

OSCE Office for Democratic Institutions and Human Rights (ODIHR)

Annual Session of the OSCE Parliamentary Assembly

Washington, 30 June – 5 July 2005

Address by Ambassador Christian Strohal,
Director of the Office for Democratic Institutions
and Human Rights

Delivered by Dr. Vladimir Shkolnikov, Head of the ODIHR
Democratization Department



Madam Chair,
Honourable Members of the PA,
Ladies and Gentlemen,

It is a great honour for me to address the Parliamentary Assembly at the Annual Session for 2005 here in Washington. Allow me at the outset to convey the sincere apologies of Ambassador Strohal, our Director, who was here at the opening session, but was obliged to leave for Tirana, where our Office is currently fielding an Election Observation Mission to observe the 3 June Parliamentary elections. Ambassador Strohal has asked me to deliver his address to you on his behalf.

On past occasions, the Ambassador has repeatedly referred to the fact that the OSCE PA and ODIHR are natural partners in building democracy and its institutions. The ODIHR has been working hard to develop this partnership further. The ODIHR takes this opportunity to express our particular gratitude for the support we have received in this regard from the Slovenian Chairmanship and to acknowledge the efforts made by the Parliamentary Assembly to support us in our work and to ensure that our activities are given political support. Our special appreciation also goes to the chair of this Committee, on whose support we will continue to count.

Since the Winter session, we have continued our work in the human dimension, in promoting democratic elections, strengthening democratic institutions, and protecting and promoting human rights. Through a combination of monitoring compliance, on-the-ground visits, human dimension meetings, and practical hands-on assistance activities we have made a strong effort to assist States in the fulfillment of their commitments. Of course we must all bear in mind that the bulk of the responsibility for implementing commitments lies with the States themselves, not with the OSCE or any of its Institutions.

With regard to elections, in 2004, we successfully deployed over 5500 election observers, more than ever before, from more countries than ever before, across the entire OSCE region. We also continue to promote the implementation of OSCE election-related commitments through legislative reviews and other assistance activities. We welcome increasing engagement of participating States to work with us on the follow-up to observations.

In addition, this year we have already completed election observation missions in Tajikistan, Kyrgyzstan, Moldova and the former Yugoslav Republic of Macedonia as well as more limited Elections Assessment Missions to the United Kingdom and Bulgaria.

We would like to express our sincerest thanks to the numerous observation participants among you who have found time in your busy schedules to participate in our observation missions – often during holidays, as during last Christmas holidays in Ukraine – and would like to encourage you to continue this interest and support.

Let me return to the issue of election observation in a moment and first raise a number of other issues where we can further develop our partnership.

Human Dimension Meetings

An important contribution from the PA can be made through the active participation at human dimension events. It is the presence of Parliamentarians and NGOs that gives the debate during these meetings particular relevance.

Earlier this year, on 21-22 April, we held a Supplementary Human Dimension Meeting on Challenges of Election Technologies and Procedures. I would like to extend our sincere gratitude to those of you who found time in their busy schedules to attend, in particular President emeritus Bruce George, who, despite a heavy campaign schedule, was able to come and deliver a powerful opening address.

On 11-13 May, we held our annual Human Dimension Seminar in Warsaw, focusing on Migration and Integration, where we were privileged to have another prominent Parliamentarian, Professor Rita Suessmuth who gave closing remarks.

In only two weeks, we will discuss Human Rights in the Fight Against Terrorism at the 14-15 July Supplementary Human Dimension Meeting in Vienna. Current events and debates in practically all participating States highlight the relevance and importance of this discussion, and we count on your active participation there.

Of course the two-week HDIM, beginning September 19, marks the highlight of our meeting year and we look forward to welcoming many of you to Warsaw. Last year's meeting was able to attract a record number of participants. This year's special topics will be promoting Tolerance and combating discrimination, the role of the state regarding the media and the prevention of torture.

The last Supplementary HD Meeting of the year will be held in Tbilisi in November and will focus on defense lawyers – a highly topical subject given the importance of the rule of law in the region.

Individual programmes

Planning and programming of all our activities include an enhanced element of gender mainstreaming, following the guidance provided by participating States in the **Action Plan** adopted in Sofia. The steady support of the PA in this endeavour has been vital to move the Organization further to the forefront of international efforts to promote gender equality.

As far as individual programmes are concerned, in 2005, the ODIHR's efforts to support implementation of the OSCE **tolerance and non-discrimination** commitments and taskings will focus on four key areas: 1) legislation; 2) education and training; 3) law enforcement and 4) monitoring, reporting on and following up responses to hate-motivated crimes and incidents. We have been able to present two studies, one on education on the Holocaust and on anti-Semitism, and one on responding to hate motivated violence, to the recent Cordoba Conference. In the follow-up to this Conference, it will be crucial to ensure a strong response of governments to the recommendations in this report, and beyond, to the need to implement their new commitments in these areas effectively.

We are grateful to the participating States for having agreed on a budget for 2005 last month which has allowed us to finally set up this important programme now on the basis of a regular budget. We are grateful to those

states which have additionally supported our activities with extra-budgetary contributions which has allowed us to be operational in the meantime.

The ODIHR will continue to work in close cooperation with the three newly appointed Personal Representatives of the Chairman-in-Office – and we are glad to have Professor Gert Weisskirchen among them – as well as with other parts of the Organization.

The ODIHR's Contact Point on **Roma and Sinti** Issues will continue to implement taskings of the Action Plan on Improving the Situation of Roma and Sinti in 2005. In doing so, it will, wherever appropriate, combine resources and instruments with the new tolerance programme, while retaining its distinct role.

Our **democratization programme**, for which I am responsible, aims at the consolidation of democratic culture, through a broad range of capacity-building activities. These capacities are developed and strengthened especially in institutional frameworks for promoting democracy, the rule of law, and human rights. It is in helping consolidate democratic culture where I see a special role for Parliaments and Parliamentarians. Members of Parliaments have a particular responsibility not only in the development of new legislation, but also in ensuring that it is developed in an open and transparent manner and that relevant stakeholders are given an opportunity to have their voices heard. The role of the Parliamentarians is also crucial in following and monitoring the full implementation of existing laws. Parliamentarians are among the regular active and valued participants in various round tables on draft legislation the ODIHR organizes in various participating States as a part of its legislative support activities.

In addition, as members of political parties, Parliamentarians also play a role in the promotion of freedom of association and developing appreciation of multi-party democratic systems.

The ODIHR is committed, where applicable, to a methodology based on East-East consultancy and lessons-learned from the activities of field missions, in particular in South Eastern Europe. At the same time, the democratization activities, as those of other ODIHR programmes, take into account developments throughout the whole OSCE region. We will also continue our activities aimed at encouraging the participation of women in political processes – an area where you, Honorable members of the PA, have

an important role to play. We see this not just as an instrument to combat discrimination but also a means to ensure democratic stability.

Turning to the **human rights** programme, its overall goal is to contribute to effective respect for human rights and fundamental freedoms across the OSCE region, especially also by providing expertise on emerging challenges in this regard. The ODIHR will continue its systematic and thematic monitoring and will implement assistance programmes. Moreover, regular human rights training for government authorities, civil society and OSCE staff will be held. Specific priority areas for 2005 will include human rights and anti-terrorism, protecting the victims of trafficking in human beings, monitoring the right to a fair trial, the freedom of association and assembly, human rights and the armed forces, women's rights and human rights training and education.

Let me point to one particular activity which has received particular attention, namely the report of the ODIHR recently published on the events in Andijan which occurred in May of this year. Unfortunately, the ODIHR was not given access to Uzbekistan to assess the situation in situ. In fact, the Government of Uzbekistan has unfortunately not responded to any communication in this regard. However, in consultation with the Chairmanship a team of human rights experts was deployed to Kyrgyzstan, where they were able to conduct in-depth interviews with asylum-seekers from the Andijan area and were thus able to produce a preliminary report on what had occurred there. Copies of the now public report have been distributed and I hope that you will be able to look at this report.

Honourable Members of the PA,

I am sure that you have been following recent debates about the value of activities conducted by the ODIHR. This relates to the reports we have been producing through Election Observation Missions, but also regarding the general human rights work conducted by our Office, as was the case with the report on the tragic events in Andijan.

The ODIHR has thus far, often with strong support from the Parliamentary Assembly, been able to develop a world renowned election observation methodology, which has permitted us to report accurately on the major trends of each of the 150 elections observed so far.

The ODIHR methodology has moved well beyond the often simplistic, short-term and impressionistic assessments of elections and which some organizations still engage in, and follows the entire election process, including the way the political contest unfolds, the performance of the election administration, the election campaign and related civil and political rights. Our reports do not comment on the results, but assess the electoral process against OSCE commitments and standards, enshrined primarily in the 1990 Copenhagen Document on the Human Dimension, whose 15th anniversary was just celebrated a few days ago.

In the course of our missions, we continue to observe a number of trends that raise concerns. At times we have even been confronted with efforts to engage in deliberate and pre-meditated attempts to influence or falsify results. In such cases, modifying the legislative and administrative framework for elections is not sufficient to guarantee elections in line with OSCE commitments. What is needed, is genuine political commitment.

Those who wish to focus attention away from the picture, and onto the mirror we are holding up, those who are not ready to openly discuss the problems we have identified, do so at the risk of a continuing cycle of flawed, and potentially fraudulent, elections.

While our findings both in election related reports as well as on general human rights issues may not always make for easy reading for all concerned, it is our duty to be honest and realistic in our assessments.

We take very seriously any concerns conveyed to us by participating States with regard to ODIHR's activities. We at ODIHR remain ready to clarifying facts how we conduct our work and committed to ensuring transparency. We are concerned, however, about the possible motivation for some of the issues that have been raised. While the ODIHR welcomes a sincere discussion on its findings, it cannot welcome measures that only can serve as a distraction from the real issues of prompt follow-up to ODIHR's recommendations.

Such an exercise, therefore, should not squander the possibility to address the most urgent topic in the OSCE, and that is the implementation of OSCE commitments. Even today, 30 years after the Helsinki Final Act and 15 years after the Charter of Paris, we are obliged to report on cases where participating States still do not meet all their commitments.

We will continue to look to you to help us convey this important message and give it the necessary political weight – before, during, and after elections.

Allow me to take this opportunity to thank the many Parliamentarians present here today who have been working hard to ensure the implementation of Human Dimension commitments at the national and international levels. As we celebrate the 30th Anniversary of the Helsinki Final Act this year, we can all look back with pride at what has been achieved, but we must remember that it is our, and particularly your untiring efforts in upholding the commitments made then that ensure that the process does not lose its dynamism. We look forward to working with you in this common endeavour.

Thank you for your attention.