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**STATEMENT BY ANVAR AZIMOV,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE MEETING OF THE OSCE PERMANENT COUNCIL**

28 October 2010

**On the report by the Director of the OSCE Office for
Democratic Institutions and Human Rights**

Mr. Chairperson,

We are grateful to the Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) for his extremely informative report on the Office's work during the last six months. We should like to draw attention in this regard to a number of key problems where there is a need, as we see it, for further improvements through concerted efforts.

In view of the fact that the subject of election observation features so prominently in the report, we believe it useful to mention the following points.

We were pleased to hear Mr. Janez Lenarčič say that the ODIHR attaches great importance to the implementation of the instructions given by the decision-making bodies on election-related issues, notably Decision No. 19/06 adopted at the Ministerial Council meeting in Brussels, which envisages the improvement of election observation methodology. In this connection, we take the position that first and foremost the participating States must play a key role here, agreeing on a legal framework for the activities of the executive structures, including the ODIHR.

At the same time, it is regrettable that the views of the participating States were not taken into account when drafting the new, sixth edition of the Election Observation Handbook as far as its contents are concerned. As it happens, it is precisely documents of this kind that should be reviewed and approved at meetings of the decision-making bodies of the OSCE, notably the Permanent Council. And this was not the case here.

This unfortunately is yet a further indication of the unique way in which the ODIHR operates in continuing to organize the monitoring of national elections according to its own criteria. Here in fact lies, as we see it, the main reason for the appearance of double standards and the ambivalent response of participating States to the conclusions drawn by the Office's missions on voting results. We once again call on the ODIHR's senior officials to define standard approaches to election monitoring. We are referring here in particular to the drafting of a document dealing with the principles of international election observation and the status of international observers. The specific proposals presented by the Russian Federation and a

number of our partners during the Corfu discussions could serve as a basis for this work. We take the position that these should be collective efforts, involving all interested parties, including the ODIHR and the OSCE Parliamentary Assembly.

I should like to draw attention to something the President of Russia, Mr. Dmitry Medvedev, said in his statement at a plenary meeting of the Global Policy Forum in Yaroslavl: “Just like human rights, standards of democracy should be internationally recognized. Only this can make them truly effective. Along with this, it is important that common standards not be double standards”. As we understand it, a comparative analysis of election laws in all the OSCE participating States could be helpful in the drafting of basic election monitoring principles, making it possible to identify a set of common standards. We trust that the Russian proposal along these lines that has been submitted on a number of occasions will be taken into account in the final draft of the ODIHR budget for 2011.

As regards the practical aspects of the Office’s operations during the period covered by the report, we should like in the first instance to express our gratitude to Mr. Lenarčič for his active assistance in organizing here in Vienna on 16 and 17 September the seminar on electronic voting, a meeting that clearly confirmed the relevance of present-day technological advances to election processes. That event also provided a clear demonstration of the importance of comparing experience in this area. The Russian Federation is also ready to continue the practice of multilateral co-operation, including the organization of workshops on election issues. That is why, for instance, we invited representatives of the ODIHR to familiarize themselves with the use of advanced electronic voting equipment during the elections in the Chelyabinsk oblast of the Russian Federation on 10 October. We hope that these questions, including an assessment of Russian experience, will be given proper consideration in subsequent reports by the Office’s senior officials.

As regards the monitoring missions recently conducted in a number of OSCE participating States, we are once again obliged to call attention to the persistent differences in the objectives and numerical strength of the ODIHR missions dispatched to European Union countries, on the one hand, and non-EU participating States, on the other. Specifically, in the countries of the Commonwealth of Independent States election monitoring is conducted on a large-scale basis with even the most trivial flaws recorded, whereas in the countries to the west of Vienna observation missions continue to be of a limited nature with only mild reactions to any problems that may come to light. Allow me to illustrate this using one extremely graphic example, namely the outrageous fact that in Latvia a significant part of the country’s population – the so-called non-citizens – are barred from participating in parliamentary elections. This involves depriving 321,000 persons of their right to vote. And where, one asks, has there been an appropriate response to this by the ODIHR or indeed by the other institutions of our Organization, for example the High Commissioner on National Minorities?

We also discern a selective approach on the part of the Office in the public presentation of post-election conclusions drawn on the basis of the outcome of the voting. In some countries this is done literally the next day, even before the official results have been announced, whereas in other countries preliminary findings are not published at all or are published two months after the completion of all the electoral procedures. All this is explained by the Office’s methodology as set out in the ODIHR Election Observation Handbook.

On this point, we should also like to respond in passing to the proponents of the “infallibility” of these ODIHR methods and practices. One is left bewildered by the ideas expressed by some countries to the effect that there is allegedly no need for common criteria and approaches to election observation in the OSCE area. We believe that such thinking undermines the fundamental principle of the sovereign equality of participating States and deliberately divides them into countries of the first and second order.

As for the argument raised in the ODIHR Director’s report regarding the importance of paying increased attention to the implementation of the Office’s post-election recommendations, we would note that these recommendations are not legally binding and do not require automatic amendments to national election legislation or changes in the way the law is applied. For example, the Russian Federation will obviously listen to the ODIHR’s wishes but will be guided primarily by whether these wishes are in line with the norms of the Constitution and the laws of the Russian Federation. We believe that in turn the ODIHR must take into account the requirements of national legislation when resolving questions concerning monitoring activities in the participating States.

We again call attention to the fact that the report says nothing about ensuring freedom of movement and facilitating contacts between people. And yet this subject concerns one of the fundamental commitments for ensuring human rights set out in the Helsinki Final Act and requires, particularly today, that appropriate measures be taken. We trust that the ODIHR will give careful attention to this matter.

Furthermore, the report wrongly, in our view, omits such important aspects of the human rights agenda as countering aggressive nationalism and extremism, including an increase in neo-Nazi manifestations. Efforts along these lines are especially needed in the light of the Declaration commemorating the end of the Second World War adopted at the Ministerial Council meeting in Athens.

We have taken note of the fact that the ODIHR has prepared two sets of guidelines – one set on political parties and the other on freedom of assembly and association. Naturally, we shall submit them for review to the relevant ministries and departments. At the same time, we should like to make the point that the reason for preparing these guidelines lay in the recommendations of the Venice Commission, a body that neither structurally nor organizationally is directly related to the OSCE. On the other hand, in the decisions adopted by the collective bodies of our Organization – the Ministerial Council and the Permanent Council – no instructions have been given to the Office to engage in activities of this kind. Accordingly, we do not believe that the fact of the appearance of these guidelines or their contents is intended to have any effect on the setting of priorities in the humanitarian basket. As we have said on many occasions, the independence of the executive structures remains a serious problem and is not conducive to the strengthening of trust in them on the part of the participating States.

In conclusion, we should like to note that, despite the critical comments we have voiced in this statement, the Russian Federation intends to continue its close co-operation with the ODIHR and with Director Lenarčič personally regarding the most pressing items on the agenda, in line with the assurances given to him during his working visit to Moscow in September.

Thank you for your attention.