



EUROPEAN UNION

OSCE Supplementary Human Dimension Meeting "Democratic Elections and Election Observation" Vienna, 12 July 2012

Session 1: Democratic elections in context of OSCE election-related commitments and their implementation (with focus on universal and equal suffrage rights: legislation and application)

EU statement

1. The EU thanks the ODIHR for the preparation of this Supplementary Human Dimension Meeting on Democratic Elections and Election Observation. We welcome this opportunity to discuss election-related issues with a view to ensuring full implementation of OSCE commitments in this field. Achieving proper implementation of these commitments would result in having democratic elections throughout the OSCE space. In turn, genuine democratic elections are central for maintaining peace and stability.
2. Over the years, the OSCE has built significant and solid expertise in the field of elections, through the adoption of landmark documents like the 1990 Copenhagen Document and consistent practice and methodology in the field. The result is the development of common norms regarding free and fair elections by OSCE participating States. We recall the guiding principle enunciated in the Copenhagen Document, that “the will of the people, fairly and freely expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government.”
3. The holding of democratic elections presupposes respect for a number of human rights and fundamental freedoms, including freedom of expression and freedom of assembly and association. Most recently the OSCE Astana Summit Declaration underlined the role of civil society and free media in the conduct of free and fair elections. Moreover, a broad range of civil and political rights and rule of law issues must be taken into account in an electoral context. Serious shortcomings in the electoral process, including electoral fraud, can amount to human rights violations.
4. Looking now at the instruments, means and actors at the disposal of the OSCE in order to implement election-related commitments, the EU would like to underline the pivotal role of ODIHR. We should remember that the 1990 Paris Charter created the “Office for Free Elections” which only later, became “ODIHR”, after further expansions of its mandate. In its 22 years of existence ODIHR has developed unparalleled expertise and capacity in election observation. It is also a source of legal and practical advice on a broad spectrum of election-related issues, including electoral legislation and process. The EU has repeatedly supported the proper follow-up of ODIHR election observation recommendations. ODIHR is explicitly mandated, in Decision 19/06 of the Brussels

Ministerial Council, to assist participating States in reviewing election legislation and carrying out election observations.

5. The EU would also like to highlight the contribution of the OSCE Parliamentary Assembly to the overall work of the OSCE relates to election observation. We reiterate our position on the complementary roles of the OSCE PA and the ODIHR. We continue to believe strongly that the OSCE's elections observation is never as strong as when both institutions co- operate with each other as genuine partners. We would like to encourage the OSCE Parliamentary Assembly and ODIHR to continue co-operating in the spirit of partnership and on the basis of the 1997 Co-operation Agreement as well as MC Decision 19/06.
6. ODIHR's work in election observation remains a top priority for the EU. It is based on the principles of independence, impartiality and professionalism, as spelled out in the aforementioned Ministerial Council decision. We reiterate our support for the autonomy of ODIHR and our support for the conduct of its election observation without undue restrictions or limitations. The ODIHR's election observation methodology is widely and internationally recognized, and even emulated by other organizations active in election observation.
7. The EU itself, internationally recognised as a key player in the field of election observation since 2000, has modelled its work on ODIHR's experience and methodology. Both organisations are signatories of the Declaration of principles for international election observation, a Declaration which was recognised by the United Nations general Assembly in its Resolution 64/155, adopted on 18 December 2009. Their methodologies are based on the same values and principles. They aim at enhancing transparency and accountability of the election processes observed, hence promoting public confidence in those processes. The independence of EU and ODIHR election observation missions has to be preserved.
8. Since 2000, the EU has deployed more than 130 election observation or expert missions to nearly 70 countries all over the world. The EU spends every year between 30 to 38 million euros to deploy hundreds of professional and trained observers. This is in addition to assistance on election-related matters provided by Member States of the European Union as well as their contributions to ODIHR's Election Diversification Fund.
9. ODIHR's election observation methodology is complemented by a number of effective tools, namely ODIHR's commitment and practice to deploy professional and impartial election experts, and ODIHR's continuous engagement in follow-up. This methodology has consistently achieved concrete results and improvements in all aspects of the electoral process.
10. On universal and equal suffrage rights we believe that based on ODIHR's monitoring results over the past years emphasis should be given to the right of all eligible citizens to vote or stand for office. We would like to pay special attention to the issue of effective, impartial, non-discriminatory, inclusive and accurate voter-registration procedures, including effective safeguards to prevent multiple voting. As far as requirements for candidacy are concerned, they should be reasonable and applied in a non-discriminatory fashion.

11. On election observation we appreciate the focus given to campaigning aspects. We believe that more efforts are necessary to better monitor, analyse and remove remaining obstacles to free campaigning, such as limited or inequitable media access, de-registration, as well as harassment, intimidation and other forms of pressure applied to candidates, parties or voters.
12. Regarding OSCE/ODIHR mission report recommendations and the engagement with participating States, examples of co-operation between ODIHR and Member States of the European Union will continue to be presented in the OSCE. We stress the importance of all participating States fulfilling their commitment of follow-up to ODIHR's election observation recommendations. In the context of follow-up to recommendations, we also note the important role of OSCE field operations.
13. The EU looks forward to fruitful discussions, guided by the expertise from the OSCE/ODIHR and from the national experts attending this meeting. We especially welcome the participation of representatives of NGOs from across the OSCE area. Their contributions will inform and enrich the peer-review process between the OSCE participating States.
14. Finally, we would like to share with you that clear instructions have been given by the EU to all its Delegations in the OSCE area to make full use of the recommendations of ODIHR election observation missions so as to ensure their follow up by the participating states and to keep close contacts with the OSCE field missions. The EU takes into account the views of the ODIHR, the High Commissioner on National Minorities and the Representative on Freedom of the Media, in our relations with countries that are participating States of the OSCE, in particular in our human rights dialogues.

Mister Moderator,

15. As already stated earlier today at the Permanent Council, the European Union expresses deep regret and great disappointment that Belarussian civil society representative Viktor Kornienko has been denied the right to travel to Vienna to attend this meeting. Mr Kornienko, Co-chair of the initiative « For Fair Elections », is registered to participate. We urge the Belarussian authorities to reverse this decision as soon as possible.
16. At the same time, we recall that the Chairperson of the Belarusian Central Election Commission, who is subject to an EU visa ban, was issued a visa on an exceptional basis in order to attend the SHDM. However, Mr Kornienko, as a representative of civil society whose work is to promote democratic elections, was denied the same right by the Belarusian authorities. As a result, the EU and its Member States will not be present at ambassadorial level when the Central Election Commission Chairperson takes the floor in the SHDM.

The Acceding Country Croatia, the Candidate Countries Montenegro, Iceland, the Countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, and the EFTA country Liechtenstein, member of the European Economic Area, align themselves with this statement.