

HUMAN DIMENSION SEMINAR

on Strengthening the Rule of Law

12-14 May 2009

Warsaw



Closing remarks

Ambassador Janez Lenarčič

Director of the Office for Democratic Institutions and Human Rights

Ladies and Gentlemen,

Another human dimension event has come to a close. The rich discussions we had in the last three days confirm that the issues on our agenda were timely and topical, and they provide good basis for ODIHR to continue our work in the area of Rule of Law.

Our rapporteurs have already neatly summarized three days of fruitful and interesting discussions. I would only offer to pick up a **few recurring** themes – threads of conversation that ran through all the sessions in this Seminar.

The **first Working Group** reminded us that justice is attainable only when judges apply laws fairly and with integrity. They can do so only if they are **independent and impartial**. It emerged equally clearly that without independent judiciaries our democratic states simply cannot function. This point was convincingly presented to us also by our keynote speaker, Judge Robinson, the President of the ICTY, in the opening session.

We appreciated the ensuing discussion of contemporary challenges to judicial independence in the participating States.

ODIHR is making a special effort to address this issue comprehensively and find ways to better assist the States in achieving greater compliance with their commitments in this area.

The topic of **administrative law and justice** for **Working Group 2** is relatively new for our Office, but it seemed that it is of great interest. This was the only Working Group which used up all the time allocated for it. The lively discussion in this session made it clear that we can do more to deliver responsive and accountable public administration to our citizens – and that they should expect no less from any government that is based on the rule of law.

The session indicated that our Office should devote more time and energy to this area. It is noteworthy that the “spillover” discussion of administrative offences we have witnessed at our Criminal Justice Forum in Central Asia last year developed further at this Seminar. This debate reminded us that we should not lose sight of the forest beyond the trees and always bear in mind the **fundamental principles** on which our human dimension is based and the values it needs to protect.

The **third Working Group** addressed two important aspects of the administration of justice. It rightfully emphasized that **transparency** in justice administration is key to maintaining public trust in it. I am particularly grateful to the OSCE **field operations** who shared their project experiences in this area. And we also heard that execution of court decisions is essential for any administration of justice – national, as well as international – to be effective.

Finally, the **fourth Working Group** this morning reminded us that the rule of law needs to uphold fundamental human rights. Otherwise it will fail to deliver justice and risk turning into a **tool of oppression**. Participants addressed the absolute prohibition of torture and other inhuman and degrading treatment and punishment. We value the insights on effective mechanisms for the prevention and investigation of torture and ill-treatment in places of detention and will use the ideas that emerged from this Group to carry forward ODIHR's work in this field.

Distinguished participants,

It was a pleasure for us to host this Seminar and have you here in Warsaw. I would like to conclude by thanking everyone for their interest and participation. The **Chairmanship** is to be complimented on the choice of this timely topic.

My words of appreciation go to the **speakers** – keynote, introducers, moderators – for their stimulating contributions. We were very fortunate to have the benefit of their expertise.

I will also want to use this opportunity to thank the **rapporteurs** who have gone into much greater detail regarding each session than I was able to do here. As always, the Report from this Seminar will be posted on our website.

Let me finally give extra credit to the staff in ODIHR's **rule of law unit** who, under punishing timelines, worked very hard to make this event a success.

Thank you.