

CHECK AGAINST DELIVERY!

11th Winter Meeting of the OSCE Parliamentary Assembly

Remarks by Ambassador Janez Lenarčič

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and Human Rights (ODIHR)

at the

General Committee on Democracy, Human Rights and Humanitarian Questions



Vienna, 23 February 2012

Mr. President,

Mr. Chair and Mr. Vice-Chair,

Honourable Members of the Parliamentary Assembly,

Thank you, Chair, for inviting me today to the General Committee on Democracy, Human Rights and Humanitarian Questions. It is an honor and pleasure to appear before you, as always.

I would like to offer you an update of ODIHR's key activities in the last year and as well to inform you on the upcoming events, such as presidential election in the Russian Federation to be held in ten days.

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Ladies and Gentlemen,

You are probably aware that in the area of rule of law, ODIHR completed last October the "***War Crimes Justice Project.***" It

started in May 2010 and was funded by the EU and implemented in partnership with the ICTY and the United Nations Interregional Crime and Justice Research Institute (UNICRI) as well as the OSCE FOs in the region.

Let me reiterate that a four-million EUR project was successful for two reasons:

- it provided the training and resources judiciaries and others really need to do their work in line with fair trial standards,
- and it targeted the full range of professional groups involved in war crimes trials, including judges, prosecutors, defense lawyers, investigators and witness support providers.

Therefore we have decided, in co-operation with our project partners, to continue supporting the jurisdictions of the countries to enhance their capacity to process war crimes cases in 2012.

Speaking about ODIHR's projects, there is another one that I want to draw your attention to: three-million EUR EU funded project, called "***Best Practices for Roma Integration***" that has started on 1 January 2012 and will last for 23 months. It aims at contributing to the integration of Roma and, more specifically,

improving the quality of life and access to rights of the Roma communities in the Western Balkans. ODIHR will implement the project in Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia and the Former Yugoslav Republic of Macedonia, as well as in Kosovo,¹ in close cooperation with OSCE field operations where applicable.

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Ladies and Gentlemen,

Since last time I had the honour of addressing this distinguished committee, many other important developments in the field of human rights occurred in the OSCE area. One that has been subject of particular concern to this Assembly (Belgrade Declaration) relates to the situation in Belarus. On 10 November 2011 ODIHR published a 114-page ***Report on Trial Monitoring in Belarus (March - July 2011)***. The report made recommendations on how to address identified shortcomings related to the justice system of Belarus, which ODIHR stands ready to discuss with the authorities.

¹ Mention of Kosovo here does not imply any pronouncement regarding its status.

The trials conducted in the aftermath of the 19 December 2010 presidential election in Belarus highlighted the need for a substantial reform of the country's justice system. From March to July, ODIHR has been able to observe 12 trials involving a total of 41 defendants who had been charged for their participation in a demonstration in Minsk on election night, including five presidential candidates. Our monitoring revealed a number of significant concerns in the application of fair trial standards. These concerns point to systemic shortcomings in Belarus' justice system that need to be addressed.

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Ladies and Gentlemen,

As you all remember, last Winter Meeting of the OSCE PA concluded with a special debate on the situation in the Mediterranean area. OSCE PA Special Representative on Mediterranean Affairs Alcee Hastings opened the debate by calling on the OSCE to proactively reach out to help Mediterranean countries in transition to democracy, noting the

courage of the people in the region. I am glad to inform you that ODIHR released on 26 January 2012 a report summarizing the discussions and the recommendations agreed at the ***OSCE - Mediterranean Partner Countries' Civil Society Conference***, held in Vilnius on 4-5 December 2011 ahead of the OSCE Ministerial Council. The conference was organized jointly by Lithuania which held the OSCE Chairmanship in 2011, and ODIHR.

The discussions at the conference focused on:

- electoral good practice,
- political participation,
- justice and
- legal reform in democracies in transition.

They made it clear that civil society faces similar problems and has similar hopes on both sides of the Mediterranean. The conference participants in their joint recommendations stressed that at a time of rapid change and transition in the Middle East and North Africa, the Mediterranean Partner states could benefit from greater OSCE engagement in strengthening capacities of civil society organizations, and called on the OSCE participating States to become more involved with the Partners, including

through providing expertise and training and other capacity-building activities in such areas as election observation, gender equality, work with young people and minorities.

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Ladies and Gentlemen,

I never left this forum without addressing what you all expect me to mention: election observation. I renew my gratitude to all of the numerous and dedicated election observers among you who have found time in your busy schedules to participate in election observation missions and bring your special personal experiences to them. I encourage you to continue this engagement. Jointly, we can deliver strong and credible messages to help participating States improve the implementation of commitments they all agreed to.

On a more general note, I wish to note that ODIHR's co-operation with the OSCE PA has been very good recently, in particular during the **December's Russian State Duma elections**. This good co-operation, involving also PACE, resulted in a credible and objective joint assessment.

Although elections were technically well-administered, the contest was marked by the convergence of the state and the governing party. Our observers noted as well that there was lack of independence of the election administration, the partiality of most media, and the undue interference of state authorities at different levels. There was also unequal treatment of contestants by the election administration, local authorities and service providers in favour of the governing party. Furthermore voting procedures observed were followed overall during voting, but the count was characterized by frequent procedural violations and instances of apparent manipulation, including several serious indications of ballot-box stuffing. On a positive note, I should like to highlight good co-operation with Russian authorities, in particular CEC and MFA.

These days, ODIHR is already involved in observation of upcoming **presidential election in the Russian Federation**.

Following an invitation from the Central Election Commission, OSCE/ODIHR deployed on 26 January 2012 an Election Observation Mission (EOM). The EOM consists of a 15-expert core team, headed by Ambassador Heidi Tagliavini, and is based in Moscow with 40 long-term observers deployed to 19 regions. 160 short-term observers are due to arrive on 29 February to follow election day proceedings across the country. The EOM has just published an interim report, which covers the issues of relevance in pre-election day period. For election day observation, the EOM will join efforts with a 30-member delegation of the Parliamentary Assembly of Council of Europe. In the event of a second round, OSCE/ODIHR is prepared to extend the EOM.

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Ladies and Gentlemen,

In conclusion, I shall also repeat an invitation which some of you have already taken advantage of: please do come visit ODIHR. On such a visit, you could learn much more about a wide range of our

activities. We are keen to strengthen our partnership and co-operation with you.

Thank you for your attention.