2011 HUMAN DIMENSION SEMINAR

The Role of Political Parties in the Political Process
Warsaw, 18-20 May 2011

I. Introduction

Human Dimension Seminars are organized by the OSCE/ODIHR in accordance with the decisions of the Conference on Security and Co-operation in Europe (CSCE) Summits in Helsinki (1992) and Budapest (1994). The 2011 Human Dimension Seminar will be devoted to *The Role of Political Parties in the Political Process* in accordance with PC Decisions No. 988 of 10 March 2011 and No. 994 of 31 March 2011.

In numerous CSCE and OSCE documents, the participating States have confirmed the importance of political parties for a pluralistic democracy and a lasting order of peace, security, justice and co-operation. Importantly, in the Copenhagen Document (1990), participating States committed themselves to "*pluralism with regard to political organizations*" and "*a clear separation between the State and political parties; in particular, political parties will not be merged with the State.*" (Paragraph 5.4)

In the Copenhagen Document, the participating States further committed themselves to "*respect the right of citizens to seek political or public office, individually or as representatives of political parties or organizations, without discrimination; respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities.*"(Paragraphs 7.5 and 7.6)

In the Moscow Document (1991), participating States further affirmed that "*democracy is an inherent element in the rule of law and that pluralism is important in regard to political organizations.*" In relation to women's access to public and political life, the OSCE Ministerial Council, in Athens in 2009 (Decision No. 7/09), called on participating States to promote the equal participation of women and men in political parties and to ensure more balanced participation of women and men in political and public life, especially in decision-making.

Political parties, as collective platforms for the exercise of individuals' fundamental rights to association and expression, act as "bridges" between citizens and the institutions of the state. Through the active engagement of their members and supporters, political parties develop and formulate policy positions and programmes. Likewise, through

internal processes, they act as mechanisms for the selection of candidates for election to democratic institutions. Thus, they help to ensure that the will of the people is reflected in democratic processes. At the same time, political parties provide clear means for people to exercise their right to hold those in power to account, by offering alternative policy options and the possibility of a peaceful change of government through democratic elections. Indeed, democracy derives its essential dynamism, openness and capacity for innovation from competition among political parties and candidates.

The OSCE's commitments and its past deliberations have also underlined the interaction between political parties and the political process. The Moscow Document clearly underlined that legislation must be formulated in a way that reflects "*the result of an open process reflecting the will of the people, either directly or through their elected representative.*" (Paragraph 18.1) This "open process" and its relationship with the political parties have been considered in previous Human Dimension events. For instance, at the 2004 Human Dimension Seminar on Democratic Institutions and Democratic Governance, former ODIHR Director Christian Strohal noted in his conclusions that political parties help to "*effectively articulat[e] the aspirations of significant parts of the population*" and that the "*extent to which political parties function democratically both internally and in relation to one another is critical in making democracy work.*"

This seminar on the role of political parties in the political process thus follows up on previous OSCE meetings on Electoral Processes (SHDM 2004), Democratic Institutions and Democratic Governance (HDS 2004), Strengthening Democracy through Effective Representation (SHDM 2006), Effective Representation and Participation in Democratic Societies (HDS 2007), Democratic Lawmaking (SHDM 2008), and Gender Balance and Women's Participation in Political and Public Life (SHDM 2010).

II. Aims

The 2011 Human Dimension Seminar on *The Role of Political Parties in the Political Process* will review mechanisms for ensuring the unique role of political parties in political processes, based on OSCE commitments. The seminar will review existing and new challenges to, and opportunities for, strengthening the role of political parties in the OSCE region, thereby assessing the lessons learned in over two decades of OSCE assistance to democratization processes.

The overall goal of the Seminar is to reinforce and recall the importance of political parties to the OSCE's notion of pluralistic democracy, accountability and participation in political life. Seminar participants may offer recommendations for participating States and the OSCE, in particular on such issues as political party legislation/regulation, internal party democracy, women's equal participation in political life, e-democracy, political parties in parliaments, as well as political parties and civil society.

The Seminar will focus especially on how political parties, as fundamental democratic actors, relate to citizens, resident non-citizens, other components of civil society, and state institutions such as parliament. One of the OSCE objectives, according to Article 26

of the Copenhagen Document and other commitments, is to support participating States in developing political parties and multi-party systems and to ensure that all political actors work to preserve this system regardless of which party is in power.

The Seminar will discuss relevant experiences and recommendations in four Working Groups. By means of introduction, the first Group will recall the unique standards contained in the OSCE commitments on political parties. The second Working Group will look in detail at the implementation of OSCE commitments for the equal participation of men and women in political life, through political parties and processes. The third Working Group will consider the policy challenges inherent in regulating political parties, and how regulations can be reconciled with the OSCE commitments in this field. Finally, the last Working Group will consider a new topic in the OSCE context, looking at how e-democracy tools can increase participation and representation in political parties and political processes.

This Human Dimension Seminar can be a platform for exchanging good practices among the participants regarding political parties and their role in the political process. It will build on the OSCE's innovative commitments concerning democracy and political parties. Furthermore, it will provide an opportunity to review OSCE experiences and to analyse lessons learned thus far from OSCE activities related to the role of political parties in participating States. The Seminar may also provide an opportunity for experts to discuss potential reform efforts and areas for possible future OSCE engagement.

III. Participation

Representatives of OSCE participating States, OSCE institutions and field operations, and inter-governmental and non-governmental organizations will participate in the Seminar.

The Seminar will be especially enriched by the participation of:
- Authorities responsible for drafting, regulating, overseeing, enforcing or adjudicating disputes in the field of political party legislation;
- Representatives of political parties;
- Bodies responsible for monitoring gender equality and encouraging women's participation in public and political life;
- Experts on democracy and governance support from national ministries or development agencies;
- Representatives of bodies involved in implementing e-democracy projects.

For this purpose, participating States are requested to publicize the Seminar widely and to include, wherever possible, such representatives in their delegations.

The Mediterranean Partners for Co-operation as well as other Partners for Co-operation are invited to attend and share their experiences concerning the role of political parties in the political process.

All participants are encouraged to submit in advance written interventions on their respective work and proposals regarding the subject of the Seminar, which will be distributed to delegates. Participants are also encouraged to make oral interventions during the Seminar. While prepared interventions are welcomed during the Plenary Sessions, free-flowing discussions and exchanges are encouraged during the Working Group sessions.

IV. Organization

The Seminar venue is the "Novotel Warszawa Centrum" Hotel in Warsaw, Ulica Marszałkowska 94/98.

The Seminar will open on Wednesday 18 May 2011 at 10 a.m. It will close on Friday 20 May 2011, at 6 p.m.

All plenary sessions and working group sessions will be open to all participants. The plenary and working group sessions will take place according to the Work Programme below. Four working group sessions will be held consecutively. They will focus on the following topics:

1. Political parties and the OSCE commitments

2. Equal participation of women and men in political parties

3. Regulations regarding political parties in national legislations

4. E-democracy: increasing participation and representation

The closing plenary session, scheduled for the afternoon of 20 May 2011, will focus on practical suggestions and recommendations for addressing the issues discussed during the working group sessions.

A representative of the ODIHR will chair the plenary sessions.

The Rules of Procedure of the OSCE and the modalities for OSCE meetings on human dimension issues (Permanent Council Decision No. 476) will be followed, *mutatis mutandis*, at the Seminar. Also, the guidelines for organizing OSCE meetings (Permanent Council Decision No. 762) will be taken into account.

Discussions during the Plenary and Working Group sessions will be interpreted from and into the six working languages of the OSCE.

Registration will be possible during the Seminar days from 8:00 until 16:30.

By prior arrangement with the OSCE/ODIHR, facilities may be made available for participants to hold side events at the Seminar venue. A table for display/distribution of publications by participating organizations and institutions will also be available.

WORK PROGRAMME
Working hours: 10 a.m. – 1 p.m. and 3 – 6 p.m.

	Wednesday 18 May 2011	Thursday 19 May 2011	Friday 20 May 2011
Morning	Opening plenary session	Working Group II	Working Group IV
Afternoon	Working Group I	Working Group III	Concluding plenary session

WORK PLAN

Wednesday 18 May 2011

10:00-13:00 Opening Plenary Session

Welcome and introduction from the Seminar Chair

Ambassador Janez Lenarčič
Director of the OSCE/ODIHR

Welcoming Remarks

Ms. Grażyna Maria Bernatowicz
Under-Secretary of State
Ministry of Foreign Affairs
Poland

Mr. Evaldas Ignatavicius
Deputy Minister of Foreign Affairs
Lithuania

Keynote Speaker:

Judge Alexandru Tanase
Judge of the Constitutional Court and Former Minister of Justice of Moldova,

15:00-18:00 Working Group I:
Political parties and the OSCE commitments

Moderator: **Prof. João Carlos Espada**
Chair of European Civilization, College of Europe, Warsaw, Poland
Director, Institute for Political Studies, Catholic University of Portugal

Introducer: **Dr. Aleksander Kynev**
Head of the Regional Programme, Foundation for Information Policy Development, Russia

Rapporteur: **Mr. Thomas Lenk**
Germany

OSCE participating States have undertaken commitments by which they recognize the central role that political parties play in democracy and its processes. They have specifically committed themselves to respect the rights to establish political parties and organizations,[1] seek political and public offices as representatives of political parties and organizations,[2] fair electoral competition among candidates as well as political parties, and access to the media.[3] In this regard, political parties can be seen as structures through which individuals join together and collectively exercise their recognized rights to freedom of expression, association and assembly.[4] These are specific commitments related to the establishment and activities of political parties.[5] Furthermore, the Copenhagen Document encourages practical international co-operation for the shaping of "vigorous democracy" (Paragraph 26). The OSCE has been guided by this *acquis* in its actions and programmes to support and strengthen political pluralism. The commitments have also served as an example for other actors at the global level and in the OSCE region.

The role of political parties as vehicles for participation, political debate and competition is sensitive and complex. Nevertheless, the importance of political parties to the health of political participation and democracy makes it important to assess the advances that have been made and challenges faced in the implementation of these commitments. This discussion can be the basis for recommendations and action by participating States as well as OSCE structures. Issues that can be covered in this session include:

-   Implementation: How has the implementation of the commitments on political parties been monitored and reported on? How has implementation of these commitments advanced and improved? Which commitments have been particularly challenging in their implementation? How have these challenges shaped our understanding of the commitments? Are additional commitments and guidance/advisory documents needed to help participating States tackle these challenges?

-   The political process: How can greater participation in the political process be encouraged? What is the link between multi-party systems, pluralism in institutions and processes, and the OSCE commitments? What steps can be taken to ensure that there is a clear separation between the state and political parties?

-   The OSCE, its Institutions and Field Operations: What work has been done by the OSCE to strengthen awareness and implementation of OSCE commitments on political parties and the political process? How has this work evolved? In what directions should programmatic assistance move?

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[1] Copenhagen Document (1990), Paragraph 7.6.
[2] Copenhagen Document (1990), Paragraph 7.5.
[3] Istanbul Summit Declaration (1999), Paragraph 26.
[4] Copenhagen Document (1990), Paragraphs 9.1, 9.2, and 9.3; Istanbul Summit Declaration (1999), Paragraph 26.
[5] These commitments should be considered along with the general recognition of the importance of pluralism with regard to political organizations in OSCE States. *See* Copenhagen Document (1990), Paragraph 3.

Thursday, 19 May 2011

10:00-13:00 Working Group II
Equal participation of women and men in political parties

Moderator:	**Prof. Alla Kuvatova**
	Executive Director, Association of Women's NGOs on Gender Equality and Prevention of Violence against Women, Tajikistan
Introducer:	**Ms. Maria Rauch-Kallat**
	Vice-President of the European People's Party Women's Group
	Former Federal Minister for Health and Women, Austria
Rapporteur:	**Ms. Anna Esko**
	Finland

OSCE commitments emphasize that inclusive, democratic governance requires the equal participation of men and women in political and public life. Yet across the OSCE region, women are systematically under-represented in political and public office. Furthermore, their particular needs and concerns often go unaddressed in policy platforms. As "gatekeepers" of democracy, political parties play a critical role in facilitating women's equal access to and participation in the political process.

Legislated gender quotas constitute an effective "fast-track" method for increasing the number of women in elected public office, particularly as political party candidates. However, in the absence of a holistic approach to their implementation, quotas can actually serve to marginalize women within political processes and institutions. Furthermore, it is often the internal regulatory frameworks governing political parties themselves that create direct and indirect barriers to women's effective participation. A comprehensive approach to increasing women's participation and representation should therefore include a variety of voluntary measures focused specifically on addressing internal party barriers. These may include capacity building, awareness raising of political party members, coalition-building, developing equal opportunities policies and gender equality strategies, and designing targeted interventions to create a truly equal playing field for both male and female political party members.

This session will present an opportunity to discuss the range of voluntary measures beyond legally binding quotas to increase women's participation as political party members, leaders and candidates for public office, in line with representative democratic principles. Session participants will also explore conceptual differences between women's "representation" and women's "participation" in political parties, and the consequences of these differences on women's political engagement. Drawing on good practices from participating States, the session will focus on exploring both "supply- and demand-side" factors that may incentivise political parties to prioritise women's participation as a critical component of a pluralistic political process.

15:00-18:00 Working Group III:
Regulations regarding political parties in national legislation

Moderator: **Prof. Daniel Smilov**
Programme Director, Center for Liberal Strategies, Bulgaria

Introducers: **Justice Andrzej Rzepliński**
President, Constitutional Tribunal, Poland

Mr. Sergej Muravjov
Executive Director, Transparency International, Lithuania

Rapporteur: **Mr. Hendrik Roggen**
Belgium

The role of political parties in the democratic process is well-known and established. However, in striving for the effective implementation of the OSCE commitments on political parties and pluralism, one of the key issues in implementation arises over the regulation of political parties. Legislation on political parties is still a relatively recent phenomenon, even in states with an established history of multi-party democracy. Thus, different traditions, with varying degrees of, and emphases in, regulation have emerged, without however precluding the possibility of common elements, derived from democratic principles. Regulation customarily covers such points as: party registration and territorial representation requirements, decision-making procedures on registration and appeals, sanctions, obligations and rights of membership, party funding, internal party democracy, and the supervision of political parties.

In this session, participants will look at the way in which OSCE commitments have been implemented through national, legal, and regulatory frameworks on political parties. They will look at how regulations can affect pluralism, equal representation, participation, and transparency. The session will encourage discussion on how to strike a balance between the non-interference of states in internal operations of political parties and introducing regulations that would ensure a level playing field.

Issues such as financing, registration, membership and territorial requirements have been regulated in various ways by OSCE participating States; the session will provide an opportunity to survey good practices in the regulation of these and other matters. In this regard, the Guidelines on Political Party Regulation, developed over the last two years by ODIHR together with the Venice Commission, can provide varied examples of state practice on the regulatory frameworks applied in participating States as well as offer a clear outline of the relevant human rights obligations. The Guidelines also deal with issues that can be discussed in this session, such as the role of independent candidates and their right to run for office free from political party association and the issues related to the funding of political parties, particularly receiving of public funds.

In addition, this session can feature the efforts of civil society to analyze and monitor the implementation of political party regulatory frameworks in OSCE participating States. Participants may also wish to discuss and consider the impact on political pluralism of

inadequate, unclear, or excessive regulation of political parties. In this latter context, participants may also want to consider the benefits and drawbacks of different models of political party regulation, administration, and enforcement.

Friday, 20 May 2011

10:00 – 13:00 Working Group IV
E-democracy: increasing participation and representation

Moderator:	**Mr. Simon Delakorda** Director, Institute for e-Participation, Slovenia
Introducers:	**Ms. Sheila Krumholz** Executive Director, Centre for Responsive Politics, United States
	Mr. Vladimir Churov, Chairman, Central Election Commission of the Russian Federation
	Mr. Hannes Astok Expert, e-Governance Academy, and former Member of Parliament, Estonia
Rapporteur:	**Mr. Simon Deignan** Ireland

Few areas of our societies have not been affected by the rapid emergence of new information and communication technologies. In recent years, there has been in particular a marked acceleration in the use of social, interactive, and participatory internet-based technologies that allow the average online user – and citizen – to easily generate, share, and discuss information. These innovations have also affected the mechanisms of democracy to the point where there is a growing body of practices that is collectively referred to as "e-democracy", difficult to ignore in any discussion on democratic life. Part of this "e-democracy" has been observed in the way political parties and the political process operates.

This session will look at how political parties and the political process are changing through the introduction of new information and communication technologies, creating opportunities for greater participation, representation, accountability and transparency. At the same time, participants should consider the impact that these innovations could have on the implementation of OSCE commitments, and what role the OSCE and ODIHR might have in developing an understanding of the possibilities and challenges of such new tools.

Thus, participants could consider:

- How e-democracy tools have been able to increase internal party democracy, in particular by increasing citizen input into (party) policy and manifesto development, and candidate selection;

- The impact of e-tools on political campaigning, including through tools for citizens to compare and contrast party programmes, for citizen grass-roots organizing within political campaigns
- E-tools for increasing accountability and transparency; for instance, monitoring political and campaign finance; keeping track of parliamentarians' assets, interests, activity and voting records;
- How e-tools have increased possibilities for citizen input into policy making, legislation drafting and decision making processes (e.g. through e-petitions, public commenting on draft legislation);
- The possible impact of e-tools on the participation of groups that are socioeconomically, geographically, culturally, or physically disadvantaged, and are as such often under-represented in public and political life; Whether or not e-tools are actually able to reach out to otherwise excluded groups of citizens or if they are only "engaging the already engaged";
- What lessons can be learned from projects to use e-democracy tools; what potential pitfalls should be considered; How this work has evolved, and in which direction it should go.

15:00-18:00 Closing Plenary Session

Rapporteurs' summaries from the Working Groups

Statements from Delegations

Closing Keynote Speaker

Ms. Lina Petroniene
Head of Division for Political Party and Campaign Funding Control
Central Election Commission of Lithuania

Closing Remarks

Amb. Janez Lenarčič
Director of the OSCE/ODIHR

Closing of the Seminar