



United States Mission to the OSCE

Session 14: Democratic Elections

As prepared for delivery by Ambassador Richard Williamson
to the OSCE Human Dimension Implementation Meeting
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Mr. Moderator,

Most certainly democracy is not just about elections. It is a complex system of values, skills, institutions, habits and popular sovereignty expressed through periodic elections. It rests upon recognition that all legitimate authority stems from the people. It requires an engaged citizenry and space for civil society to flourish. The right to free speech, to assembly and to organize are necessary. To flourish a democracy needs habits and mechanisms to arbitrate different interests, to resolve conflicts, and to respect minority opinions. Minority rights must be protected and minorities must be safeguarded from intolerance and discrimination. An independent legal system with police, prosecutors, lawyers and judges is necessary. Through law, institutional balance and engrained practice, government power must be limited. Safeguards must be built for the different forms of liberty. All these elements and more are building blocks of democracy. And these matters are the subject of various commitments to which all 56 OSCE participating States have committed to their citizens and to other OSCE members.

And while the particular form, mechanics and practices of democracy will vary reflecting the unique history, heritage and habits of a society, the essence of democracy is free, fair periodic elections in which the people choose those who will represent them to set the public policy under which they live.

In the Charter of Paris, all of our countries agreed to the fundamental principle that “democratic government is based on the will of the people, expressed regularly through free and fair elections.” Indeed, such competitive elections are a key method for ensuring that governments enjoy legitimacy. This general principle is elaborated in a series of specific commitments in the Copenhagen Document on political rights and the conduct of elections, including both the pre-election campaign period and election day.

The overall picture on elections over the past year has been mixed. Of the elections in OSCE countries that have taken place since the last HDIM, we want to take note of the following:

Tajikistan’s November 2006 presidential election marked some improvement compared with the 1999 presidential election, which the OSCE did not observe. Yet it did not fully meet OSCE standards.

According to ODIHR, there was no genuine choice or meaningful pluralism, despite the presence of five candidates. Moreover, the government maintained tight control of the media, so that candidates were not on an equal playing field and the electorate could not access objective information about all the candidates.

International observers judged that Serbia's parliamentary election in January was conducted in accordance with OSCE standards. The Special Coordinator for the monitoring mission stated plainly that the election was generally free and fair.

By contrast, the local elections held in Belarus in January were plagued by many of the same serious shortcomings that had been observed in recent elections, such as the 2006 Presidential elections, which ODIHR observers determined failed to meet OSCE standards. This year's local elections were characterized by a lack of independent election commissions and pressure on opposition candidates by the authorities during the nomination and campaign period. An amended Electoral Code took effect in October 2006 restricting candidates' rights to hold open-air meetings without the prior approval of the local government.

We are pleased to note that Armenia's parliamentary election in May marked significant progress from previous elections. While the election

was conducted largely in accordance with OSCE and Council of Europe commitments and other international standards, according to the ODIHR, significant problems persist. We hope that Yerevan builds on this substantial progress as the February 2008 presidential election approaches.

In Moldova, the second round of local elections in June showed marginal procedural improvements over the first round, but the ODIHR and the Council of Europe still reported that “key problems identified during the pre-electoral period persisted, particularly media bias and intimidation of candidates.”

Of particular interest were the August parliamentary elections in Kazakhstan. According to ODIHR, a number of international standards were not met. There was a lack of transparency of the vote count in over 40 percent of the polling stations visited; preferential treatment of the ruling Nur Otan party by authorities and government-controlled media; and restrictive legal provisions that limited the right to seek public office, established a high vote percentage threshold for representation in the Mazhilis, and provided for parties to choose which candidates would become members of parliament only after the election. We remain concerned about the lack of substantial progress on an array of democratic reforms, including those that would promote independent media, freely elected local self-government, and an easing of registration

requirements for political parties. While the United States welcomes Kazakhstan's aspiration to serve as Chairman-in-Office of the OSCE, the most recent elections in Kazakhstan raise important questions about its readiness to serve in this leadership role.

Ukraine has been a transition society. The people of Ukraine and the authorities should be commended for their election last weekend. The habits of democracy have been deepened by this election which met OSCE standards. People have been empowered and the government has gained legitimacy at home and abroad. And the OSCE Office for Democratic Institutions and Human Rights through a variety of ways and means including in particular its Election Observer Missions have contributed to that success.

We commend Poland for its invitation to OSCE to conduct an election observation mission. We urge all OSCE participating states to welcome ODIHR election observers as the United States has done. And, like other OSCE participating States, we will be attentive and hopeful that other OSCE participating State with approaching elections also will invite in OSCE election observers to provide independent assessments on the conduct of their elections in accordance of their commitments.

There are those who seek to circumscribe, limit, centralize and control OSCE election observer missions. Under the guise of reform, some seek to centralize control of ODIHR election observer missions. Some seek to prohibit timely assessment statements by ODIHR election observer missions. They mischaracterize well established, well known, objective ODIHR standards and election observer procedures. In effect, under the name of reform, some seek to eviscerate the competence and effectiveness of ODIHR election observer missions. They seek to curb the capacity of OSCE election observer missions to reveal when elections are neither free nor fair. Let there be no confusion. Such proposed perversions of OSCE elections observer missions will make the OSCE contribution to free and fair elections null and void. Such so called reforms will serve only anti-democratic forces within the OSCE region. It will betray the values of the OSCE and runs counter to OSCE commitments to which all participating States have committed.

Thereby they would limit the value of ODIHR election observer missions to enhance the legitimacy of elections, such as that in Ukraine, that are free and fair.

Finally, Mr. Moderator, mindful of our common obligation to conduct free and fair elections in accordance with OSCE commitments and the tremendous effort involved in the observation of elections throughout

the OSCE region, the U.S. Delegation stresses the importance of follow-up action to recommendations issued by OSCE election observation missions.

Thank you.