

HUMAN DIMENSION SEMINAR

*on Strengthening the Rule of Law*

12-14 May 2009

Warsaw



Opening remarks

Ambassador Janez Lenarčič

Director of the Office for Democratic Institutions and Human Rights

Excellencies,

Ladies and Gentlemen,

Allow me to warmly welcome you all to this Human Dimension Seminar devoted to the **Rule of Law and Effective Administration of Justice**. Let me recall that this is the **third** Human Dimension Seminar devoted to rule-of-law-related issues in the last four years. It follows last year's Ministerial Council Decision on Strengthening the Rule of Law in the OSCE area, which made the topic of the rule of law a logical choice for this Seminar by the Greek Chairmanship.

In this vein, I would like to thank the Greek OSCE Chairmanship for having chosen this important topic, and in particular **Ambassador Louis Abatis**, Director of the OSCE Department in the MFA in Athens. A warm welcome also to **H.E. Judge Patrick Lipton Robinson**, the President of the ICTY and our keynote speaker today.

Before handing over the floor, let me just say that a three-day seminar devoted to the rule of law sends a **strong signal** that OSCE participating States attach special importance to the rule of law. This signal joins the voices of a rapidly growing movement of rule of law supporters across the globe.

Why do we find our dialogue revolving around the rule of law, time and again? There are many reasons, but let me emphasize **three** that I find most compelling.

- ▶ **First**, rule of law is the **foundation** of democratic institutions and is indispensable for the full realization of human rights. Without this foundation, our human dimension of security disintegrates, and we have unfortunately seen that happen in the OSCE region in our living memories.
- ▶ **Second**, the rule of law provides **framework for co-operation** on other issues. Helsinki MC Decision on Strengthening the Rule of Law rightly underlines its cross-dimensional character. Our progress in all dimensions relies on the premise that rules will be followed.
- ▶ **Finally**, the rule of law enables us to build and maintain **trust**. This trust is vital for us as citizens and for the governments represented at this table. Reform efforts which seek to improve the administration of justice should develop that trust, or risk ultimate failure.

These considerations also guide ODIHR activities in this area. We aim at supplying policy-makers with the information and tools they need to better implement their OSCE commitments on the rule of law. We also work directly with the legal professionals/practitioners and other civil society actors to

help them strengthen the rule of law in our region. I will limit myself to only **two examples** of ODIHR's work here.

- ▶ In November last year, we convened an Expert Forum on Criminal Justice in Central Asia, in **Kazakhstan**. Its participants from all Central Asian states exchanged experiences and discussed the most topical issues on their criminal justice reform agendas. We plan to organize another Forum **this year** – we believe that this kind of exchange is vital for our joint efforts to strengthen the rule of law.
- ▶ My second example refers to a project which aims to assist South-East European justice systems to deal with **war crimes cases**. I am grateful for the co-operation we enjoyed so far from the OSCE field operations in this region, the United Nations Interregional Crime and Justice Research Institute, and particularly the ICTY – whose President, Judge Robinson, kindly responded to our invitation to be a keynote speaker for this Seminar.

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Ladies and Gentlemen,

There is no universal recipe for success in building and maintaining the rule of law. But we do have our joint commitment to uphold its key principles and build a framework for their implementation. I believe the agenda of

this Seminar successfully captures many pertinent issues – ranging from the independence of the judiciary, undoubtedly a cornerstone of the rule of law, to administrative justice and then via transparency in justice administration to human rights.

With that, I believe we are set to benefit from this Seminar in the coming days. We look forward to the **lively and enriching** debate, to the productive exchange of ideas, good practices, and critical reflections.

I am grateful to the moderators and introducers who accepted our invitation – thank you for taking up these important roles. I wish all of us a good and useful seminar.

It is now my pleasure to ask the Host State representative, Secretary of State, H.E. Jan Borkowski, to take the floor.