



## United States Mission to the OSCE

### **Session 13**

### **Democratic elections and election observation: Sharing best practices (continued)**

As prepared for delivery by Gavin Weise, U.S Delegation  
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Moderator, the United States recognizes that, since our last Human Dimension Implementation Meeting, there have been numerous successful election observation missions to OSCE participating States and progress demonstrated in the administration of those elections. We welcome the first election observation mission to our newest participating State, Mongolia, in June this year and Ulaanbaatar's interest in engaging fully in the OSCE. Mongolia continues to demonstrate its commitment to further developing the principles of democracy and free and fair elections. Regrettably, elections in a number of participating States during the past year left much to be desired and did not demonstrate progress toward implementing OSCE commitments. Some upcoming elections also warrant concern and close observation to ensure free and fair processes.

Moderator, Ukraine's October 2012 parliamentary elections represented a step backward compared to its four most recent national elections. The elections were generally competitive, voters had a choice between distinct parties, and the voting was conducted without incident. Nevertheless, the election campaign was characterized by the abuse of government resources to favor ruling party candidates, the inability of some opposition leaders to participate due to politically motivated prosecutions, interference with media access, and fraud and falsification in the vote-counting process, notably in five disputed single-mandate districts. We understand new elections will be held in these five districts on December 15, 2013, and we hope they will be conducted freely and fairly.

We are also concerned by developments in the September 8th regional elections in Russia, as well as the Moscow mayoral race. In the regions, there were reports of opposition candidates and parties being denied registration. The government's use of a wide range of administrative resources, including control of mass media and politically-motivated trials of candidates, limited voters' choices in the elections.

With respect to the Bulgarian elections, there were pervasive allegations of vote-buying prior to and during the May elections. Cases of pre-election wiretapping and ballot security incidents contributed to weaken public confidence in the process. In addition, changes in 2012 to Bulgaria's civic registration process that disproportionately impact registration by Roma, as well as a legislative ban on campaigning in minority languages, undermined political participation by minorities.

With respect to the participation of persons belonging to minorities, we are also concerned by elements of the Hungarian electoral framework in which the voting rights of minority-group and non-minority group members differ. If someone has self-identified as a

national minority member for the purpose of voter registration for the so-called “minority self government” systems, then that person gets one vote for one candidate in an individual district and a second vote from the list for his or her ethnic group. If the minority group does not have a list, then the voter can vote for a party list. The choice of ballots, i.e. national minority list versus party list, is made at the time of registering, not at the time of voting which would likely have an impact on undecided voters. As the Venice Commission/ODIHR report stated, article 12(2) of the new election law “. . . limits the choice of minority voters in the proportional race on election day, especially when there is only one list competing for the vote of the respective minority.”

Given that in the upcoming 2014 elections, transborder ethnic Hungarians will vote for party lists for the first time and under a new process, we urge the Hungarian government to take extra steps to ensure the integrity, transparency, and credibility of the process. The policies governing this voting should be clear and the voting subject to the highest verification standards. In light of the complicated nature of this upcoming vote, we urge the Hungarian government to quickly issue an invitation to begin the OSCE monitoring process.

We look forward to the November 3 municipal elections in Kosovo and appreciate the integral role the OSCE is playing to help facilitate what we hope will be free, fair, and transparent elections. The United States encourages eligible voters throughout Kosovo to exercise their right to participate in the democratic process. By voting, they have the opportunity to hold their leaders accountable and ensure effective and responsive local governance.

We also look forward to the October 27 presidential election in Georgia as an opportunity for it to demonstrate its continued democratic development, and thereby advance its Euro-Atlantic aspirations. There appears to be a consensus from observers that the overall political environment is free and competitive, even more so than it was 12 months ago prior to Georgia’s parliamentary elections. Nonetheless, challenges remain, and we urge the appropriate authorities to respond in a timely manner to recent concerns, including reports of the participation of civil servants in pre-election campaigning during business hours, continued dismissals (or pressure to do so) of local officials, and reports of disruptions and/or violence at minority party campaign events. The fairness of the campaign environment – including adherence to the rule of law, media access, and transparency – will directly affect Georgia’s progress towards its Euro-Atlantic goals. We commend the government for its early invitation to the OSCE to monitor this election, and we commend the work of domestic and international monitors, whose impartial election observation efforts will be a key factor in whether the election process is assessed as democratic, both domestically and internationally.

We have seen increased arrest and intimidation of democracy activists in Azerbaijan in the run-up to the October 9 presidential election. For example, members of the youth movement NIDA (pronounced N-ee-da) have been harassed and arrested on questionable charges. Opposition REAL Movement leader Ilgar Mammadov, who had hoped to run for president, is being held in extended pre-trial detention for allegedly having instigated protests in a town that he visited the day after protests had begun. On September 20, a Baku appeals court ruled that Mammadov will not be able to compete in the presidential election because he did not collect enough signatures to register as a candidate. Mammadov has stated his supporters were not invited to attend the signature verification process and also protested the use of subjective verification measures.

On September 17, Azerbaijani authorities detained journalist and activist Parviz Hashimli and subsequently sentenced him to two months' pre-trial detention on charges of smuggling large arms and ammunition from Iran to Azerbaijan. The Institute for Reporters' Freedom and Safety considers Hashimli's detention pre-election pressure on the media and civil society. We urge a timely, transparent, and just resolution of the legal proceedings against these individuals, in accordance with Azerbaijan's international obligations and commitments. We also urge Azerbaijan to carry out free and fair elections, consistent with its international obligations and OSCE commitments.

When discussing election performance in light of OSCE commitments, the blurring or confluence of state and party activities is often cited as inconsistent with the Copenhagen commitment to keep a clear separation between the two. Since the last Human Dimension Implementation Meeting, OSCE observers have noted this as a problem in parliamentary and presidential elections in Montenegro, municipal elections in Macedonia, and parliamentary elections in Albania. Civil servants must not be coerced into attending campaign rallies, whereby their time and energies are unfairly co-opted to the detriment of the public they serve, and which leads to a breakdown in trust of government institutions.

Finally, we are concerned that potential opposition candidates for the November presidential elections in Tajikistan are being targeted for judicial proceedings in an effort to prevent them from running. Former Minister of Industry and popular businessman Zayd Saidov was arrested on May 19 for corruption and polygamy, soon after establishing a new political party. His new party had held a press conference just days before complaining that Saidov and some of his supporters were warned to stay out of politics. Since his arrest, numerous media reports, emails, and fliers have been distributed accusing him of past improprieties and alleged links to Islamist extremists. Under Tajik law, a person cannot run for office if there are criminal charges pending against him or her. In August, the Chairman of the Social Democratic Party of Tajikistan, Rahmatillo Zoirov, was taken in for questioning concerning statements he made to the press concerning last year's military operation in Khorugh.

These are just a few examples that demonstrate the importance of OSCE election observation. As we said earlier today, we encourage all participating States to issue early invitations to ODIHR Election Observation Missions, to provide them with all necessary access and support, and to work to address issues raised in the mission reports.

Thank you.