended or been successfully prevented. Whatever their size and mandate, missions share a common purpose of upholding the original ten Helsinki principles and subsequent OSCE commitments. This includes Principle VII Respect for Human Rights and Fundamental Freedoms. Even when a mission does not have human rights specifically mentioned in its mandate, human rights monitoring and advocacy are an implied part of the package. The success of field missions depends on strong and continuing focus on human rights work. The OSCE s broader concept of security as encompassing respect for human rights and democracy is not artificial. Time and time again, we have been painfully reminded that, where there are widespread, systematic violations of human rights, there is no true peace.

Nowhere is this more true than in Kosovo. The source of the conflict which erupted there last year can be found in the decade of repression and the denial of human rights which followed the undemocratic revocation of autonomy previously granted the region. Despite the attempts of the international community to settle differences peacefully, Belgrade opted for the course it knew best that of extreme nationalism and violence. The burning, looting, killing, raping, shelling and ethnic cleansing of Kosovo are human rights violations so horrific and carried out with such a high degree of premeditation that they indicate genocide. Can there be a more gross violation of Helsinki principles than that? And we need to keep in mind that the regime of Slobodan Milosevic is able to carry out such a policy because it has denied the people of Serbia their right to a democratic and accountable government. Indeed, the whole purpose of Milosevic s policy toward Kosovo is to maintain and enhance his own power at home, and those few brave Serbs who stand in his way have been harassed, charged with ludicrous crimes, beaten and even killed. Until there is a democratic Serbia, there is unlikely to be genuine stability in southeastern Europe.

It is, frankly, difficult to look at issues beyond Kosovo, given what is happening there now, but even in better times the OSCE s far reaching activities, throughout Europe and into Central Asia, often do not receive the attention they deserve. OSCE missions or whatever an OSCE presence in a country might be called have prevented conflict and have saved lives. They have contributed to a better understanding of civil society and democratic government in many countries. Their success give rise to increasing calls to undertake new activities in the field.

That said, the OSCE can do better. There are concerns that the number and size of field operations are increasing more quickly than can be managed, and that these operations stray from the OSCE s emphasis on compliance with the principles and provisions it has developed. Missions, it is claimed, sometimes seem to be ends in themselves, rather than a means to achieve the goal of better compliance with OSCE standards. Primary functions can become diluted as missions take on a broader array of tasks and functions.

Some of these criticisms are unfounded or exaggerated, but, as we discuss the vital role of human rights in the work of OSCE missions we should direct our attention to some of the following issues:

Personnel. As more and more people are needed to staff OSCE missions, we need to ensure that individuals we identify to represent the OSCE bring experience and dedication, including to human rights. Mission personnel come from all walks of life diplomacy, academia, the military, human rights advocacy, etc which is good. All have something to contribute. At the same time, none should have a personal agenda that interferes with representing the OSCE and carrying out the mission s mandate. Also, in some cases, mission members must avoid succumbing to historical affinities in making subjective judgements rather than adhering to common OSCE standards.

Training. A related concern is that new mission members often have little if any idea of what the OSCE is all about. They do not know what human rights commitments exist and how these commitments can be translated from words in documents into deeds in the field. They must be prepared to meet requirements for promoting human rights through monitoring, reporting and outreach to the community of non-governmental organizations. In areas where there are conflicts, a good knowledge of humanitarian law obligations and refugee norms is also important. We are hopeful that the OSCE s new focus on training will address this issue by providing mission personnel with the proper background on the OSCE and guidance on how they can more actively promote compliance with commitments.

Proper Balance. Missions often work in hostile environments. In some instances, the host government only grudgingly accepts their presence and activities. Missions must work hard to develop effective rapport with the host government. At the same time, missions need to be equally committed to working with non-governmental organizations. Also, as missions seek to engage often opposing factions, they should recognize that objectivity rather than neutrality should be applied in all instances.

Transparency. The many non-governmental organizations which work on human rights want to know what the OSCE mission is observing, but mission reports, perhaps with some justification, are often restricted. Confidentiality is sometimes critical to mission work, but publicity particularly in the case of human rights can also serve a constructive function, especially as openness to the public tracks closely with the OSCE s message on civil society and good governance. Indeed, the potential for more public reporting can enhance the effectiveness of confidentiality. We urge missions to share as much as possible their reporting with the broader human rights community to advance shared objectives.

Authority. Human rights advocates know the utility of monitoring and compiling a record of human rights violations. Bearing witness to, and shedding light on, human rights violations can make an incredible difference in themselves. In the field, however, missions are expected to do more than simply observe human rights violations and report them back to Vienna. Both field missions and Vienna must stand prepared to respond proactively. In defense of missions, we can never accurately judge what human rights violations they are deterring by their presence, simply because these violations do not take place. Furthermore, it may be difficult if not impossible to exert authority over individuals who seem to care little that what they are doing is wrong and will not listen to a foreigner equipped only with a voice of reason. It is clear that more active support for missions by the OSCE and its participating States can only strengthen their authority in the field.

Multiple and Seemingly Contradictory Responsibilities. In cases of conflict and post-conflict reconciliation, human rights can be shunted aside. Indeed, persistent human rights violations might detract from other goals the mission wants to see accomplished, such as the successful holding of an election. The OSCE needs to stress to all missions, regardless of their mandates, that promotion of human rights and democratic principles is central to the OSCE and to the missions by extension.

Educational Outreach. Many mission members themselves have noted how helpful it would be in promoting dialogue on specific problems to have OSCE commitments in local languages. Others note that working with the local media, visiting schools and other public institutions, being as visible as possible, and encouraging local human rights groups to have the ability and confidence to make a difference, can do much to relay the message which the OSCE wishes to send. We echo that sentiment.

Post-Election Work. The ODIHR and OSCE Missions do excellent work in monitoring elections in the framework of free and fair elections. However, as we all know, a State s commitment to democratic principles does not end on election day, and we encourage the ODIHR and the missions to work together to ensure that election results are fully honored.

Coordination. Finally, and perhaps most importantly, OSCE institutions such as the ODIHR, the High Commissioner on National Minorities and the Free Media Representative offer special expertise in conflict prevention and human rights that should be tapped by field missions to the fullest extent possible through closer coordination and cooperation. We encourage all missions to reassess how they can build relationships with other OSCE institutions so as to maximize the effective use of the resources available throughout the OSCE. Doing so could, in fact, go far in dealing with some of the other issues I have already mentioned.

There are, Mr. Chairman, other issues which may need to be raised as the seminar moves into the working groups. I wish to reiterate, moreover, that my suggestions in no way detract from the utility or the success of field missions or my admiration for the OSCE. As operational activities grow, the OSCE simply needs to learn from its experience. As it does, it is the view of the United States that improvements can be made without massive infusions of additional money or the creation of new bureaucracies. The areas for improvement I have cited, for example, can mostly be addressed by the Permanent Council through giving the missions it decides to deploy greater direction, and giving human rights and democratic institution-building the attention they deserve.

In conclusion, Mr. Chairman, I wish to reiterate that the OSCE is a unique organization not only for its comprehensive membership but its comprehensive sense of security. The OSCE, moreover, stands for principle; we sometimes call it the conscience of Europe. It would have been a grave error if, in the last decade, the CSCE had remained confined to the conference halls of Europe in order to maintain its integrity. As the OSCE moves into the field, however, it must remain true to the ideals which were put on paper in Helsinki a quarter century ago, even though that is sometimes difficult. It is those ideals and none more so than respect for human rights which bind us together. It is those ideals, to the extent they can be achieved, that will effectively produce the security and cooperation in Europe we all want.

I thank the ODIHR for putting this important seminar together. In a seminar setting, we are all able to be a little more open with our comments and criticisms, and my delegation looks forward to the more detailed discussions which will take place in the working groups.

APPENDIX B: CLOSING STATEMENT OF AMBASSADOR NORMAN ANDERSON, HEAD OF THE U.S. DELEGATION

APRIL 30, 1999

Mr. Chairman, the United States Delegation leaves this seminar pleased with the emphasis given to the need for human rights to become a more integral part of OSCE field mission activity. In my opening statement, I highlighted several areas where improvements might be made, and there was a thorough discussion in the working groups which touched on all those areas in one way or another.

As we close the seminar, I hope those representing OSCE States do not return to their capitals or missions in Vienna believing that the strong support for strengthening human rights work in missions simply means such work can be further relegated to the missions. While there are initiatives missions can and should undertake to promote human rights and deter violations, we must remember it is states who have assumed and ultimately bear responsibility for meeting OSCE human rights commitments. Cooperation should underline a host state's relationship with an OSCE mission but such cooperation can not serve as a substitute for genuine human rights reform. Participating States need to address the problems raised in mission reports and take concrete steps to promote civil society. Missions need to speak and report objectively and frankly about violations and the failure of states to take corrective measures. To the extent possible and appropriate, missions should publicize their reports and information about approaches to the government.

We as participating states all need to bear testimony to and denounce egregious violations and disturbing trends in Permanent Council meetings and implementation review sessions alike. Ultimately, human rights concerns may require a policy response from the participating States, individually and collectively within the OSCE. Indeed, missions will be more effective in their human rights work if those violating human rights know that the missions do not operate in a vacuum but rather recognize that their actions will have repercussions. In this vein, all of us need to consider seriously how we can more effectively influence the sinister calculus of some violators who demonstrate no compunctions whatsover about commiting egregioius human rights violations if it they believe such policies are conducive to maintiaining their grip on political power.

The participating States also need to ensure that the links among missions, OSCE institutions, other international organizations, and the NGO community are strengthened, maximizing the talents which exist within all of these entities. Our shared commitment to the promotion of human rights and fundamental freedoms will richly benefit from coor dination amongst these entitities ensuring a division of labor that effectively leverages our strengths and resources.

In closing, I wish to thank the ODIHR for organizing this seminar, and the mission members and NGO representatives for taking the time to participate. We cannot step out of the shadow which Kosovo casts over us at this time. We can, however, leave with a renewed sense of hope that the OSCE will help reverse the effects of Belgrade's barbaric ethnic cleaning campaign, and more ably promote human rights and fundamental freedoms whenever and wherever they may be threatened.

APPENDIX C: RAPPORTEURS' REPORT BY MS. ELAINE CONKIEVICH AND MR. RANDOLF OBERSCHMIDT

Warsaw, 27 - 30 April 1999

HUMAN RIGHTS: THE ROLE OF FIELD MISSIONS

All of the discussions and contributions of participants emphasized the importance of field missions in the protection and promotion of human rights. Although every mission is specific and although there are different approaches to the tasks and definitions at hand, some overarching understanding emerged about essential guidelines in the context of field operations in the area of human rights.

These guidelines can be summarized as follows:

- First and foremost the responsibility for the promotion and protection of human rights lies with the participating states.
- Human rights are an integral part of all field missions, reflecting the participating state's commitment to OSCE principles and obligation under international human rights law.
- Human rights are an integral part of long term security and stability building, which can be achieved best by co-operation and co-ordination within the OSCE family and among international and local actors.
- The successful implementation of human dimension issues is inalienably linked to an overall integrated and consistent approach.

While the specific elaboration of the above guidelines is to be done at a later stage, concrete recommendations follow from the discussion of participating states, international organizations, OSCE institutions, international and local NGOs, which are to serve as a basis to meet these guidelines. The recommendations have been grouped according to addressee and then by topic.

CONSOLIDATED SUMMARY OF RECOMMENDATIONS ON THE ROLE OF:

1) HUMAN RIGHTS AND FIELD MISSIONS IN CONFLICT AND CRISIS SITUATIONS

2) FIELD MISSIONS IN PROMOTING AND PROTECTING HUMAN RIGHTS

I. Recommendations for the Field Level

Mandate

- missions should be able to redefine and specify their tasks in an operational manner in the framework of the mandate
- devote more attention to the sensitivity and confidentiality of local human rights partners, using as a guide the UN Declaration on Human Rights Defenders
- spread more information about the OSCE in general and the particular mission mandate to people and institutions in the host country

Co-operation/Co-ordination

- divide tasks among actors based on complimentarity (who is doing what best) in co-ordination with the headquarters, to include sharing information on tasks
- international organizations should strive to speak with one voice
- consultations between international organisations on the political level must be followed on an operational level
- regularly and readily share reports among the different players
- increase the cross-border/regional co-operation and contact with other OSCE field missions

Sustainability

- train local authorities and NGOs to build up lasting capacities (include local partners into planning and decision making)
- avoid the establishment of dependencies of local societies and institutions on internationa organisations

Monitoring/Reporting

- take into consideration best practices like periodical progress reporting on the implementation of the mission mandate
- link monitoring to project development
- identify and seek to address systemic problems, while not neglecting individual cases
- establish regular and structured reporting procedures

Institutional Memory

- elaborate more systematic approaches for the collecting, categorizing, and updating of information for handover purposes
- utilize local staff for maintaining institutional memory
- conduct internal as well as external evaluations to assess progress on the implementation of the mission mandate

Staffing

- give missions primary possibility for the selection of appropriate incoming mission members
- forward to the participating states specific job descriptions and give them feedback on seconded staff
- implement a mechanism for the evaluation of mission members' performance

Budgeting/administration/logistics

- missions should be more involved in budgeting procedures and have higher levels of expenditure discretion

II. Recommendations for Headquarters and Institutional Level

Mandate

- conduct needs assessments before and after deploying missions
- develop a clear, defined exit strategy

Co-operation/Co-ordination

- use the experience and expertise of other actors to achieve synergy of efforts

- provide the field with timely information on activities occurring at the headquarters level
- produce more materials on OSCE and its commitments for use in the field in languages other than English where possible develop projects with other international organizations in the field

Monitoring/Reporting
- update guidelines on reporting procedures

Institutional Memory
- improve procedures for the de-briefing of outgoing mission members
- use the knowledge of the missions to collect information and develop best practices for the OSCE (roster of experts, organizational charts, lessons to learn)

Staffing
- extend the length of assignment period beyond 6 months to lead to continuity and build institutional memory
- systematize a program for mission members to meet and compare notes and share experiences
- involve and recruit more women at all levels of work in field missions
- consider possibilities to include disabled persons into mission activities

Training
- focus training on the mission specific tasks and challenges and not just on international law and standards
- elaborate working manuals for field missions on human dimension and human rights protection
- ensure that gender issues are integrated into the training process
- take rapid action to implement the capacity building through training strategy of the OSCE institute mechanisms for learning across missions

III. Recommendations for Participating States/Chairman-in-Office

Mandate
- define mandates promptly in order to help in the planning phase
- have a consultative process while developing mandates, without losing sight of flexibility
- create mechanisms for the protection of local staff

Co-operation/Co-ordination
- improve the flow of communication between and in the capitals on the activities of international organizations

Staffing/Training
- prepare rosters of qualified human rights personnel for rapid deployment, consult with relevant NGOs in this process
- identify people with field experience and interview them before assigning them to appropriate posts and functions
- bureaucratic procedures should be simplified in order to send personnel quickly to the field
- build training capabilities and inform the OSCE of what training measures are undertaken in the seconding country

- create a fund from voluntary contributions to recruit highly qualified specialists who can not be seconded for financial reasons
- strengthen the operational capacity of the Secretariat to better assist the missions
- take a decision in order to enable the development of the necessary guidelines and manuals for human rights work in the field
- establish some common criteria for human rights field officers without losing a flexible approach

Funding

- provide funds in mission budgets for small-scale, immediate project needs in the human dimension field