

# Remarks by Michael Georg Link

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## Report to the OSCE Permanent Council

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Check against delivery!

Excellencies,

Ladies and Gentlemen,

Only a few months from now we will all be celebrating the 40<sup>th</sup> anniversary of the Helsinki Final Act. Anniversaries like these are always times for remembrance, and also for reflection.

Looking back, we in the OSCE can be proud of what has been achieved. Certainly, none of the participants in the first Conference on Security and Co-operation in Europe would have dared to anticipate how it has developed over the last 40 years. Today, the OSCE remains the world's largest regional security organization, and it is more relevant than ever before.

As you all know, the core of our founding document, the Helsinki Final Act, is the Declaration on Principles Guiding Relations between Participating States, which is sometimes referred to as the Decalogue. If we take the time to look back and examine these "Ten Commandments", we will very soon realize what the dilemma for the OSCE is today.

On the 40<sup>th</sup> anniversary of OSCE's coming into existence, we are proud to celebrate our newly won relevance. But this relevance has come at the cost of a breach of almost every single one of these "commandments":

Whether it is the "Peaceful settlement of disputes", the principle to "Refrain from the threat or use of force", the guarantee of the "Territorial integrity of States" and the "Inviolability of frontiers" or, last but not least, the "Respect for human rights and fundamental freedoms". All of these principles have been violated over the last 12 months.

Ladies and Gentlemen,

We all agree that we are currently facing the most serious security crisis in the OSCE region since the end of the Cold War.

In this context, we hear a lot of discussion involving arguments relating to trust, order, stability or the necessity of a balance of power. But we rarely hear about human rights and fundamental freedoms, democratic governance or the rule of law.

With the crisis, it appears to be fashionable again to reduce security to the first, the political-military dimension. The argument made, simplistically put, is that in a situation where our relationships are complicated enough, we shouldn't

overload them with thorny matters such as freedom of association, freedom of assembly, truly democratic elections, fair and impartial trials, or democratic accountability, and that we should focus on trust, stability and order instead.

Ladies and Gentlemen,

Let me state this as clearly as possible: We cannot afford to succumb to this flawed logic. By reducing security to the first dimension, by taking human rights out of the equation, we will commit two mistakes at the same time: One, we will achieve what human rights violators want in the first place: to not be bothered anymore with the commitments they have made. Two, we will improve neither our security nor our stability. For we should never forget that a political system can only be truly stable when it is properly legitimized, and when its citizens can develop their full potential because their rights and freedoms are guaranteed and protected by the institutions of the state.

Under no circumstances can security be reduced to mere confidence and security-building measures, or to a dialogue of de-escalation in the military field, as important as that, certainly, will always be.

Only if we link the maintenance of peace to the respect for human rights and fundamental freedoms, and link economic and environmental co-operation with peaceful inter-state relations, can we achieve the concept of comprehensive, co-operative, equal and indivisible security, as it was initiated by the Helsinki Final Act and the Charter of Paris, and as it has been confirmed time and again, at the Astana Summit in 2010 and elsewhere.

With the inherent dignity of the individual at the very core of the concept of comprehensive security, human rights and fundamental freedoms are matters of direct and legitimate concern to all participating States, and do not exclusively belong to the internal affairs of the State concerned.

In short: The OSCE's comprehensive concept of security is like a roof standing on three stable pillars. If we neglect any one of these three pillars, the entire construction will collapse, leaving us all standing in the rain.

I am convinced that, in order to overcome the current security crisis, we can in no way allow ourselves to forget the fragile balance between all three dimensions of the OSCE, between all three pillars holding our common roof in place.

Ladies and Gentlemen,

In the last 12 months, we at ODIHR have been busy working on the pillar that you, the participating States, have tasked us to maintain: the Human Dimension of Security.

Allow me to highlight only a few of the truly impressive number of projects that ODIHR's experts have completed in the last 12 months, in addition to my last detailed reports in the Permanent Council in October 2014 and in the Human Dimension Committee in December 2014.

Let me mention these examples department by department:

1.

In the area of **Democratization**, we have concluded our Trial Monitoring Activity in Georgia, where we analyzed the compliance of the monitored cases with international fair trial standards and included specific recommendations on a number of fair trial rights. The recommendations are substantial, and critical. We appreciate the invitation of the Government of Georgia to ODIHR to conduct this important trial monitoring.

Another example from our Democratization department: Only last week, we presented the Guidelines on Freedom of Association, together with the Venice Commission, on the sidelines of the Human Rights Council in Geneva. These are the latest in a series of guidelines issued in key human rights areas to serve as globally recognized reference guides for the interpretation of international human rights standards.

2.

In the area of **Human Rights**, we launched the Human Rights Defenders Guidelines last year, and have since been very busy in bringing these to the greatest public attention possible. Also important in the last year have been our activities, along with the FSC, to promote and safeguard the human rights of citizens serving in armed forces. And we have finally finished the collection of data, including during on-site visits, in preparation of our report on the detention facility at Guantanamo Bay, which we are currently drafting and finalizing. We hope to be able to publish it in the first half of this year.

3.

In the field of **Elections**, we conducted 14 needs assessment missions and deployed another 14 election-related activities, including two extremely challenging missions in Ukraine and one in Afghanistan, and have published some 60 reports covering these activities. We have furthermore re-doubled our

efforts in ensuring that our co-operation with the OSCE Parliamentary Assembly and the other Parliamentary Assemblies runs as professionally and efficiently as possible, which is illustrated, for example, in the fact that we now deliver our draft statement to them much earlier, or in the fact that we make an effort to choose personalities as Heads of our Election Observation Missions who have themselves served in parliament, thus giving them the necessary experience to maintain excellent relations with the parliamentary observers. In order to guarantee a balanced approach and maintain a 360-degree view, we have furthermore strived to send a Needs Assessment Mission to every country holding elections. In 2015, we will be able to do so.

4.

On our Contact Point for Roma and Sinti Issues, **CPRSI**: We continue to assess and analyze the situation of Roma in crisis situations and remain highly active in enhancing the political participation of Roma and Sinti communities throughout the OSCE region. Across the entire OSCE region, we have increased our activities in promoting Roma Women step by step. Whereas work related to gender remains high on ODIHR's agenda in general, special attention needs to be given to the problem of inclusion of Roma Women.

5.

Likewise, our activities in the area of **Tolerance and Non-Discrimination** are highly important, with the High-Level Commemorative Event that we organized together with the Swiss CiO and the German Federal Foreign Office to mark the 10<sup>th</sup> anniversary of the OSCE's Berlin declaration on Anti-Semitism being an outstanding example. We are very glad that this event led to the "Declaration on Enhancing efforts to combat Anti-Semitism", adopted at the Basel Ministerial Council. We have all seen how important, how timely and how relevant this declaration is, especially when confronted with the brutal terrorist attacks recently in Brussels, Paris and Copenhagen.

In another important step, we launched our Hate Crime Reporting Website, providing a more interactive and easily accessible way of presenting data on hate crimes. We also continued to expand the Training Against Hate Crimes for Law Enforcement (TAHCLE) programme.

Furthermore, in 2014 ODIHR increased its support for the three Personal Representatives of the Chairman in Office for TND, Mr. Avtonomov, Rabbi Baker and Mr. Küçükcan. We also continue to increase our efforts in the area of fighting intolerance against Muslims and Christians.

Ladies and Gentlemen,

These are only a few highlights from the countless activities we conducted in the last year. Apart from these long-term projects, I remain convinced that we at ODIHR must be able to swiftly react to the most pressing issues that dominate discussions among participating States here in the Permanent Council. In this light, I can assure you that the conflict in and around Ukraine remains at the center of our attention.

First of all, we stand ready to observe the local elections in the Donetsk and Luhansk regions. If the Minsk Implementation Package is to be fully realized and Eastern Ukraine is to find peace and stability, there has to be confidence in the results of these elections. Let me assure you that we are ready to play our role by providing the impartial and professional observation we are known for.

Second, we are convinced that Crimea must remain high on the OSCE's agenda. We are deeply disturbed by reports about the human rights situation there and stand ready to monitor it in continuation of the Human Rights Assessment Mission we conducted jointly with the HCNM in Ukraine in March 2014. But for this to be possible, full and unimpeded access is needed for our experts.

Third, two representatives of ODIHR attended a court-hearing on the case of Nadiya Savchenko in Moscow on 25 February. ODIHR believes it is necessary to make this a more systematic exercise, and we therefore requested an official invitation and full support from the Russian authorities. We strongly welcome the activities and the support of the Commissioner for Human Rights of the Russian Federation, Ella Pamfilova, in the Savchenko Case.

And finally, we are currently rolling out a large project on "strengthening dialogue among civil society and with key government stakeholders" in Ukraine, aimed at enhancing the important role civil society can play in the environment of transition and change, and particularly at the regional and local levels. We continue to work, in close co-operation with the Government of Ukraine, on our project on promoting security for religious or belief communities in all of Ukraine, and we continue our efforts to ameliorate the situation of the Roma community in the country.

Ladies and Gentlemen,

The participating States you represent have every right to expect that your financial contributions to OSCE are used in the best and most effective way possible. An important priority of our work over the last 12 months has thus

been to increase our efficiency by improving our co-ordination with other international actors. We remain committed to very close co-operation with the Council of Europe, with whom we are currently negotiating a co-operation agreement. This agreement would be complementary to the already excellent co-operation with the Venice Commission and PACE. Let me use this opportunity to thank Belgian Foreign Minister and current Chairman of the Committee of Ministers of the Council of Europe, Didier Reynders, for his support and leadership to our efforts to further deepen the relationship between the institutions.

We are also determined to intensify co-operation and co-ordination with other actors and institutions, such as the UN High Commissioner for Human Rights (with whom my predecessor concluded an important co-operation agreement in June 2014), the UN Human Rights Council, the UN High Commissioner for Refugees (with whom I just finalized a very important memorandum on our co-operation), the increasingly important European External Action Service, and many more.

Ladies and Gentlemen,

I am convinced that we should not only step up our efforts to be as efficient as possible in our co-operation with external actors, but that we should also do more in order to interconnect the three dimensions of the OSCE's comprehensive approach to security. The Human Dimension needs to be more operationally relevant for the political-military and the economic-environmental dimensions. Furthermore, the work in the Human Dimension should be more structured, more geographically balanced and innovative in order to better fulfil one of its most important tasks, which is to identify new issues for concrete political action.

This can only be done if we have a systematic overview of the state of implementation of participating States' commitments.

I would thus like to propose to you, the participating States, that we intensify our work in assisting you in the implementation of the commitments. In 2005, ODIHR was tasked to do an overview of the commitments and their implementation. Today, we are in 2015.

We at ODIHR would therefore like to encourage the participating States, exactly ten years after that last overview of the state of play of implementation of the commitments in 2005, to commission another comprehensive overview of the

implementation of commitments, and to support and develop new measures to increase the effectiveness of implementation.

I realize that this may appear like a bold proposal given the crisis mode in which our discussions have taken place over the last 12 months. But I do believe that this is the time to be bold.

Coming to a close, let me summarize as follows: Our common security is our common roof, protecting us from bad weather. And only if we continue to cooperate in fixing and improving this roof, and if we make an effort to enforce all three pillars on which this roof rests, only then will we be able keep out of the rain.

Thank you very much for your attention.