

Address by Ambassador Christian Strohal,
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Institutions and Human Rights (ODIHR)

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Check against delivery!

Mr. President,
Mr. Chairman,
Honorable Members of the PA,
Ladies and Gentlemen,

It is again a great pleasure for me to address the Parliamentary Assembly at the Winter Session for 2008 and thank you, Chairman, for inviting me to this Committee today. I recognize Walburga Habsburg-Douglas, the new Rapporteur of this Committee - my special thanks to you for your valuable support during the recent launch of our report on the situation of Human Rights defenders in our region. I am confident that that we will enjoy an equally close cooperation with you as we have had with your predecessors. Let me also thank Madame Lizin for the wonderful cooperation we enjoyed in the context of our observation of the Armenian Presidential elections just two days ago.

This confirmed again that the OSCE PA and ODIHR are natural partners, partners in building democracy and its institutions, but also partners in monitoring implementation of commitments and in the sometimes very difficult task of pointing out shortcomings to participating States who fail to meet their commitments. Your support of our work, both individually as well as collectively through the OSCE PA is essential to ensure that our activities have political backing.

In the past year, 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 hands-on assistance activities we have made a strong effort to assist States fulfilling their commitments. Of course we must all bear in mind that the responsibility for implementing commitments lies with the States themselves, not with the OSCE or any of its Institutions.

One of the most visible activities in our partnership concerns elections. Last year alone, we fielded nine election observation missions and seven assessment missions, deploying more than 2.000 observers. In addition to the final reports produced by each mission, we have also published numerous additional needs assessment reports and interim reports, as well a

several legal reviews, in cooperation with the Council of Europe's Venice Commission. All these reports are public; they contain a wealth of findings and concrete recommendations which we hope States will use to bring their elections in line with OSCE commitments. But they also provide all others with an illustration of major trends in the region. I am glad that a number of States remain in close contact with us on implementing these recommendations, although some countries prefer to deny any shortcomings rather than working with us on improvements. We will continue to enhance our follow-up activities, and hope for your continued support in encouraging states' authorities to follow-up on our recommendations. Let me remind you of our report "Common Responsibility" which highlights the implementation challenges as well as the need for ensuring political will to follow up on our recommendations.

In 2008, we are facing a similarly busy electoral calendar. As indicated in our budget submission, which has yet to be approved by the Permanent Council, we plan for up to ten full fledged Election Observation Missions and up to eight Assessment Missions.

I want to thank the numerous 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.

We are grateful for the welcome, good cooperation and support we have received from so many countries who have hosted election missions over the past years. It was therefore all the more regretful that, for the first time in the many years we have been successfully conducting election observation, one participating State chose to place unprecedented restrictions on our observation effort, now for two consecutive elections. Unfortunately, this, in addition to practical difficulties in obtaining visa, made it impossible to conduct any long-term observation in accordance with Copenhagen commitments and our mandate "before, during and after elections".

I had been in close contact with President Lennmarker both in the run-up to the Duma elections in the Russian Federation last year, as well as over recent weeks as the Presidential elections now approach. I am grateful for this cooperation as well as for the backing we have received from many of you for this very difficult decision.

Let me at this point also like to express my sincere appreciation for the support we have received on other human dimension issues, especially in the form of the resolutions the OSCE PA continues to adopt. Let me mention in particular the resolution you passed at last years Summer Session in Kiev on Human Rights Defenders. This resolution inspired us for the report I mentioned at the beginning. We have since long been trying to highlight the difficult situation faced by the many courageous people ready to stand up for Human Rights in our region. Unfortunately, the Ministerial Council in Madrid was again unable to adopt a decision in the same spirit.

This development not only highlights the importance of your resolution – it also should reinforce our resolve to keep this issue on the table and regularly remind States of their obligations to protect and not to persecute civil society activists. Overall, the OSCE PA has since its early days been a source for new ideas and an advocate to advance the Human Dimension. Many topics on which the OSCE has become more active in recent years, whether Trafficking in Human Beings, gender issues or tolerance and non-discrimination, have their origin in discussions in the PA.

Today, as Human Rights and fundamental freedoms seem to again be put in question by some countries, your role as pioneers and advocates is more important than ever.

Another important contribution of 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 flair. The OSCE's recognition of the value of civil society organizations dates back to the Helsinki Final Act, we should not be seen as closing our doors to them at a time when an increasing number of them are facing, in some participating States, political and administrative challenges threatening their ability to continue to do their important work. Under such circumstances, open and frank contributions by Parliamentarians will be highly valued.

We will be organizing a number of such meetings this year, including our two week HDIM in Warsaw end September. Unfortunately, it seems that here too, not all participating States are able to support the Chairmanship in its genuine effort to establish a timely calendar of meetings on relevant Human Dimension topics.

Ladies and Gentlemen,

At times I envy my colleagues the High Commissioner on National Minorities or the Representative on Freedom of the Media, who can focus on a particular issue, while I must rush to cover the broad range of activities of my Institution in the little time we have available.

At the very heart of participating States' obligations are those to protect and promote **human rights**. ODIHR's support in this regard involves monitoring the implementation of compliance with commitments, as well as providing expert advice and assistance. Let me give the example of helping address the threat of terrorism in line with rule of law and human rights principles through assistance in legislative drafting and training for government officials. Yesterday we launched our newest Manual "*Countering terrorism, protecting human rights*", that provides in-depth background on the rights at stake, but constitutes, at the same time, an element in a training for judges, prosecutors and law enforcement personnel that we have been conducting in a dozen participating States so far.

Likewise, the work of our Focal Point for Human Rights Defenders and National Human Rights Institutions helps build capacity, compiling a handbook aimed at legislators and policy makers dealing with practical issues and legislation concerning freedom of association, and liaising directly with human rights defenders. We will give particular emphasis to training on how to monitor and report on issues related to the freedom of peaceful assembly.

Our Anti Trafficking programme supports co-operation between civil society and State authorities, and provides assistance to trafficked persons in accessing justice and rights. We are doing this in close cooperation with all other parts of the organization, in particular the Special Representative. In view of the increasing significance of labour exploitation in the OSCE region, especially marginalized communities such as Roma and Sinti, we will also work to increase attention to this issue.

The PA has always played a particularly strong role in promoting **gender equality** in the Organization, and I appreciate the role played by Vice-President Tingsgaard. The planning and programming of all our activities and human dimension events now include an enhanced element of gender mainstreaming. The ODIHR regularly reports comprehensively on its implementation of the Gender Action Plan. We will also continue to assist

States to implement their commitments, including protecting and promoting women's rights, combating domestic violence and to develop, implement and manage self-sustainable programmes promoting the equal participation of women in democratic processes. We will also continue to conduct workshops on UNSCR 1325 on the role of women in conflict prevention, crisis management and post-conflict rehabilitation.

Our Democratization Programme provides democratization and institution building expertise to participating States, in order to help ensure the institutional capacity as well as that of democratic processes necessary for the effective rule of law. This year, we aim to publish a reference guide on trial monitoring as well as a publication on combating and preventing torture, both of which should not only interest authorities and civil society, but also be of practical relevance to OSCE field operations. We also look forward to feed-back on the use of our Guidelines on the Freedom of Peaceful Assembly and plan to publish a Guidebook on Freedom of Association.

We are glad to see increasing demand for our legislation reviews and support across the whole human dimension spectrum, and will continue our support for democratic governance practices. We will be increasing our focus on legislative efficiency by in-depth assessment of legislative processes, to help make these processes more transparent and inclusive.

It is here where Parliaments share the responsibility for the development of policies alongside the executive. Regular constituency consultations lead to the development of policies which are geared to the citizens' needs. Adequate communication with the executive is a key element in shaping policies that better reflect citizens' interests. Legislation and its implementation are critical to the development of democracy and the rule of law. By the same token, the input civil society can make to legislation is crucial in preparing for its acceptance by society and in ensuring its implementation.

In 2008, the Office will also continue work to **combat intolerance and discrimination** and in promoting mutual respect and understanding. In line with our mandate, we will closely follow hate-motivated crimes and incidents and offer at an expert assistance from our cadre of law-

enforcement experts to respond to them. This includes work on our annual report “Hate Crimes in the OSCE Region: Incidents and Responses”.

Also in this field, we will strengthen our activities regarding education, focusing on the translation and promotion of the use of teaching materials we have developed on anti-Semitism and on Education on the Holocaust.

We will continue to offer legislative and practical assistance on freedom of religion or belief, drawing on our Panel of Experts from a majority of participating States, providing legislative as well as practical assistance

In all these activities, we are grateful for the close collaboration with the Personal Representatives of the CiO, and I am glad to recognize Professor Gert Weisskirchen here today. We now look to you, Professor, and the OSCE PA as a whole to keep alive the positive dynamics which have gathered during the Conferences of the last years on Anti-Semitism and other forms of Intolerance. There is, unfortunately, a tendency of some States to lie back and wait for the next Conference to again denounce intolerance rather than to improve instruments to combat hate crimes and violent acts driven by intolerance.

In this context, I welcome the emphasis placed by the Chairman-in Office on the situation of **Roma and Sinti**, one of the most pressing challenges our region is facing. It is high time to revisit the question of how far States have come in the implementation of the Action Plan, adopted nearly five years ago in Maastricht. This is just one example for the broad and excellent cooperation my Office enjoys with the Finnish Chairmanship.

Ladies and Gentlemen,

Reminding OSCE States of their obligations and assisting them to live up to their human dimension commitments remains at the core of the ODIHR’s mandate. Parliaments and Parliamentarians are a unique position to remind their governments of these very same commitments.

In times when the Human Dimension is increasingly under threat, and when election observation or raising legitimate human rights concerns again risks to be labeled “interference in internal affairs” we must join together in a common and effective effort to uphold the commitments and principles the OSCE stands for.

Thank you.