

20th HUMAN DIMENSION IMPLEMENTATION MEETING

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Warsaw



Opening remarks by

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Working Session 1: Democratic Institutions

Ladies and Gentlemen,

2016 does not only mark the 25th anniversary of ODIHR or the 20th OSCE Human Dimension Implementation Meeting. The year coincides with the 50th anniversary of the adoption by the UN General Assembly of the twin Covenants on Human Rights. It is 40 years since those Covenants' entry into force in 1976 – which was indeed the year after the adoption of the Helsinki Final Act.

These historical milestones are not just a coincidence. For this reason ODIHR welcomes the Permanent Council's timely choice to dedicate the following two Working Sessions to take stock of the International Covenants on Human Rights and their importance for the OSCE human dimension. While it is regrettable that HDIM takes place at the same time as the UNGA, these sessions will highlight how the OSCE and UN systems powerfully complement one another in their common goal of achieving sustainable and comprehensive peace and security, including human security. The OSCE hand in the UN glove is based on the same principle of universal application of rights and freedoms.

The OSCE participating States' long-standing commitments to fully respect international law and human rights standards have been tested

and strained by the extreme security challenges that have arisen in the OSCE region since the last HDIM. Heinous terrorist attacks have killed the innocent, struck fear in public opinion and shaken governments. That is precisely what they were intended to do. It is therefore of particular concern that in addressing the increasingly visible threat of terrorism, many counter-terrorism measures continue to result in undue restrictions on human rights and, as such, risk undermining their very purpose – which is to protect and maintain a democratic society.

Only by upholding the key principles of human rights, rule of law, and democratic governance can peace prevail, security be secured and prosperity preserved in the face of terrorism and other challenges. If we do not stand up for these principles today, tomorrow the terrorists will succeed in instilling change through chaos and installing populists through polls.

Ladies and Gentlemen,

As many of you know, ODIHR was originally established in 1991 as the Office for Free Elections, in order to assist participating States in their objective to conduct the genuinely democratic elections they had committed themselves to in Copenhagen the year before.

As a community committed to the respect for human rights, democracy, and the rule of law, OSCE participating States have emphasized that democratic elections are a key pillar of long-term security and stability. The key principles of democratic elections — universality, equality, transparency, secrecy of the vote, accountability, fairness and freedom.

Some 25 years later, I am proud to say that ODIHR has observed over 320 elections across 56 of the 57 OSCE participating States.

ODIHR's observation of participating States' implementation of these commitments over the past 25 years reveals a mixed picture. Positive developments have included:

- Strengthened legal frameworks that are generally accessible and aspire to respect OSCE commitments and international obligations. A number of these improvements to electoral laws are resulting from enhanced follow-up of OSCE/ODIHR recommendations;
- Greater attention to the issue of inclusion, specifically with regard to women's participation, the rights of persons with disabilities and national minorities; and

- Increased awareness of the importance of regulating campaign finance.

At the same time, several aspects continued to pose challenges.

Common weaknesses include:

- Limitations to the right to be elected that unreasonably impede specific persons or groups, including independent candidates. In some cases, candidate rights were denied due to restrictive application of registration procedures, often when verifying support signatures;
- Lack of a free campaign environment and the necessary conditions to allow parties and candidates to campaign on a level playing field. The abuse of state resources, including in favour of incumbents, causes concern, particularly when such abuse amounts to intimidation of voters; and
- Lack of confidence in the impartiality and independence of election administration bodies, including concerns about undue influence by state institutions

These and other shortcomings require further attention and improvement. In this respect, our Office has continued to step up its

efforts to assist states in following-up on the recommendations of our observation missions.

Ladies and Gentlemen,

The conduct of genuine democratic elections is not an end in itself. They are necessary but not sufficient pre-conditions for democracy. They need to be followed by efforts to further consolidate and strengthen democratic institutions, as recognised also in the Charter of Paris for a New Europe in 1990. There, the participating States reiterated their commitment to ‘build, consolidate and strengthen democracy as the only system of government of our nations’. These three steps – building, consolidating, and strengthening of democracies – reflect the crucial steps that many democratic societies throughout the OSCE area have been going through over the last 25 years.

During these years, we have witnessed a wave of transformations of various forms of democracies across the OSCE region, under the influence of historical events and political developments. As a result of these changes, the ideals of democracy and human rights are now seen as being truly inseparable from the notion of security, the protection of

fundamental freedoms of the people and their prosperity. There can be no sustainable security without respect for human rights and democratic principles – a culture of democracy is ultimately a culture of peace. No state has become less stable by implementing too many human dimension commitments.

Going back to the three steps reflected in the Charter of Paris, the first such step was to initiate a process of building democracies. Precisely in the days when the OSCE/ODIHR was established, in the spring of 1991, important parts of the OSCE region continued to undergo extraordinary political and social transformations – a process that came to be known as the third wave of democracy. In the years to come, following the spreading of civil and political liberties, elections were monitored by the OSCE/ODIHR in almost all OSCE participating States, which supported the establishment of multi-party political systems and universal parliamentary representation. The recognition of the need to uphold the rule of law became a cornerstone of emerging democracies across the OSCE region, reflecting the democratic desires of the people and their demands for accountable and transparent state institutions.

As a second step, the process of building democratic institutions was followed by their consolidation. Over these last 25 years, as a consequence of broader civil and political rights, wider political

participation and pluralism also began to define our democratic societies to a greater extent. Democracy has become increasingly multifaceted and vibrant, with active engagement through political parties and the creation of interest groups and civil society organizations. The representation of women in democratic institutions in the OSCE region has increased from 13.1% to 22.1%, on average. At the same time, young people are exploring new forms of political participation, and minority groups such as persons with disabilities are starting to make their voices heard in political discussions.

At the same time, the task of consolidating democratic gains continues to pose difficulties in numerous OSCE participating States, even today. In particular, despite having achieved remarkable progress in democratic values and standards across the OSCE region, the strengthening of democratic institutions presents serious challenges, both old and new, to all OSCE participating States. Citizens increasingly voice low levels of trust in political parties and representative institutions. In the majority of OSCE participating States, trust in national parliaments is registered at being below 25%. At the same time, many parliaments are struggling to fulfil their roles as bodies exercising oversight over the executive, due to budget constraints, lack of capacity, and an overall and increasing deterioration of the principle of the separation of powers. Voters' turn-

outs during elections demonstrate a weakening link between public representation and democratic legitimacy – especially with respect to younger generations, in some cases reporting a 15% lower vote propensity than the average population. Moreover, numerous instances of corruption undermine the accountability and transparency of our democracies, together with a shrinking space in which civil society organizations may operate freely.

However, even as we face the difficulties of this moment, we cannot lose sight of the extraordinary progresses that we all, together, have achieved. We must now strengthen the democratic heritage that we have created over the last 25 years in the OSCE region, both rich and, indeed, extremely relevant. For this reason, our first duty is to show unity and to reaffirm the values that we all share in our OSCE commitments – as stated in the 2010 Astana Commemorative Declaration, we must continue to “ensure respect for human rights, fundamental freedom, democracy, including free and fair elections, and the rule of law”.

Ladies and Gentlemen,

While genuine democratic elections are about ensuring the rights to run for or vote in an election on equal footing, genuine democratic

governance takes place between elections. Its quality can be measured by the extent to which diversity is encouraged, tolerance promoted and discrimination countered. Not least with regards to minority communities.

The participating States have made a host of commitments over the past 25 years to effectively address intolerance. This began in 1990 in Copenhagen with a commitment to protect individuals against discrimination, and bias-motivated violence. This was continually reaffirmed over the years, including explicit mandated tasks to ODIHR, sending the clear message that OSCE participating States would actively counter all forms of discrimination, including an in the areas of addressing anti-Semitism, intolerance against Muslims, Christians and other religions or beliefs and racism and xenophobia. We will all need to re-double our efforts to counter all forms of discrimination, not only for the protection of the rights and freedoms of those discriminated against but for the stability, security and prosperity of our region for us all.

Ladies and Gentlemen,

In respecting the universal application of human right, the participating States have recognised that the sheer absence of discrimination is not enough for their full enjoyment by all. They recognised this, inter alia,

with the Action Plan on Improving the Situation of Roma and Sinti in 2003.

There have been a number of promising efforts done at national level in the area of promoting Roma and Sinti integration, in particular when it comes to improving the legislative and policy framework and there has been tremendous expertise accumulated. ODIHR further recognizes the increased capacity of educated and professional Roma and Sinti leaders, including women and youth, who work at international, national or local level to promote human rights for all and close the gap between their communities and the mainstream.

This goes to prove that there is no dilemma in advocating the same rights for all and recognize when special measures are required in order to ensure the emancipation needed for the equal enjoyment of those rights. Just as tomorrow's CEOs will look back in wonder why businesses excluded 50% of the talent pool for so long, our societies can ill afford not to actively promote and embrace inclusive participation.

Ladies and Gentlemen,

In closing, I call on governments, parliaments and civil society organizations to work together in adapting to changes in society, to

renew citizens' trust in political processes, and to create political opportunities for younger generations, women and all other groups so as to make full use of their talents, energy and resources.

Further, and on a related note, let us remind ourselves that the OSCE is not only a community of values, but also a community of responsibilities, in which we are all responsible for keeping our commitments alive and preserving our democratic achievements.

On the occasion of our 25th anniversary, we at OSCE/ODIHR thus renew our commitment to assist all OSCE participating States in their efforts to build, consolidate and strengthen a vibrant democratic future that is inclusive, tolerant and participatory.

Let us continue to work together to make the democratic gains that we have achieved over the past 25 years - foundations for peace, justice and freedom - irreversible for all.