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2008 OSCE HUMAN DIMENSION IMPLEMENTATION MEETING

Working Session 17 Democratic Institutions

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Ladies and Gentlemen,

Democratic elections are a crucial part of any functioning democracy. The right to freely elect governments is fundamental to the democratic stability of states and the act of legitimization of those who govern by the governed. The electoral process as such should be a celebration of human rights: freedoms of peaceful assembly, association, and expression. The body of OSCE commitments in the field of democratic elections represents a particularly significant achievement in the human dimension and the work of the ODIHR on observing the implementation of these commitments is uniquely valuable.

It its latest *Nations in Transit* study of democratic developments in 28 OSCE participating States Freedom House noted improvements made in electoral processes of two participating States: Albania and Montenegro. Freedom House welcomes this improvement, especially in Albania, where electoral reform has been a challenge for years. We hope that the local elections of 2007 in Albania, which the ODIHR found as only partly meeting OSCE commitments and other international standards, represent a good departure point for future elections that will fully meet international commitments.

At the same time, Freedom House found that electoral processes in 2007 suffered setbacks in 5 OSCE participating States: Georgia, Kazakhstan, Kyrgyzstan, Russia, and Uzbekistan. We call on these States to create conditions to make the holding of genuinely democratic elections possible. This is not only a matter of technical improvements or election legislation, but also relates to improving compliance with international standards in areas already mentioned: freedoms of peaceful assembly, association, and expression.

In 2007, ODIHR sent various missions and election support teams to Albania, Belgium, Croatia, Estonia, Finland, France, Kazakhstan, Kyrgyzstan, Moldova, Poland, Serbia, Switzerland, Turkey, Turkmenistan, and Uzbekistan. This demonstrates its balanced and impressive geographical coverage which could have been even more impressive had the Russian Federation created conditions for a credible ODIHR election observation mission to be deployed to its 2007 Presidential elections.

Freedom House also welcomes the involvement of the OSCE Chairmanships in election issues. We welcome the convening of special seminar on elections by the Finnish Chairmanship earlier this year as we welcome the pledge the 2010 Kazakhstan Chairmanship to uphold the mandate of the ODIHR. We also urge Kazakhstan to also bring its election legislation in line with international standards.

Ladies and Gentlemen,

Recommendations made by international observer missions are taken seriously by the participating States. Therefore, recommendations have to be developed carefully so as to not produce unintended consequences. For example, a number of participating States followed ODIHR recommendations to abolish the “against all” option that existed in the ballots. While eliminating the need for re-elections in cases where “against all” garnered the largest percentage of votes, the implementation of this recommendation also led to the reduction of the pluralistic space in some participating States..

Democracy does not begin and end on election day. Transparent and accountable democratic institutions on the national and local levels are essential to ensure the pledge made by the OSCE Charter of Paris where participating states agreed that “Democracy is the only form of government for their nations.” In the aforementioned *Nations in Transit* study Freedom House has looked at both national and local democratic governance performance and found that on the national level democratic governance improved in the Czech Republic, Croatia, and Montenegro. However it declined in 9 states: Bosnia, Georgia, Kyrgyzstan, the former Yugoslav Republic of Macedonia, Poland, Romania, the Russian Federation, Serbia, and Slovakia. On the local level Freedom House found that democratic governance declined in 4 OSCE participating States: Belarus, Kyrgyzstan, Slovakia and Tajikistan. We urge the States where declines have been found to get familiar with our reports and to address the identified shortcomings. We also urge the OSCE to devote more time to the discussions of the functioning of democratic institutions including convening an expert seminar on this issue.