

DELEGATION OF THE REPUBLIC OF ARMENIA

**Statement
at the Working Session 10 *Democratic Institutions*
of the OSCE 2006 Human Dimension Implementation Meeting
Warsaw, 9 October 2006**

Mr. Moderator,

We mourn the untimely death of prominent investigative journalist Anna Politkovskaya. Our heartfelt sympathy goes to her family and people of Russia. We also grieve with our German friends about the two journalists who were recently murdered in Afghanistan.

The issues raised by the previous speakers are in many ways central, important and systemic to our Organization. It would be a pity if it were perceived as a restricted dialogue between those participating States that are casually separated and referred along the lines of the 'West -' and 'East of Vienna'.

From the very outset let us state unequivocally that whatever observations, criticism and discomfort we might have had about some observation practices, it should not be assumed that this exercise is an attempt to wiggle out of our commitments. It has never been a clever way of justifying not meeting commitments and it should not be construed as such.

The processes of elections and of its observation are somewhat related but nevertheless separate. Our concerns are both about elections and about development of a process of observation that is credible to all. We will mention some concepts to apply to observation missions but without any implication of our Organization's failure or deficiency. These are criteria and objectives to strive for, and to be judged by.

Mr. Moderator,

First, EOMs have to be transparent as applied to how they are formed. It is specifically about the composition of missions and their leadership in conjunction with the partiality issue. We all essentially should rethink making those missions the privilege and the prerogative of those participating States, who can afford secondment of observers, especially the long-term ones. A fund from which ODIHR can draw in order to make its mission sustainable in long term, available to all participating States rather than some, will improve the sense of ownership in our Organization.

Second, all such missions regardless of their scale should be consistent in their practical activities, such as reporting and follow up, as well as comparable on the basis of scale, duration, scope, ratio of observers to population and/or territory covered, etc. Everything our Organization does on this track ought to be reasonably explained and justified. If these criteria are fulfilled it would lead to the perception of our observation practices being more equitable.

The third point we would like to make is that we believe that the most crucial precondition for any reform and democratization in general is the independence of the judiciary, as the distinguished Norwegian Ambassador rightly noticed. Without it, failures, grievances and manipulations cannot be adjudicated. Our election observation activities cannot compensate for or substitute the judiciary, even when participating States are not fully capable of upholding their laws that are not deficient *per se*. We all need to have our homegrown domestic arbiters to make such ultimate binding judgments or determinations.

In conclusion, Mr. Moderator, we ought to say that difficulties in upholding this meticulous set of commitments derive from what can be defined in terms of a particular 'calculus of power', in which violations show greater gains than the risks and the troubles of a 'fair play'. To get a leadership into changing that calculus one needs nothing less than societal and institutional transformation instigated by citizens.

I thank you, Mr. Moderator.