

Opening Statement

**by Ambassador Gérard Stoudmann, Director of the OSCE
Office for Democratic Institutions and Human Rights**

OSCE Human Dimension Implementation Meeting

17 September 2001

I would like to start with some technical issues. At this year's Implementation Meeting, we do not only have a new venue, as you can see, but also new modalities. These modalities may not be revolutionary but they aim at ensuring a better follow-up and a better link between this meeting and Ministerial Council or Summit meetings. We cannot go on holding an Implementation Meeting which is a kind of "ivory tower" or, as has been said at times the "human dimension ghetto of the OSCE". We need to link this meeting to the real life of the OSCE. Therefore the new modalities are a step in the right direction, provided, of course, there is a political will to implement them. By this I mean the political will to take into account the recommendations made and have them reflected at the next Ministerial Council. [...]

Let me go now briefly to some points of substance. I would like to go back to the issue of the tragic events in New York and Washington last week. These events should motivate us to redouble our efforts and reinforce our determination to develop democracy and respect for human rights. I would like to be a bit more specific. A number of points have been raised quite accurately in the message from the Chairman-in-Office. But how can the OSCE contribute? Of course we are not a specialized agency dealing with the problem of terrorism as such. However, I believe last week's terror attacks offer us again a very clear example of the link between the respect for fundamental freedoms, human rights and democratic values on one hand, and security on the other. This is why I believe that we should further develop our efforts in this area. This tragedy shows that there is more to do for everybody to promote the basic values we all share. This is not to say that there is a clash of civilizations and I do not want to demonize any culture or religion. We have to remember also that terrorism has been emerging from Western democracies as well, in particular in Germany and Italy in the 1970s and 1980s. So this is not my point – let there be no misunderstanding. But there is a task to eradicate these perverse and evil phenomena

and to address the issue of common values and respect for human rights. There is also a task for us dealing with human rights because what needs to be done is also to address the deepest roots of the problem. I think that developing this perception of shared values in the OSCE, and beyond of course, is a way to contribute to addressing the problem at its roots.

A second way of contributing to fighting terrorism is to address issues which are linked to human rights as well as to terrorism through organized crime. I will give you one example: trafficking in human beings. Trafficking has been on the top of our agenda since 1999 because it is a rather new and one of most flagrant human rights violations. It is a new form of slavery and it is, as such, unacceptable. But beyond this, the development of trafficking clearly indicates the increasing influence of organized crime. Trafficking is the fastest growing crime that we are witnessing and the fastest growing source of income for criminal organizations. And we need to stress here the plausible link between organized crime and terrorism. Therefore by addressing issues such as trafficking and corruption we will also address the roots of this problem.

I would now like to address a couple of the challenges and some of the results we have as we commemorate this year the 10th anniversary of the collapse of the Soviet Union and the creation of the ODIHR. The ODIHR, which was created ten years ago as a the Office for Free Elections following the adoption of the Charter of Paris, today is *the* institution within the OSCE which is dealing with assistance to democratic development and respect for human rights, with over 100 assistance projects in more than 20 OSCE countries. The ODIHR has also become *the* major European election observation body. Together with other institutions, in particular the Council of Europe, we are observing elections across the OSCE region. More than 100 elections have been observed by the ODIHR over the last ten years. This is reflected in a steady increase in professionalism and the fact that the ODIHR today is an institution which has solidly established its credibility. I hope that we will be able to continue to do so without too much bureaucratization and this will only be possible if everybody keeps in mind and respects the original idea of creating the ODIHR as an autonomous OSCE institution.

What has been achieved over the past ten years? I would like to mention a number of achievements within the OSCE area – these are not ODIHR achievements, but achievements by participating States, in particularly by those newly independent States and countries in transition which have brought some satisfaction and some motivation for us to continue our work:

- In the field of **rule of law**, which is one of our major fields of activity, we have noticed encouraging signs in a numbers of countries, particularly in the field of penitentiary systems where the ministry of interior has transferred its power to the ministry of justice and where the old structures stemming from the days of the Soviet Union have been replaced by structures which are in accordance with Council of Europe and international standards. This is not to say that the implementation is perfect at this stage but we see a number of encouraging steps in the right direction. Kazakhstan, for example, has become a leader in Central Asia in the field of prison reform and hopefully will become a model for other states. There is also a great interest in some countries in bringing their laws in compliance with international standards, and we have noted an increasing number of requests from many participating States for legal assistance, training for judges, prosecutors, defence attorneys etc.
- In the field of **freedom of movement/migration** we have noted the elimination of the *propiska* system in an increasing number of States where the old Soviet registration system has been replaced by modern registration systems such as in Armenia or Ukraine. There is still some way to go but there is a positive trend.
- A third area where we note positive developments is in the field of **gender** and gender awareness. For the first time, there is a dialogue emerging between NGOs and governments in a number of States. The ODIHR gender training programmes for ministry officials and police, for instance in Azerbaijan and also hopefully soon in other countries, provides a good example of how the ODIHR can bring added value.
- I would also like to stress that the **emergence and development of civil society** in my view is one of the lighthouses for the future. In many states where there was no tradition of independent NGOs ten years ago, NGOs exist today, and they are developing without interference into a vibrant NGO community, which is at times challenging state authorities and playing a vital role in civic development. I would mention - despite many problems - Georgia, Armenia and Kyrgyzstan as examples. Even in countries where NGOs are faced with difficulties and harassment, they do exist, with a few exceptions. It is impossible to suppress completely the emergence of civil society, as it reflects the will and the aspiration of a new and bold generation. We have to nurture and to support this. For us, this is very much on the top of the list of activities.

- **Trafficking in human beings.** There are lots of worrying developments and negative things to be said about trafficking, but one positive element is that awareness about the problem is raising. Before 1999 almost nobody was aware of trafficking, although the problem had developed over the previous ten years and had already become one of the main challenges in terms of fighting organized crime and in terms of human rights violations. Today, it is being addressed co-operatively at the governmental and NGO level in a number of countries, in particular in the Balkans, but also in Ukraine, Moldova and Belarus, where we have been able to help with establishing hotlines and NGO networks to address the issue. The issue reached increasingly the political agenda of the governments concerned because they understand that what is at stake goes well beyond prostitution and sex trade.

There is a number of challenges that remain to be met and it is clear that ten years have not been enough to develop sustainable democracies all over the OSCE area. Sustainable democracy is still distant in many countries, it is still a concept which is not understood completely, and sometimes I have a feeling not understood at all by some of our interlocutors who are still prisoners of an obsolete mentality.

There are also some worrying trends of backtracking on human rights and democracy, particularly in the field of elections. Sometimes this can be explained by concerns about security and stability. These explanations cast light on the motivation, but are nonetheless unacceptable, because, as I said, if we cannot improve the perception and implementation of human rights values common to all states, we risk alienating always more individuals from concepts such as democracy.

There are also a number of systemic problems, not only in the former Soviet republics, but across the whole OSCE area. The problem of rampant corruption is something that affects national institutions but also, to a certain extent, international organizations present in the field.

In a number of states there is a growing frustration and civic apathy. Ordinary people are fed up with seeing a small percentage of the population being well-off, driving luxury cars, while they feel they are in a much worse situation than during the days of the Soviet Union, with pensions and salaries not being paid and things going from bad to worse every year. This is not the kind of development which will convince the people of the value of a market economy and democracy,

and this explains why, in certain states, as I recently observed in Belarus, there is support for the status quo among parts of the population.

A number of challenges remain even in the fields where I have noted progress. In the field of the rule of law, for example, implementation issues remain the biggest problem. Laws are passed, new laws in accordance with international standards are adopted, but often when you go to the field you find that courts have not received the new legislation and have no clue how to implement the new rules, not to speak of law enforcement personnel.

In the field of freedom of migration and freedom of movement there is a worrying trend in a number of states where there is less freedom of movement today than five years ago. You only have to look at the mined borders hampering movement in some Central Asian states as an example. This is directly linked to terrorist threats and concerns about stability, but it is nevertheless a very worrying trend that these phenomena exist today. We are also concerned about the re-emergence of exit visas.

In the field of gender I have noted progress, but we should also see that in many countries there is far less empowerment of women today than during the Soviet era. This is particularly valid in some countries of Central Asia.

In many countries NGOs still have to fight to get registered, and, as I mentioned, elections do not meet OSCE and international standards. While the election laws have been improved over the last ten years in many countries, there still is a lack of political will to let the system play according to democratic criteria and to conduct completely free and fair elections. There often is a tendency to influence the results and to guarantee by illegal means the result that those in power wish.

Having said this, I would like to conclude that, despite the shortcomings, and because of some encouraging trends, the ODIHR's strategy should be staying the course on our assistance programmes even if this course is not always very spectacular. I believe very much in the value of offering the same kind of training and programmes year in and year out as a long-term effort influencing the development of civil society.

We also should be careful with fashion trends which regularly emerge among the international community. Some reflect new types of problems and they have to be taken very seriously. Others have other motivations. I believe very much that to have a credible strategy is to have a rather low profile but long term development programmes which go beyond the regular staff turnover and the funding cycle. We do not have to reinvent the wheel every year. We need sustainable and credible programmes. But we also have to regularly reassess the possibilities, otherwise we would fall into routine, and we have to understand that the initial euphoria which we had in the early 90s after the fall of the Wall was not realistic and that democracy is neither something built in a day nor in a decade. It requires a long-term effort and, of course, it requires funding and a political will from all sides, and this is what the conclusion should be at this stage. We will therefore continue along these lines and I hope that during these two weeks we will address in more detail the different problems which I have mentioned.