



Organisation for Security and Cooperation in Europe

OSCE Centre in Almaty

<http://www.osce.org/almaty>

Workshop and Conference

“Combating Corruption in Courts of Justice as a Guarantee of Public Trust in Judicial Authority”

Almaty, 26 May 2003

Opening Address of

Acting Head of the OSCE Centre in Almaty

Mr. Armands Pupols

Dear Ladies and Gentlemen,

First of all, I would like to thank the Supreme Court for the invitation to participate in this Workshop as co-organisers. It is a great honour for us and we are happy to have assisted in its organization and holding

For the OSCE, the fight against corruption is one of major tasks, as the level of corruption in a state directly affects its level of security.

As you may know, the main characteristic of the OSCE is our specific understanding of security. In our understanding it is not only military security, but also economic, environmental and, in particular, what distinguishes this organization even more, respect for human rights and the rule of law. These are what are called “OSCE’s three dimensions of security”. Why do we approach security in this way and not in some other way? We do so, because a state cannot be sustainable, if a considerable number of its citizens are not involved in its governing, feel alienated from the society, and their rights are not respected.

Combating corruption in any governmental activity and in courts of justice in particular, is a serious challenge for any state. High level of corruption leads to tension, estrangement, and lack of citizens’ trust in the state, which undermines security of the state.

A number of OSCE documents explain how corruption relates to security, economy, and the rule of law. In this connection, I would like to cite one of the documents. The Charter for European Security adopted by the OSCE participating States in Istanbul in 1999 states that participating States “reaffirm their commitment to the rule of law”. Moreover, it underlines that “corruption poses a great threat to the OSCE’s shared values. It generates instability and reaches into many aspects of the security, economic and human dimensions”.

In this respect, as the Charter states, the OSCE participating states pledge “to strengthen their efforts to combat corruption and the conditions that foster it, and to promote a positive framework for good government practices and public integrity. They will make better use of existing international instruments and assist each other in their fight against corruption”.

These programmatic commitments served for the OSCE as the main basis for subsequent actions, which represent comprehensive approach applied by the OSCE to ensure security.

OSCE does not have ready solutions, which states must use in order to build a society, in which corruption is rooted up and the rule of law is unconditionally recognized. We can only offer international experience accumulated by other states on this path.

As for combating corruption in judicial sphere, the experience of other states has demonstrated that a transparent and objective system of allocation of court cases and open access of the society and professional community of lawyers to court decisions can become one of many guarantees of unbiased administration of justice. Of course, these technologies cannot entirely exterminate corruption, but they certainly contribute to creating more transparent and open judicial system, which increases trust of the society in it.

We are pleased to note not only readiness of the judicial system of the Republic of Kazakhstan to study the experience, but also concrete steps, which have already been taken in this direction in Kazakhstan. One of such undertakings, which is to become an essential barrier against corruption, is the introduction of automatic allocation of cases in Kazakhstan's courts, as well as the creation of an open unified database of judicial decisions. We know that from a technical standpoint the implementation of this project is quite a complex process. We hope, however, that thanks to the efforts being made by the judicial authority in the Republic of Kazakhstan, such useful innovations will soon be introduced in all courts of justice in Kazakhstan.

It has been well said that the OSCE is a community of values. The key principle of this community is the rule of law. Closely related to this is fighting against corruption which is impossible without an independent judicial system. In its turn, strong and efficient judicial authority enjoying citizens' trust is the most successful way towards the development and prosperity of the state.

Thank you.

I wish you every success in your endeavours!