



## **United States Mission to the OSCE**

### **Response to Report of ODIHR Director Janez Lenarcic**

As prepared for delivery by Chargé d' Affaires Kyle Scott  
to the Permanent Council, Vienna  
March 19, 2009

Madam Chairwoman,

Thank you, Ambassador Lenarcic, for your comprehensive report. The United States strongly supports ODIHR, which has earned its place as a key institution in the OSCE's efforts to promote democratic development, human rights and free and fair elections.

At a time when core human dimension commitments are increasingly being called into question, as was so convincingly argued in ODIHR's 2006 Report, "Common Responsibility", the role played by ODIHR in promoting respect for human rights, providing objective assessments of the conduct of elections and supporting the development of democratic institutions, is as critical as it has ever been. Ambassador Lenarcic, the United States encourages ODIHR to focus even more sharply on those core elements of its mandate. In doing so, the United States suggests that ODIHR should prioritize those areas where OSCE commitments are the most clearly defined, and that ODIHR projects should focus on those countries where the gap between commitments and practices as well as the potential for progress is the greatest.

The ODIHR should continue its valuable reporting, exemplified in its joint assessment with the HCNM of human rights in the war-affected areas of Georgia. Serious human rights and humanitarian concerns remain in the zone of conflict, and will continue if not promptly addressed. Accordingly, we encourage ODIHR and the HCNM to return to Georgia, and especially to the Akhgori region of South Ossetia, to monitor efforts to implement the report's recommendations.

ODIHR's well-deserved reputation for election monitoring is directly attributable to its well-known, objective criteria and procedures for election observation. All participating States have an interest in opposing any effort to undermine ODIHR's autonomy and impartiality, as well as any attempts to turn back the clock on the progress we have made in democratic practices within the OSCE region. The United States has been, and will continue to be, in the forefront of States protecting ODIHR from political interference. In this regard, we believe that ODIHR has done an excellent job in fully responding to the taskings given in Brussels Ministerial Decision 19/06.

We were pleased also to learn that there is a prospect for the resumption of the usually amicable cooperation and collaboration in election observation missions between the ODIHR and the OSCE Parliamentary Assembly based on the 1997 Cooperation Agreement. Unlike other parliamentary assemblies that may join OSCE election observation missions, the OSCE Parliamentary Assembly is in a privileged status, since it has a partnership with ODIHR. We appreciate the efforts of the Greek Chairmanship in this regard, as well as the constructive approach of both ODIHR and the Parliamentary Assembly in these discussions. We continue to

believe that both of these OSCE institutions play a critical role each providing unique and necessary expertise, and that our Organization is best served when we all speak with one voice and work together in a spirit of complementary partnership, cooperation and collaboration.

The universally respected ODHIR objectivity, expertise and professionalism in election monitoring can and should be made available to countries outside the OSCE, especially to our Partners for Cooperation, whose fate greatly matters to our common security. We note that the Foreign Minister of Afghanistan invited the OSCE to support the upcoming Presidential Election in that country, as it has in 2004 and 2005. We encourage the Chairmanship and ODIHR to respond positively and dynamically to this request.

The Democracy program projects are well designed and implemented and provide emerging democracies with much needed technical assistance in promoting the rule of law, developing transparent legislative processes, and building civil society. With our increased focus on strengthening democratic institutions and respect for the rule of law in 2009, on the basis of Helsinki Ministerial Decision 7/08, we anticipate much greater activity by this program.

In our view, the Human Rights program should focus more on the broad fundamental freedoms, such as freedom of expression, freedom of assembly, and freedom of religion. We look forward to the upcoming Supplemental Human Dimension Meeting on Freedom of Religion which is to have a rights based focus. As was clearly shown in the recent roundtable on discrimination against Christians, many groups face more difficulties in securing fundamental rights to practice than in societal tolerance. The Human Rights program should develop technical assistance and training programs for the emerging democracies on how to ensure that fundamental freedoms are respected.

ODIHR's tolerance work should focus on the priority areas of combating intolerance in those areas where the participating States have reached consensus - combating anti-Semitism, intolerance and discrimination against Muslims, Christians and members of other religions, and racism, xenophobia and related intolerance. We also believe the Director of ODIHR should be prepared to highlight key concerns and current issues that may arise in areas covered by ODIHR's mandate. In this regard, we applaud your February 27 statement of concern about continuing attacks targeting Roma. We urge ODIHR to energize and strengthen its activities in responding to and ameliorating continued discrimination and attacks on Roma in the OSCE region.

In our view, the ODIHR effort to deal with hate crimes should focus on realistic, specific, targeted initiatives that will help address the problem of core definitions, model legislation to meet OSCE commitments, data collection methods based on this model legislation, and a sharing of best practices.

Civil society participation is the foundation of the effective review of the implementation of human dimension commitments by participating States ODIHR must set an example of inclusiveness of NGOs and transparency at all ODIHR-organized events and meetings.

We look forward to working with you Ambassador Lenarcic, and the participating States, in the implementation of our OSCE Human Dimension commitments. We applaud ODIHR for its excellent work. You will continue to have our full support in the coming years.

Thank you Madam Chairwoman.