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30 Years of Helsinki Process:  
The Contribution of the OSCE  
in a Changing World

Vienna, 20 July 2005



Minister Plassnik,  
Chairman-in-Office, Minister Rupel,  
Minister Rotfeld,  
Ladies and gentlemen,

Let me start by saying that I am particularly grateful for having been invited to participate in this discussion here today. The Helsinki Final Act, whose 30<sup>th</sup> anniversary we are commemorating, indeed celebrating, is a fundamental cornerstone not only of the wider security framework in Europe and the OSCE, but is also a guiding line for my Institution, the OSCE's Office for Democratic Institutions and Human Rights in Warsaw.

From this perspective, the Helsinki Final Act was the first international document which recognized that the protection of human rights and fundamental freedoms as a matter for international concern. Indeed this is made one of ten fundamental principles of interstate relations.

In that, the Helsinki Final Act, even after 30 years, still stands out on the international arena. And these thirty years certainly are, overall, a tremendous **success story**:

They have seen the most far-reaching peaceful transformation of Europe. They have seen a new capacity for conflict prevention, management and resolution, as embodied in the different OSCE instruments. They have created a new quality of civil society engagement throughout the region – and our Moderator, Ambassador Gruza, embodies this engagement, and its impact, like few others. They have enabled the international community to act jointly, and swiftly, on new challenges. And they have developed a strong operational capacity to support reform processes.

So the question seems legitimate: is there a problem?

- **Comprehensive set of political commitments**

Before answering the question: Let me start with a short reference to our commitments. The world has changed considerably since 1975. And so has the normative framework developed by the CSCE and OSCE. Most importantly, we should not forget, in all our celebrations and discussions on Helsinki, that the States have – following the historic changes in 1989 – developed the basic outline of Helsinki into a comprehensive set of norms and political standards, in particular with respect to human rights, democratic elections and democratic governance as well as the rule of law.

In particular, already at the 1990 Copenhagen Conference on the Human Dimension, States laid the groundwork for what would become the fundamental rule book for the entire OSCE region, the *acquis* of the developed democracies in the world. It has, so far, not been matched by any comparable international exercise and continues to guide us in our daily work.

Minister Plassnik stressed the achievements one can be sure of when reaching the age of 30 – being full of power and knowing how to use it. With 15, however, as is the Copenhagen Document, one is even more certain of one's strength, but much less sure about how to apply it.

Overall, when we look at the OSCE today, and in particular the OSCE's future, we must not be driven by nostalgia – especially not for the relative stability of the 1970s. We must not look at the Helsinki Document alone. Rather, in order to make sense of the OSCE today and pay tribute to all the historical achievements we have made, we must look at “*Helsinki Plus*”, as it were. Helsinki plus Madrid, plus Vienna, plus Copenhagen, plus Paris, plus Moscow, plus Istanbul, and I could go on.

- **Effective implementation**

The OSCE is not only about agreeing on far-reaching commitments. It is about their effective implementation, by all 55 participating States, and about support for such implementation.

And it is there, with the implementation, or the perceived deficiencies in it, that we might find roots of the current problem, or at least the current *problematique*.

My Office has been created as the OSCE's main Institution in the human dimension. The human dimension covers essentially the whole range of commitments the participating States have undertaken with regard to human rights, democracy and the rule of law, except those that are covered by other, more specialized Institutions. It would be impossible for me, and perhaps also rather unsuitable here today to even try to give you an overview of our activities.

Rather, I would like to briefly mention three areas of particular interest, which I would like to put in the context of our discussion here today: OSCE reform, election activities and Central Asia.

- **Election Issues**

Of all of the ODIHR's mandates and activities, our role in monitoring the implementation of the 1990 Copenhagen commitments for genuine and democratic elections is perhaps the most well-known, and perhaps also the most discussed these days, inside and outside the Hofburg. Therefore, allow me to elaborate on this subject somewhat. At the outset, I would like to underscore the fact that the high level of interest often afforded to our election observation activities, including by the public, is not due solely to the fact that ODIHR is an OSCE institution; it is also due to the realization of the quality and credibility of election observation provided by ODIHR as an autonomous institution within the OSCE.

The election-related commitments of the 1990 Copenhagen Document, agreed by consensus among OSCE participating States, establish the basic criteria by which the OSCE/ODIHR assesses an election process.

The OSCE/ODIHR election observation methodology, introduced in 1996 in response to ODIHR's enhanced mandate for long-term election observation (Budapest Summit 1994), is designed to ascertain whether or not elections are conducted in compliance with the Copenhagen Document. Over more than 150 observations, this methodology has consistently achieved accurate assessments of election processes in OSCE participating States, and has not failed to identify inconsistencies between OSCE commitments and practice.

The methodology has not only served the OSCE well, but has been adopted by other international organisations, including the European Union.

As an intergovernmental and non-partisan institution, the OSCE/ODIHR never comments on the political aspects of the outcome of an election. The OSCE/ODIHR election observation is process oriented, and is only concerned with results to the degree that they are reported honestly and accurately.

Beginning in 2002, the OSCE/ODIHR has begun to conduct Election Assessment Missions in advanced democracies of the OSCE, and this practice will continue with an average of three such missions per year.

Recognizing that observation of elections is not an end in itself but is designed to lead to improved electoral practices, the OSCE/ODIHR would like to see less focus on the messenger, and more focus on the message.

At the 1999 OSCE Istanbul Summit, participating States declared: *“We agree to follow up promptly the ODIHR's election assessment and recommendations.”*

I am confident that the overriding objective of OSCE/ODIHR election observation is the conduct of genuine and meaningful elections, in line with OSCE commitments. This is, no doubt, also the overriding objective of participating States. A commensurate level of political will is of course necessary to meet this end effectively.

When the ODIHR is often praised for its democracy promotion work in several countries in the recent past, it is appropriate to remind our friends that **it is not the ODIHR which causes, promotes or facilitates so-called revolutions.**

We are merely interested in democratic elections and processes, in the protection of human rights and the rule of law as the best safeguards for long term security and stability in our region, as agreed and confirmed many times by the participating States. Election observation can be an important aspect of bringing about and strengthening democratic elections, but the very fact that we observe, or what we say about the process, has only limited effect on the deeper rooted societal processes going on in various countries. This fact has to be understood by those who criticize our work in this regard, as well as by those who enthusiastically support it.

Election observation, and follow-up on our recommendations, inscribes itself into the wider range of activities my Office supports in the field of democratic reform and institution-building. I am glad that in these areas, demand for our support is constantly growing, recognizing the expertise and impact we can bring to reform processes.

There are a few cases where necessary reform seems to be hampered, however, by a lack of commensurate political will to engage with all the expertise which my Office, and the Organization as a whole, has to offer. Let me briefly refer to one recent case, the response by security forces of Uzbekistan to unrest and demonstration in Andijan in May this year.

- **Central Asia**

**Andijan and the OSCE's response: role of the ODIHR**

As starting point, again a fundamental commitment: OSCE participating States have "categorically and irrevocably" declared that the "commitments undertaken in the field of the human dimension of the OSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned" (Moscow Document, 1991). Therefore, OSCE participating States are not in a position to invoke the non-intervention principle to block discussions about human-rights problems within their borders.

The Office for Democratic Institutions and Human Rights (ODIHR) is the specialized institution of the OSCE dealing with elections, human rights, and democratization. The ODIHR contributes to early warning and conflict prevention by monitoring the implementation of OSCE human dimension commitments by participating States. In the field of protecting and promoting human rights, the ODIHR, inter alia, monitors and reports on compliance by participating States with their human dimension commitments.

Various reports that the ODIHR received in the aftermath of the violent events in Andijan on 13 May 2005 contained allegations of human rights violations committed by Uzbek security forces.

The ODIHR, in consultation with the OSCE Chairman-in Office, monitored the situation in the aftermath of the events to the extent possible and reported about its preliminary findings to the Chairmanship and subsequently to OSCE participating States. The ODIHR report does not claim to give a full account of the violent events on 13 May in Andijan. The ODIHR's recommendation to the OSCE participating States is to continue to call for the establishment of an independent international investigation into the events.

To move forward, the Chairman-in-Office, Foreign Minister Rupel, stated to the OSCE Parliamentary Assembly, in Washington: *"I believe that we should be ambitious and*

*follow up our considerable engagement in Kyrgyzstan with a more comprehensive strategy for assisting all the states of Central Asia on their path to full democracy".*

Bearing in mind also the OSCE's partnerships with Afghanistan and Mongolia, it is well-placed to lead this effort, in partnership with other international actors. The OSCE could further enhance its added value in the region, including through the promotion of regional economic co-operation. OSCE Institutions and units of the Secretariat, together with field operations on the spot, all have a role to play and this should be co-ordinated in a more holistic way.

In all this, the role played by Russia would be an essential factor. Russia, having the highest interest in stability and growth in the region, would also be the primary beneficiary of such a development. I am confident that the Russian Federation will take an active part in developing and implementing such a strategy for Central Asia together with other European actors as well as transatlantic partners, and use its own experience in establishing a modern economy as well as its experiences of various other areas of reform.

Ladies and gentlemen,

I believe the OSCE is well adapted to meet the challenges of the 21 Century in its region, and beyond. We have to have the courage to stick to our *acquis*, the fundamentals of the rulebook of international relations we have developed, even in an age of increased uncertainty, global terror and, sometimes, confusion in international relations.

And it is in this context that the current efforts for reform of the organization are so significant, as is the cross-dimensional nature of our activities – and I fully concur with Minister Rotfeld in pointing to the fundamental concept of the Rule of Law as an exemple in this regard: its realization is not only fundamental to the effective protection of human rights and the functioning of democratic institutions; it is equally important for internal and external security, and for economic and social development. An let me



briefly recall another fundamental commitment in this regard: *Respect for human rights and fundamental freedoms, democracy and the rule of law is at the core of the OSCE's comprehensive concept of security (Istanbul summit, 1999).*

- **OSCE Reform**

Over and over again, the OSCE has proven its capacity to adapt flexibly to new challenges, to develop the necessary instruments, to strengthen its operational capacity while remaining a lean structure. So is there a need for reform?

I was very glad to receive the Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE at our Office in Warsaw, and it is a particular pleasure to share this afternoon with two of the members the panel.

As former Chairman-in-Office of this Organization, who led the OSCE through an extremely interesting and important period, Ambassador Knut Vollebaek, *Primus inter Pares* of the Panel of Eminent Persons rightly identified the focus on cross-dimensionality and the avoidance of compartmentalization as essential in the search for a way forward for our Organization. In his Statement to the OSCE Permanent Council, on 30 June 2005, he outlined the **main findings identified by the panel**:

- *The report recognises the need for a clearer focus of the OSCE activities.*
- *At the same time the Panel emphasises the need for a cross-dimensional approach in all of the OSCE's activities.*
- *The Panel recommends that a guiding principle should be to give priority to those areas where the OSCE can bring added value in relation to other organisations. The areas we discussed in more detail – working on human rights within a security and crisis management framework and providing expertise and assistance on human rights, rule of law and democracy in a field context – are indeed the parameters for an ODIHR operating in a specific niche and providing specific added value to other ongoing international efforts.*

- *The OSCE's value and strength lie in its broad membership, its agreed standards and commitments and its capacities in the field. Your interest in the ODIHR's relations with field missions coincided completely with one of the areas we have been expanding on and qualitatively developing in recent years.*
- *However, the OSCE does not have the potential to take the lead on all issues. A cross-dimensional approach would therefore mean that in certain areas the Organization should strive to be a catalyst for other international organisations – like the UN, the EU and the international financial institutions, an observation of particular relevance for the work under the Economic and Environmental Dimension. It should be under these prerequisites that the further work on rebalancing the attention of the OSCE as an organization should proceed.*
- *A streamlining of the structure of the Organization is important in order to achieve more cross-dimensionality and at the same time a clearer focus and coherence. This is why the Panel has suggested establishing three subcommittees under the Permanent Council. I believe this would help to revitalise the political dialogue within all three dimensions without compartmentalizing and artificially separating issues of an inherently cross-dimensional nature.*
- *Importantly, the Panel recommends a stronger and more visible role for the Secretary General without submitting the existing Institutions, Missions and Personal and Special Representatives to the Secretariat. The various entities should continue to operate according to their respective mandates.*

In this sense, “reform” is certainly called for and meaningful, in line with the tradition of flexible change of which the Organization can be rightly proud.

Participating States which are at unease with some actions and procedures of this Organization need to realize that the OSCE does not hurt them. To the contrary, it provides a unique security cooperation framework to meet also new challenges.

The Helsinki Final Act, supplemented as it is by numerous documents, many of them even more far-reaching and detailed, is one of those guidelines which should continue to guide, and inspire, us.

Thank you.