

HUMAN DIMENSION IMPLEMENTATION MEETING
22 September to 3 October 2014
Warsaw, Poland

Rapporteur's report

Monday, 22 September 2014

Working session 1: Democratic institutions, including address by the Director of the OSCE Office for Democratic Institutions and Human Rights

Rapporteur: Mr. Chad Wilton, United States Mission to the OSCE

No. of statements:

Delegations: 11

Civil Society: 18

OSCE Inst./Int'l Org: 1

Rights of Reply: 10

ODIHR Director Michael Georg Link delivered opening remarks. He stated that ODIHR encourages openness and accountability of democratic institutions. Link encouraged parliaments to engage with civil society, particularly civil society from underrepresented groups like Roma, youth, and LGBT. In discussing ODIHR's upcoming elections work, Link listed election observation missions that have been canceled this year for lack of funds, including in Georgia, Belgium, the United States, and the elections to the European Parliament. Chronic underfunding as well as two (and possibly three) unexpected and costly Ukraine election observation missions is jeopardizing the observation of late in the year elections like Romania and Uzbekistan. Link called upon participating States to second election observers and make extra-budgetary contributions to the diversification fund and the sustainability fund. Director Link praised participating States that follow up with ODIHR on election recommendations and present voluntary reports in the Human Dimension Committee.

30 interventions were delivered, including 18 by non-governmental organizations (NGOs), 11 by participating States, and one from other international organizations. In addition, ten participating States exercised their right of reply.

A discussion of democratic elections, and ODIHR's election observation work, dominated the session. Most participating states praised ODIHR and the OSCE PA for their election observation work. ODIHR was described by several participating States as exemplifying the "gold standard" for international election observation for both its methodology and the rigor to which it applies its methodology. Nearly all participating States called for the implementation of ODIHR's election recommendations. Two participating States dissented from the majority, claiming that ODIHR was "biased" and engaged in "double standards" but failed to provide

concrete examples of such bias or double standards apart from failing to observe several legally dubious referenda.

ODIHR received praise from several participating States for its election observation in “difficult environments”. Here participating States were referring to elections in which the government was hostile toward ODIHR both during the election and in the election’s aftermath. Several participating States and some organizations expressed concern regarding the difficulty of observing election elections in Ukraine, including in Crimea and the Donbas given the armed insurrection. Most thanked ODIHR for its work monitoring Ukraine’s election given the difficult environment.

An organization asked why ODIHR did not observe referenda in Scotland and Crimea. In a right of reply, the more than one participating State explained the many differences between these referenda, including the need to follow domestic law for such referenda to be constitutionally valid. Some participating States noted that entities holding referenda must be recognized by the international community before they can be observed by ODIHR.

Several participating State bemoaned the state of ODIHR’s budget and observed that a lack of resources was hampering ODIHR’s ability to carry out its mandate – including in election observation and supporting democratic values. Several participating States highlighted a trend among some states away from democratic principles and toward elections that lack a level playing field.

A few participating States described their efforts to implement ODIHR’s election related recommendations as well as their intent to invite ODIHR to observe future elections.

Some organizations decried the problem of statelessness. Other organizations spoke to a lack of free and fair elections in several participating States.

Several organizations raised concerns regarding jailed political opposition leaders and called upon ODIHR to monitor their treatment post-election.

Recommendations to OSCE participating States:

- Engage with ODIHR in the follow-up of electoral recommendations;
- Consider voluntary reporting at the Human Dimension Committee;
- Invite OSCE in a timely manner to observe elections;
- Ensure that all OSCE ‘rules’ apply to all OSCE participating States;
- Fund ODIHR so that it can carry out its mandate.

Recommendations to OSCE institutions and field operations

- Enhance co-ordination with other institutions on electoral reform;
- Focus attention to the issue of non-citizenship and issues of statelessness;
- Monitor the situation Karakalpak;
- Maintain ODIHR’s autonomy;
- Continue the successful deployment of election observation activities;
- Highlight the importance of follow-up activities to observation;
- Support election observation methodology and application;

- Note the refinement of observation methodology, in particular on new technologies;
- Request for greater ODIHR engagement/involvement on referenda;
- Pay additional attention to resolutions offered in support of political prisoners.