

Address by Ambassador Janez Lenarčič
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at the

**OSCE Chairmanship Expert Seminar
on Electoral Management Bodies**

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Excellencies,

Ladies and Gentlemen,

It is my pleasure to be here with you all for the next two days at this Expert Seminar and I wish to commend the Greek Chairmanship of the OSCE for having chosen a topic that is of great importance to our Institution, the ODIHR, as well as to participating States and all their citizens.

Before we start with our three working sessions, let me make an attempt to place this meeting in a wider context.

We all agree, in one form or another, that democratic governance involves a lot more than democratic elections. We also agree, in the spirit of the OSCE's Copenhagen Document, that democracy requires a vibrant civil society and interest groups to exist and prosper. Democracy further requires that the wider public is able to participate effectively in government which needs to conduct public affairs transparently and be accountable. It involves legislation to be the outcome of a serious, transparent and participatory public debate.

In the discourse on democracy promotion, I notice a distinct turn away from what has been called a "fixation" on elections, and a move towards considerations of broader notions essential for a democratic society such as participation, representation, accountability, transparency and responsiveness.

This shift in attention - from electing democratically to governing democratically - is sometimes based on the argument that "democracy is not just about elections; it is about how political systems allow citizens to participate in making decisions affecting their lives".

I agree that democracy cannot be seen in terms of the procedures and institutions connected to elections only. Democracy is a daily exercise, throughout the period between elections. No doubt, popular control over decisions and decision-makers is a key element of democratic governance.

But this does not mean that we must devote less attention to elections: the procedures involved, the institutions safeguarding the rights of voters.

I therefore welcome this expert event as a good opportunity to go 'back to the basics' with the understanding that elections are not a one-day event. As we all know, the electoral process starts well before election day and continues well beyond that day. Election Management Bodies play a crucial role in this process.

While elections are a fundamentally political event, their administration is not. On the contrary, it must be professional and impartial, devoid of politics. It is also a technical and long-term exercise that touches upon the full array of election-related commitments laid down in the 1990 Copenhagen Document.

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Ladies and gentlemen,

The Seminar today and tomorrow is an opportunity not only to look at different models of election administration in the OSCE region, share best practices, but also to scrutinise shortcomings that have been observed.

Which shortcomings have been observed in the past? Let me name a few:

- Over the years we have seen a lack of professionalism and experience of election administrators, mostly due to the absence or ineffectiveness of training of election officials. This is manifested by a distinct lack of legal expertise and capacity to adjudicate complaints in a timely manner in order to provide effective remedy to stakeholders whose rights have been violated. It also leads to a lack of capacity to monitor the implementation of the legal framework governing elections, and especially provisions related to media access and coverage of election contestants;
- Second, in many countries, we observe a lack of independence of election administrators from governmental authorities – and particularly a lack of impartiality, favouring one party or candidate over another. In a number of countries, polarised EMBs decide on important electoral matters along party lines and interests, and do not try to pursue the superior common interest.
- Third, we see a lack of accountability of election administrators who have committed fraud or violated the law, thus creating a climate of impunity.
- Fourth, a lack of transparency that has befallen election commissions in some parts of the region, characterized by electoral management bodies conducting their work largely in secrecy;
- If we take all these categories of shortcomings together, it is no wonder that in many countries voters lack confidence in the work of the election administrations.

These shortcomings may be addressed in a number of ways, utilizing different approaches, tools and methods. Some of you may have been faced with such challenges and may have found the appropriate solution to these problems. I invite you to share your experience with others.

This expert meeting should be exactly about that: sharing our challenges to collectively identify remedies. The meeting gathers election experts, judges, civil servants, and representatives of civil society that are driven by the same ultimate objective: to organize elections in accordance with OSCE commitments, and that are moved by the same desire: to share solutions, good practices and lessons learned to rise to the challenges.

Elections are administratively complex and politically sensitive; they need to be planned carefully and conducted in often short and strict timeframe. Defective planning may lead to the collapse of the process with wide ranging political consequences.

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Ladies and gentlemen,

We should be aware that elections do not solely 'belong' to governments, election managers, or candidates. Their main stakeholders are voters.

It is therefore that election administrators are faced with the formidable challenge to ensure that all stakeholders have trust in the process and, as a result, Election Management Bodies are perceived as credible institutions. The confidence of political parties and voters in the electoral process and the way in which it is administered is furthermore essential for the credibility of the government that results from it.

This meeting should be a forum of election experts for election experts. It should therefore be used to

- share know-how on complex issues such as structure and composition of electoral management bodies and ensuring the conduct of elections in line with OSCE commitments and national legislation.
- It should also examine the role of electoral management bodies in improving election legislation and practice through active follow up.

I have said in the beginning that democracy cannot be seen in terms of the procedures and institutions connected to elections only. This is true. However, we must realise that elections are the litmus test of any genuinely democratic system, a recurring moment of truth where the expertise of administrators should meet the collective desire of voters to exercise their fundamental right to elect their rulers.

Thank you for your attention.