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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION, AT THE
1336th MEETING OF THE OSCE PERMANENT COUNCIL**

23 September 2021

**On the electoral methodology of the OSCE Office for Democratic Institutions and
Human Rights**

Madam Chairperson,

In the light of the arbitrary refusal by the Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE Parliamentary Assembly to observe the elections to the State Duma of the Federal Assembly of the Russian Federation, and in view of the numerous complaints by our colleagues on this subject, we should like to re-examine the Office's electoral methodology. We have discussed this subject on many occasions, but there are ongoing attempts to present this methodology as "authoritative" and "reliable". This is far from the truth.

An analysis of the ODIHR's activities over the past year has allowed us to confirm our long-standing conclusion that its election observation methodology is biased and inconsistent. The Office and the Western States that oversee it are trying to pass this methodology off as some kind of universally accepted "gold standard" – which, of course, it is not.

This is most evident in the persistent "East-West" geographical divide. Countries in the first group – supposedly "immature democracies" with no "history of genuine elections" – are often subject to critical assessments in order to justify the presence of full-scale missions there. The opposite is true of the second group, where extensive observation is a rare exception.

Let us look at the statistics. Between August 2020 and October 2021, either expert teams were sent to Western European countries (to the elections in Lithuania, Portugal, the Netherlands, Cyprus, and so on; 3–5 people), or no teams were sent or will be sent at all (Liechtenstein, Norway, Iceland). This is despite the fact that the electoral systems of these States have come in for serious criticism. The most illustrative example is the report on Norway, which has elicited quite a number of complaints from the Office's experts. The exception to this is the Limited Election Observation Mission sent to the general elections in the United States of America (3 November, 47 people).

During the same period, large missions (Armenia, Moldova) or limited election observation missions were deployed to the States "to the east". These were essentially large missions that had to be reduced in

size owing to the coronavirus – missions were sent twice to Bulgaria, but also to Kyrgyzstan, Kazakhstan, Georgia, Moldova, Albania and Ukraine.

Amidst the pandemic, the ODIHR even invented a new format – the special election assessment mission. It is not provided for in the Office’s methodology and no specific criteria for the appointment of such a mission were presented, despite our requests. As we understand it, this was a necessary measure to adapt the ODIHR’s activities to the conditions of the pandemic at the outset. However, the ODIHR did not stop there, and this type of mission was arbitrarily selected to monitor the parliamentary elections in Romania, for example (6 December 2020, 9 experts). At the same time, limited election observation missions of between 30 and 80 observers had already been deployed (Ukraine, Georgia, Moldova) or scheduled (Kyrgyzstan, Kazakhstan) on a number of occasions during the same period. The reasons for this are unclear. The Office has thus once again exposed the arbitrary and non-transparent way in which it operates.

This was the approach taken when the ODIHR refused under fabricated pretexts to observe the presidential election in the Republic of Belarus on 9 August 2020 (owing to the alleged “lack of a timely invitation”) and the recent elections to the State Duma in Russia. The Office’s arguments about the existence of specific deadlines for receiving an invitation from participating States and the impossibility of adjusting the size of missions at the request of the host State are completely untenable. Neither the OSCE commitments nor the ODIHR’s mandate nor its “methodology”, which has not been agreed upon at the level of the participating States, contain such provisions. In fact, this is an attempt by the Office and the Western countries supervising it to “punish” the Belarusian and Russian Governments for “deviating” from fictitious standards for election observation.

The associated geographical imbalances in the electoral sphere are a direct consequence of the activities of ODIHR experts, who essentially tailor their conclusions to the political objectives of observation in individual countries. It is safe to say that all “evaluative” reviews and follow-up reviews are a series of subjective conclusions thrown together and interspersed with the analyses of the Office’s experts on the parameters of electoral systems. This is because the ODIHR’s core working method leaves a lot of room for manoeuvre: the format of missions in the pre-election period is determined following discussions with representatives of State structures, civil society, the diplomatic corps working in the country and other “election stakeholders”. These are used to draw conclusions on a number of criteria (respect for fundamental freedoms, transparency of the electoral process, and so on).

Subjectivity can also be observed in the text of the reports in terms of the domestic political context of the elections, the media situation, the work of the electoral commissions, and so on. For example, in the report of the Needs Assessment Mission for the early federal elections in Canada on 20 September 2021, the Office’s experts for some reason failed to highlight the anti-government demonstrations and the scandals surrounding the discovery of the remains of hundreds of Indigenous children on the grounds of residential boarding schools. Does the Office believe that these factors have nothing to do with the elections and will not affect the electoral process? In the case of the countries of the Commonwealth of Independent States (CIS) and the Balkan States, focus is placed, first and foremost, on demonstrations that overshadow the elections and political scandals. There are examples of this.

In addition, following their Needs Assessment Mission, the Office’s experts decided to send only a small expert team to the forthcoming parliamentary elections in the Czech Republic on 8 and 9 October. It should be recalled, however, that, according to this Mission’s report, the ODIHR has serious reservations about the country’s electoral system and the relevant legislation. This is not to mention the problems concerning the rule of law, the media, the electoral rights of citizens, and so on.

Let us move on. The report of the Needs Assessment Mission for the elections to the German Bundestag on 26 September, to which, incidentally, only one group of experts was assigned, described the situation in the media sphere in the best light possible. Although even Reporters Without Borders, periodically cited by the Office's experts, pointed to cases of attacks on journalists during the 2020 protests. However, the same Reporters Without Borders data was presented by the ODIHR in a critical manner, for example, in its interim report on the US general elections. This is to say nothing of the fact that, for almost all the CIS countries or Balkan States, the media situation is rarely described in the best light.

It is also noteworthy that the general tone of critical commentary by the ODIHR and its interlocutors on the reports is often determined by political expediency or even "orders from above". For example, the Office's reviews of the US general elections on 3 November 2020, including the report by the Needs Assessment Mission and the preliminary findings, were clearly anti-Trump. The former US President was blamed for publicly questioning the transparency of the postal vote, among other things, but the "Bidengate" story was presented in an unbiased, matter-of-fact way.

The ODIHR also forgives "privileged" countries for blatant violations of their OSCE commitments. One example of this is the aforementioned review of the Needs Assessment Mission concerning Canada. There is no legal provision for observation by civil society and international organizations in the country. This is, in fact, a violation of the basic commitment in this area – paragraph 8 of the CSCE Copenhagen Document of 1990. However, the Office's experts make no reference to this in their report as, in reality, the authorities allegedly do not impede the monitoring mission's activities. Do the authorities' assurances about the admission of observers now serve as a means of excusing such serious flaws in the country's electoral legislation?

There is a similar "discrepancy" in the aforementioned report on the Czech Republic. According to the report, the ban on independent candidates in this country is, they say, simply not compatible with international standards. Meanwhile, in its interim report on the early parliamentary elections in Armenia dated 8 June, this shortcoming was seen as a violation of paragraph 7.5 of the CSCE Copenhagen Document of 1990. As I recall, this paragraph refers to the right of citizens to stand for election, including as an independent candidate.

There is one more thing to consider. In the preliminary findings issued on 2 November 2020 by the Limited Election Observation Mission deployed to observe the first round of the Moldovan presidential elections, the inflated "residency requirement" for candidates – ten years – was considered a violation of the very same paragraph 7.5 of the Copenhagen Document. The day before, however, the observers of the parliamentary elections in Georgia, in their preliminary findings on a similar requirement, made no reference to a violation of the Copenhagen Document. It turns out that, under the same conditions, one State is charged with violating its obligations and the other is not. What is this if not double standards?

Overall, all the points I have made demonstrate the subjectivity and general inadequacy of the ODIHR's electoral methodology, and that the claims that its methodology is some kind of "gold standard" are groundless. The "gold" has proven to be counterfeit. This confirms the need to develop common standards of observation agreed by all participating States in the OSCE area. The Russian side has been pointing this out for many years. We believe that now is the right time to finally think about this seriously.

Thank you for your attention.