

**Session 1: Democratic Institutions (Democratic Elections)**  
**Introductory Remarks**  
**Gerald Mitchell-Head of OSCE/ODIHR Election Department**

Since last year's HDIM, the ODIHR has deployed observation and assessment missions to the following participating States: Albania, Belarus, Bulgaria, Moldova, Kyrgyzstan, the former Yugoslav Republic of Macedonia, Romania, Tajikistan, Ukraine, the United Kingdom, the United States and Uzbekistan.

A fundamental tenet of election observation is the requirement for transparent and regular public reporting. As always, ODIHR reports, including Needs Assessment Reports, pre-election Interim Reports, Preliminary Post-Election Statements, Interim Recommendation Reports - as relevant - and Final Reports, are posted on the ODIHR website.

We currently have a mission deployed in Azerbaijan in connection with the upcoming 6 November parliamentary elections. Last week we undertook a Needs Assessment Mission to Kazakhstan in the context of the presidential election now scheduled for 4 December, and we will be issuing our subsequent report in the coming days.

In response to PC Decision 686 we have deployed, in cooperation with the Secretariat, an Election Support Team to Afghanistan in the context of yesterday's parliamentary elections. As specified in the PC decision, and like in 2004, this is not an observation mission culminating in the assessment of the election process in line with OSCE commitments or other international standards, but is a technical mission intended to provide a set of recommendations to the Afghan authorities upon the completion of the election process.

In the context of out-of-region activities, I would also like to note that the ODIHR, in cooperation with the Secretariat, conducted a Training Needs Assessment Team visit to the Palestinian Territories in January, during the Palestinian Authority presidential election. In addition, we received a visiting delegation from the African Union in July, which expressed an interest to learn more about the ODIHR experience in the field of election observation, in the context of the AU's intention to establish a Democracy

and Electoral Assistance Unit. We are pleased to share our experience and will maintain this dialogue.

The first Supplementary Human Dimension Meeting of the year was entitled “Challenges of Election Technologies and Procedures”. At this time, the ODIHR also released the updated and expanded fifth edition of its Election Observation Handbook, originally published in 1996, which reflects accumulated experience over the past several years.

As a result of the 2005 SHDM, the Chairman-in-Office requested the ODIHR to pursue three follow-up initiatives, including:

1) To convene an expert meeting to consider the need, if necessary, for developing additional commitments to supplement the existing ones. To this end, a meeting was held in Warsaw during 6-7 September. An expert group was reconvened, which met prior to the July 2004 SHDM, and which contributed to the Discussion Paper issued at that time. The meeting focused on the principles of transparency, accountability and public confidence, in line with the views expressed during both the 2004 and 2005 SHDMs. The ODIHR is presently distilling the results of the meeting into a set of Explanatory Notes, outlining the rationalization for advising on any additional commitments to supplement the existing ones. These will be forwarded to the Chairmanship within the timeframe requested, and subsequently, we expect there will be an opportunity to brief delegations on the Explanatory Notes.

While on this topic, I would like to emphasize this so-called “Copenhagen Plus” discussion is not new to the OSCE. “Copenhagen Plus” has effectively been an ongoing process, represented by a series of Declarations and Decisions undertaken by participating States since the 1990 Copenhagen Conference. Also, the recent expert meeting served to underscore the fact that OSCE election commitments are not limited to paragraphs 6-8 of the Copenhagen Document, as essential commitments on human rights and fundamental freedoms, necessary to a meaningful democratic election process, are contained throughout the Copenhagen Document.

2) Secondly, the ODIHR is presently reviewing possibilities for convening a meeting on election observation and assessment methodologies. This meeting would be organized by the ODIHR, and participants would include

technical experts from participating States, and relevant inter-governmental and non-governmental organizations. This would provide an opportunity for organizations engaged in election observation to explain in-depth their respective methodologies and discuss issues of common interest. This meeting is now being considered for the second half of November. However, since this meeting was not envisaged in the 2005 budget, funds will have to be secured in order for concrete planning to proceed. Cost estimates will be provided shortly.

3) Thirdly, the ODIHR extra-budgetary project on Observation of New Voting Technologies has now been funded for the initial phase. The ODIHR will call a meeting of election administration and other technical experts to discuss the relevant issues related to the observation of electronic voting by early 2006.

I would like to emphasize that the ODIHR participates in an ongoing dialogue of shared experience with other international governmental and non-governmental organizations. During the past two years, ODIHR has participated in several meetings of the leading governmental and non-governmental organizations active in the field of election observation, including one such meeting hosted by the European Commission, which is leading towards a UN sponsored Declaration of Principles for Election Observation. In addition, the ODIHR gave a briefing of its election observation methodology to visitors from the Commonwealth of Independent States Secretariat in 2004, and ODIHR representatives received a reciprocal briefing during a visit to the CIS Secretariat in June of this year, in an attempt to learn more about CIS observation activities, and indeed how the CIS actually arrives at its conclusions on an electoral process. The ODIHR also continues a professional dialogue with the Association of Central and East European Election Officials.

Furthermore, in relation to domestic non-partisan election observation, the ODIHR has had the opportunity to host a meeting this past weekend to provide domestic observer organizations with the possibility to come together and share their experiences. While international and domestic observation are distinct but complimentary activities, shared experience can be relevant to both of these respective undertakings. The ODIHR expresses its concern over instances where barriers have been erected, including through legislation, which impose limits or restrictions on this important

activity, and which in consequence decreases the transparency of an election process.

Overall, the ODIHR can note general improvements in the conduct of elections in the OSCE region in a number of participating States. However, in others concerns remain, including: limitation of competition of parties and candidates, misuse of state administrative resources; pressure applied by the authorities to vote in a specific manner; media bias; election administration bodies whose composition is not sufficiently inclusive; lack of sufficient voter registration guidelines and safeguards to prevent abuse; lack of transparency and accountability during the vote count and tabulation; inadequate complaints and appeals procedures; and lack of sufficient will to rectify identified shortcomings.

As previously, the ODIHR will continue to develop its follow-up efforts in order to assist States in implementing their commitments, including the commitment “to follow-up promptly the ODIHR’s election assessment and recommendations.” However, effective follow-up also requires effective cooperation from participating States, including a clear statement of intent to follow-up, and preferably a specific invitation for a follow-up dialogue to ODIHR reports. Such precedents have recently been demonstrated by the following participating States: Albania, Kazakhstan, the former Yugoslav Republic of Macedonia, the United States of America, and Ukraine.

One key element of ODIHR’s ongoing follow-up assistance activities, provided to participating States upon request, are the legislative reviews that it conducts, often in cooperation with the Council of Europe’s Venice Commission. Since the last HDIM, the ODIHR has undertaken legal reviews in the following OSCE participating States: Albania, Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, the former Yugoslav Republic of Macedonia, Moldova, Serbia and Montenegro, Ukraine, and Uzbekistan. We are ready to further expand this support so that difficulties identified in observation missions might be overcome. However, modifying the legislative and administrative framework for elections is alone not sufficient to guarantee elections in line with OSCE commitments. The conduct of democratic elections can only be established and maintained through a genuine political commitment.

As always, we thank participating States for their support, and look forward to discussing election-related issues of interest with delegations. We

appreciate any constructive dialogue which could improve our work, and continue to respond positively to suggestions that could enhance our activities. For example, we continue to diversify the geographic composition of election observation missions through the voluntary fund for the diversification of election observation missions. I would also like to note the ODIHR roster of election experts, whereby national experts can register their information with ODIHR online. Ultimately, however, the diversification of observation missions can be most efficiently addressed by participating States, by responding positively to the ODIHR's regular requests for seconded long and short term observers.