

HDIM 2012

Working Session 16: Democratic institutions (continued), including:

- Democracy at the national, regional and local levels;
- Citizenship and political rights.

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Working Session 16 was devoted to democratic institutions.

The introducer, Mr. Georgy Satarov, President of INDEM Foundation, stated that the introduction of new laws do not in itself change society. Change only comes about through evolution. Unofficial norms and practices do not necessarily change in accordance with laws; on the contrary they often distort the functioning of legal institutions. Democracy is strengthened through social change rather than legal change. Accordingly, ODIHR should reject a traditionalist approach and draft a new and comprehensive approach, involving sociologists and historians. This new approach should be based on a study of the history of the different institutions of society and how they influence democracy at all levels.

21 interventions were made after the introducer, of which 16 by non-governmental organizations. In addition, 8 participating States made use of their right of reply in response to prior interventions.

One delegation speaking on behalf of 41 participating States stressed the importance of the involvement of citizens in the democratic process and a well-informed public opinion. The delegation underlined that freedom of expression, freedom of assembly and freedom of association are prerequisites for democracy.

One non-governmental organization (NGO) and one delegation referred to the upcoming presidential elections in a participating State, pointing out the number of citizens not granted the right to vote due to their being incarcerated or living abroad. A different allocation of resources between ODIHR election observation missions was suggested to secure equal treatment of participating States.

One delegation underlined the need in a democracy for the separation of powers and a balance between the three branches of government. This was not the case in some participating States, where the executive branch monopolized power.

Several NGOs and one delegation referred to the protection of the rights of minorities without citizenship to participate in the democratic process in their country of residence. One NGO and several delegations replied that there was no international norm regarding voting rights for non-citizens and that non-citizens were encouraged to undergo a nationalization process so as to enjoy full citizen rights.

One NGO pointed to the unequal access to democratic representation from a national minority in a participating State.

One NGO reflected on the points made by the introducer and stated that the main problem for democracy was not the lack of proper legislation but the implementation thereof.

One NGO from a partnership country explained about the democratic development in his country and underlined the need for continued support from participating States in the area of democratization.

Recommendations to the participating States:

- Adopt legislation to grant the right to vote to local and regional elections for non-citizens with residence for more than 3 years;
- Ensure that immigrants with citizenship have the same rights as all citizens in the state;
- Simplify procedures for naturalization;
- Allow for multiple citizenships;
- Ensure the promotion and protection of all human rights and fundamental freedoms, including through enabling relevant national authorities, civil society and NGOs to effectively carry out their roles;
- Ensure political pluralism at all stages of the political process;
- Recognize the growing role of the Internet in democratic governance and guarantee and respect all OSCE human dimension commitments online as well as offline.

Recommendations to the OSCE, its institutions and field operations:

- Contribute more to public opinion, focusing on the role of the youth, women and new political parties;
- Assist in providing information and educational facilities for regional democratic bodies.