



Ambassador Christian Strohal,  
Director of the OSCE Office for Democratic Institutions and Human Rights  
(ODIHR), to the OSCE Permanent Council

Vienna, 19 July 2007

Mr. Chairman,  
Excellencies,  
Colleagues,

The report that I present today together with the Secretary General underscores the many activities of the OSCE that contribute to combating organized crime.

From our perspective, the exercise to pull together OSCE's activities in this field has been very useful. I would like to express our thanks to the Secretary General and his staff for the excellent cooperation we have enjoyed in producing this report, also in the context of the Task Force.

To highlight the role of the ODIHR in fighting organized crime, I could also refer you simply to another report – and that is the ODIHR Annual Report. The reason for this is the following: any inability of our societies to effectively counter the formidable threat of organized crime is directly linked to an inadequacy of its democratic institutions. Conversely, the more accountable, transparent and developed democratic institutions are,

and the stronger the rule of law, the more successful will they be in fighting organised crime.

Let me briefly elaborate this point.

The special challenges posed by organized crime stem from several factors that set it apart from ordinary crime: organized crime caters to the demand for illicit goods and services that exists in our societies; it commands vast resources; it is sophisticated; and it resists detection, investigation and prosecution through intimidation, violence and corruption.

To meet these challenges, the state must first of all be in the position to develop effective and sophisticated strategies to fight organized crime. There is ample evidence in our countries that this is done best through democratic institutions that allow, first of all, an inclusive public debate on how to tackle the societies' most pressing problems. At the same time, subsequent action by authorities must be transparent and inclusive.

Secondly, these strategies should be implemented by well-trained and equipped professionals of highest integrity. Again, democratic accountability is the best incentive and safeguard to maintain institutional professionalism and to counter corruption.

This is why ODIHR's work to support democracy and democratic institutions strengthens the capacity of participating States to effectively fight organized crime by the same token; as the Secretary General just said, the Report that we present to you today reflects this integrated approach.

MC.DEC/5/06 has tasked the ODIHR, along with other parts of the OSCE, to give enhanced attention to criminal justice systems. This encourages us to keep up our work because – as you are undoubtedly aware – the ODIHR’s Rule of Law programmes have for many years had criminal justice issues at their heart.

The overarching aim of this effort is to assist the participating States to strengthen the capacity and professionalism of their criminal justice systems, thereby also enabling them to effectively counter security threats such as organized crime.

In our report, you will find examples of the different types of assistance provided by the ODIHR in the field of criminal justice: legislative support, institutional reform, capacity building and professional development of practitioners, technical assistance, and prison reform. Not surprisingly, it clearly emerges that ensuring respect for human rights and the rule of law is the *leitmotif* of the OSCE’s effort in this field. The ODIHR message in this regard has become a conventional wisdom in the Organization: challenges to security like organized crime can be addressed neither at the expense of human rights nor of due legal process. To the contrary, success is intrinsically linked to those fundamental principles.

The ODIHR’s anti-terrorism, rule of law, and anti-trafficking, programmes all reinforce this message.

Let me add a word on our efforts to assist in combating the trafficking of human beings. Clearly, this is an area in which the OSCE has developed long-standing experience and expertise and where it is recognized as an important partner. As you know, the ODIHR promotes the human rights approach through supporting the establishment of multi-agency anti-

trafficking structures at the national level. In this context, it becomes increasingly evident that few criminal proceedings against perpetrators of trafficking -- some of whom are linked to organised crime groups -- succeed without victim testimony.

Victims of trafficking however are reluctant to cooperate with law enforcement and provide testimony in criminal proceedings where their human rights are not protected. In addition, victims often do not have access to information about their rights and instead of receiving protection from the state still face punishment for immigration or other offences connected with their trafficking. For this reason, States should take measures to appropriately identify and protect victims of trafficking. Only where victims are correctly assisted are they in a position to cooperate in criminal proceedings against their traffickers.

In addition to the range of activities listed in the report, I will only highlight a few examples of our current work in the relevant fields:

- In support of establishing National Referral Mechanisms the ODIHR has met with authorities in the UK, Russia and Turkey to present and discuss the draft findings from its NRM assessments.
- In Albania, Georgia and Romania we continue to support projects this year to increase access to legal assistance, improve protection of victims rights, and enhance cooperation between law enforcement and civil society to better protect victims.
- In February the Kazakhstan Trial Monitoring Report was launched in Astana;
- In February and March, we carried out trainings for policymakers in Azerbajdjan and the UK on international human rights law as it applies in the context of countering terrorism;

- In April, the ODIHR facilitated the publication of the first Police Monitoring Board Report in Armenia;
- In the rule of law field, we trained Kazakh lawyers on the new law on jury trials in March;
- Also in April, the first six-month report of the Moldova Trial Monitoring Programme was launched;
- In May, the ODIHR participated in three roundtables in Kazakhstan organised by the Supreme Court of Kazakhstan to discuss the findings and recommendations contained in the Kazakhstan Trial Monitoring Report;
- Also in May, the ODIHR jointly with UNODC Russia and Belarus Office held a two-day expert workshop at the Parliament's lower house in Moscow to share with the Russian parliamentarians, judges, and officials best practices in upholding judicial integrity;
- In early June an ODIHR regional conference brought together in Almaty academics and legal professionals from throughout Central Asia to discuss alternatives to criminal prosecution and the use of conciliation procedures.
- At the end of July, the second Summer School on Criminal Justice for Central Asia will bring together legal professionals and experts to consider the current and future criminal justice reforms in Central Asia;
- And finally, in autumn, the Kyrgyzstan Trial Monitoring Report will be launched in Bishkek.

Later this afternoon, there will be a first presentation on our work on the Trial Monitoring Reference Manual, which is currently being finalised. This draft Manual takes stock of and presents the accumulated experience of the OSCE trial monitoring activities for the benefit of practitioners

within and outside the OSCE. I take this opportunity to invite you to the ODIHR event at Segmentgalerie at 13:00. Also in this work, we benefit from the excellent co-operation with all partners.

Thank you for your attention and support in our joint efforts.