

OSCE HUMAN DIMENSION IMPLEMENTATION MEETING 2006

EU statement for the working session 10: Democratic institutions

9 October, Warsaw

Mr Chairman

I would like to begin by reading out the EU Presidency Statement issued on 8 October 2006 on the tragic death of the Russian journalist Ms Anna Politkovskaya.

“The Presidency of the European Union has learned with deep regret about the killing in Moscow of Anna Politkovskaya, well-known journalist and defender of freedom of expression in Russia. The Presidency calls for a thorough investigation of this heinous crime and the bringing of its perpetrators to justice.

On behalf of the European Union, the Presidency expresses its deepest sympathy to the family and friends of Anna Politkovskaya.”

Far away from being a self-evident, self-executing form of government, a democratic system can take many forms. If we take the OSCE region, it comprises at the same time some of the world’s oldest as well as youngest democracies. They are however united through the commitments and principles they all agreed on. The 1990 Copenhagen Document was a landmark agreement in which all participating States undertook a political obligation to abide by fundamental democratic principles, including a set of specific election-related commitments for democratic elections.

We all know that democracy must be built, first and foremost, on the respect for the human rights. However no real and sustainable progress can be achieved towards effective democratic governance without the conduct of democratic elections. Such commitments are not just signed pieces of paper. They represent a shared binding responsibility to implement them. The EU therefore urges all participating States to reaffirm, and to demonstrate, that democratic elections are a living OSCE fundamental value. In the context of strengthening the effectiveness of the OSCE, if we want our organization to serve a true goal of security and cooperation which implies a consensus interpretation of problems of equal importance to all participants, we need to ensure that such commitments and principles are upheld. The EU therefore urges all participating states to support ODIHR’s work as tasked by Ministers.

The Participating States have made commitments to conduct democratic elections. OSCE/ODIHR assists them to fulfil those commitments by making recommendations contained in its final reports on election observation. The EU proposes to enhance the follow-up of ODIHR’s recommendations. To that extent, the EU recommends that the Permanent Council take a more active role in monitoring the implementation of election related commitments. In this context, the EU would also welcome the readiness of the ODIHR to begin introducing reports on how participating States are implementing

ODIHR recommendations, in line with a suggestion by the Group of Eminent Persons in their report on strengthening the effectiveness of the OSCE.

Conscious that an important part of the above mentioned shared responsibility lies in monitoring each others' implementation, in particular through election observation, the EU fully supports the OSCE/ODIHR in fulfilling its mandate for election observation and for fostering implementation of OSCE election commitments. It is the duty of the OSCE/ODIHR to provide objective assessments of participating State's compliance with OSCE commitments. The successful OSCE formula for election observation stems from the autonomy of the OSCE/ODIHR, both in relation to the participating States and other institutions, in order to deliver a sensitive mandate in an impartial, professional and expert manner, free from political interests, including bilateral ones.

The EU welcomes the comprehensive and in-depth election observation methodology developed by the OSCE/ODIHR in the last decade as outlined in the Election Observation Handbook, and recognizes the leading role that the OSCE/ODIHR has played in election observation, whose methodology has been embraced by other organizations involved in election observation. The observation reports produced by the ODIHR have enabled many OSCE participating States to make substantial progress towards meeting electionrelated commitments. In others, substantial shortcomings have been identified, and recommendations offered for consideration by the respective authorities with a view to address them.

The EU welcomes the cooperation between the ODIHR and the respective parliamentary bodies engaged in election observation, including the European Parliament, and their support to the ODIHR in the delivery of its mandate. The work of the OSCE and the Council of Europe Parliamentary Assemblies in election observation is also to be commended.

The EU would like to recall that possibilities to further advance democratic governance throughout the OSCE region will greatly benefit from a constructive approach toward ODIHR recommendations. The EU therefore urges all participating States to fully implement ODIHR recommendations, the considered result of the comprehensive and long-term ODIHR election observation methodology, as well as to reassert their political will to invite OSCE/ODIHR to conduct follow up visits.

While the EU is pleased to note that the trend in the secondment of observers from a broader range of OSCE participating States has generally been positive, the EU would like to reiterate that this is a collective effort of participating States delivered through the OSCE/ODIHR mandate. The EU recognizes the positive effect of the Fund for Participation of Election Experts from Developing Democracies (Diversification Fund) in OSCE/ODIHR Election Observation Missions, and encourages participating States to contribute further to the Fund.

The EU remains concerned about the persistence of attempts in some participating States to limit competition and marginalize voter choices, for instance in Belarus, Kazakhstan, Uzbekistan, Turkmenistan and Tadzhikistan. Trends to limit competition result in lessened voter confidence due to insufficient transparency and accountability, including during the vote count, the tabulation of the vote and the announcement of results.

Participating States have an immediate opportunity to address such trends, not only in the delivery of their election processes in line with existing OSCE commitments, but also through advancing the discussion on additional commitments to supplement the existing ones if need be.

The EU highlights the need to further address the challenge of new voting technologies, a subject that has been covered by previous OSCE meetings on elections. We welcome ODIHR's Explanatory Note of October 2005, which indicated possible future work on this issue.

At the request of the Permanent Council, the ODIHR has already provided participating States with its concrete views on how commitments could be strengthened with regard to principles of accountability, transparency and public confidence. As the ODIHR is accountable to all participating States, it is important that all stakeholders be aware, in a timely manner, of the activities and findings of its election observation activities. The EU commends the ODIHR on its transparent and timely reporting, including needs assessment mission reports, interim pre-election reports, preliminary post-election statements and final reports, as well as its regular reviews of election legislation, and its assistance to participating States in meeting their commitments.

Democratization

The EU is aware of the importance of working in a non-partisan way with political parties not only during election periods but especially between elections on their democratic institutional development. In this regard, the EU welcomes the role of the ODIHR's Democratization Department in assisting the consolidation of democracy in OSCE participating States.

The EU shares the OSCE approach which presumes that democracy must spring from within a society to be successful and to promote conditions of long-term peace and stability. The respect for the human rights which are universal plays a crucial role in this context. The EU recognizes that sustainable and effective democratic practices in the OSCE region can only be achieved if they are home-grown, well thought-through locally and aim to develop gradual familiarisation with human rights and democratic concepts and their meanings in a local context. To this extent, the EU underlines the importance of strengthening democratic governance at all levels, especially with regard to local government. In this regard, the EU applauds the ODIHR's initiatives into the field of strengthening democratic governance, laying the emphasis increasingly on democratic development through *local ownership*. The partnership of the ODIHR with different think tanks and research institutes in Kyrgyzstan and in Georgia is of particular interest in researching and debating democratic concepts in a local context. Possibly, this methodology could be applied in other participating States. In this context, the EU would like to recommend discussing how lessons learned and experiences gained by some of the Missions in democratic institution-building can best be preserved and disseminated throughout the Organization;

At the same time, the EU expresses its support for the ODIHR's work in strengthening the capacity of governments and their institutions in conducting their democratic reforms. Most notably, the Centre for Parliamentary Reform which has been created recently in Georgia in close partnership with the OSCE Mission in Tbilisi and the Georgian Parliament. The EU commends the ODIHR and the field operations in South East Europe for their work in implementing the Co-Operation Agreement on Local Government Assistance in South East Europe between the OSCE and the Council of Europe, which has already impacted positively on the way the two Organizations deliver their local government assistance in the region.

Finally, the EU looks forward to the next SHDM on "Democratization: Strengthening Democracy through Effective Representation" in November 2006 in Vienna and notes it as a logical and useful follow-up to the 2004 HD Seminar on "Democratic Institutions and Democratic Governance". The EU recommends all delegations of participating States to send well-briefed representatives and experts to this important meeting.

To conclude

Nourishing and building democratic institutions and practices among OSCE participating States has been a primary goal of the organization since 1990 because of the confidence that this will be the best guarantee of peace within the OSCE region. The EU stands committed to the OSCE promotion of human rights, democracy and “good governance”, including the rule of law, freedom of the media, and free, fair, open, and competitive elections –as an integral part of its overall role in conflict prevention. The EU *and its MS* stress their determination to continue their support to ODIHR observation activities as well as to its broader range of support to pS in strengthening democratic institutions and processes. Democratic elections are a core element in these activities, and require from all pS the necessary political will to conduct them in line with their commitments.

The Acceding Countries Bulgaria and Romania, the Candidate Countries Turkey, Croatia¹ and the former Yugoslav Republic of Macedonia, the Countries of the Stabilisation and Association Process and potential candidates Montenegro and Serbia, as well as Ukraine and the Republic of Moldova align themselves with this statement.

¹ Croatia and the Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process