

Address by Ambassador Janez Lenarčič,  
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at the  
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*“Democratic Transformation: Challenges and  
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fundamental freedoms, democracy and the rule of law”*

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**Check against delivery**

Excellencies,

Ladies and Gentlemen,

It is a pleasure to be here in Budva, among you.

I wish to thank the Irish Chair for the invitation to address this session on '*Promoting human rights, fundamental freedoms, democracy and the rule of law*'.

This, as you are all aware, is not 'just another' OSCE conference; this year made the OSCE keenly aware of its relationship with its southern Mediterranean neighbours as much of the region experienced profound transformations.

If you allow, I will first speak about some of the lessons that this year has offered, and will then outline - in the most general terms - how we could build on the momentum of democratic change that is sweeping through the region.

- I. -

Ladies and Gentlemen,

This is a time of great challenges for OSCE Mediterranean Partners. There is the inherent unpredictability and uncertainty about where the ongoing processes throughout the region are headed. Add to this the diffuse challenge presented by illegal immigration, refugees, terrorism, and you will have to look hard for another place with so many hot spots within a few hundred kilometers distance.

It is also the time of great opportunity. The Mediterranean has a great potential to again become a bridge between our distinct, but so closely related, cultural spaces. Why should the Mediterranean, at whose shores the idea of *humanitas* was born, not become a place of peaceful and harmonious cohabitation for different cultures and religions again? A sea that does not separate but connects us in our common heritage and shared values?

In fact, I believe that this is the moment for both northern and southern shores of the Mediterranean to answer the concrete challenges that have emerged this year. OSCE should be one of the platforms for our joint action in this regard.

After a long absence, a strategic player in the southern Mediterranean has returned to the stage: the people. Egyptians, like Tunisians before them, and eventually Libyans, have prevailed over autocracy and have done so in the name of freedom, dignity and justice. The Arab revolutions have become iconic and have already etched themselves into our collective historic consciousness.

And expectations are high. People from every walk of life – on the Avenue Habib Bourguiba and on Tahrir Square – have proven that they are children of modernization; they rejoiced that oppression has ended, and would like to see their basic human rights respected, and the authority peacefully conferred upon a representative government constituted through democratic elections in the coming months.

Since the OSCE has made its name, over the past 20 years, in assisting democratic transition, it is now incumbent upon us to reflect.

Two lessons come to mind.

- II.-

The first lesson may be the most obvious: we have seen that, essentially, we all desire the same public goods: freedom, justice, dignity, and a say in the way our lives are governed.

Tunisians and Egyptians, along with others, have shattered the notion that there is a “structural lack of the desire for freedom” in the Arab world. And they reinforced the hope that those who seek to stem the tide of democracy and human rights will, sooner or later, be held accountable, either before the ballot box or before discontented masses and their frustrated expectations.

The message is clear: the sustained closing of political space for discourse, unaccountable government, repression and torture

cannot be justified. The time for democratic reforms is always now, and not at some time in the distant future. In the words of Martin Luther King Jr.: “The time is always right to do what is right”.

That, for me, is the first lesson that is very much relevant for the OSCE region and our partners in the immediate neighborhood.

The second truth, dramatically reinforced this year, is that stability cannot be purchased at the expense of liberty. As Ms. Khadija Cherif, the Secretary General of the International Federation of Human Rights, said two weeks ago at the opening of the yearly OSCE review conference in Warsaw: ‘human rights defenders in Tunisia were not listened to, they were harassed and imprisoned *in the name of security and stability.*’ The real problem, she said, was in the denial of individual rights and freedoms; a denial which engendered long-term instability and a sense of insecurity.

Reflecting on 2011 also means that an entire branch of a political ideology has gone bankrupt: that is, the fake trade-off between stability and human rights. ‘Stability’ is not a value on its own; it cannot trump the benefit of open societies where

democracy can flourish; circumstances will remain stagnant, citizens resentful and the threat of violence a distinct probability.

These two lessons are critical for us in the OSCE. They actually reinforce the message contained in the 2010 Astana Commemorative Declaration which reiterates that ‘the inherent dignity of the individual is at the core of comprehensive security’ and that ‘human rights and fundamental freedoms are inalienable’ (§6).

The findings gathered from the Arab spring are so plain and simple, but they escape so many, also within our organization. We in the OSCE seem to declare these simple truths, year in and year out, on occasions of Ministerial Councils and Summits. But this year has shown that a number of OSCE partners actually live that truth.

As a community of values, the OSCE cannot simply ignore what is happening in its neighborhood. This would be foolish. As a community of values, we must seek to stay in touch with what happens around us. And perhaps, just perhaps, we in the OSCE should be more modest. When it comes to civic courage, and to

standing up for freedom of assembly and seeking peaceful ways to challenge authoritarian rule, maybe we are the ones who have to learn a lesson this year.

- III. -

Which brings me to the second part of my intervention: what can the OSCE possibly offer, in terms of partnership in the field of *'promoting human rights, fundamental freedoms, democracy and the rule of law'*? – the topic of this session.

Allow me to start in the most general terms. One way of approaching transitionalism – transitional justice, novel political liberties, societal consolidation, constitutionalism - may be to relate to universal public goods as you shape them in your own image.

As a regional arrangement under Chapter VIII of the United Nations Charter, the OSCE could be a good starting point. As we aspire to universalism, we strongly believe that the rights of man - and woman - supersede cultural differences.



This is what I believe to be the great ideological battle of our time as we are confronting "interpretations" of rights that challenge their core. As universalists, we have to stand firm. The rights of men and women are not negotiable. Fundamental freedoms belong to everybody, and their protection is – as the OSCE's Astana Declaration confirmed last year - the first responsibility of every government (§6).

Fundamental freedoms, democracy and the rule of law have a meaning transcending cultural differences and current politics. They bind us together as human beings.

And democracy rests on them.

Beyond aspirations, I strongly believe that the OSCE has something concrete to offer to its Mediterranean partners. We have handbooks, guidelines, a catalogue of good practice, and decades of experience. Our standards, covering much of the northern hemisphere, are contained in our normative framework; when it comes to human rights, the rule of law and

democracy, they are actually the highest in the world, and they have been translated into Arabic.

The OSCE community has understood that democracy is not necessarily linear and that democratization processes are not irreversible. We have seen that revolutions are not always immediately successful and may often end in short-term tragedy. But as with the European revolutions of 1848, with Budapest in 1956, Prague in 1968 and Gdansk in 1980, they leave their marks on societies and carry with them the seeds that – in those cases – took decades for their promise to flower. Even in older democracies in the OSCE, we have recently seen challenges emerge that have required reform and democratic renewal. In some cases, there have been severe setbacks.

In short, we know that “transition” does not always beget “democracy”. History in our part of the world has shown that transition to democracy can be messy and protracted. Change means unpredictability in the short run; building a working – stable - democratic system takes time. Our Office, ODIHR, has assisted governments and civil society in such transitional contexts by a variety of means, focusing on advancing human rights, for twenty years now.

Knowing the complexity of transition, we are not in a position to offer prefabricated solutions; we do not come with pre-packaged programs based on conditionalities, we do not impose democracy tool kits, and we are not donors who would fund 'governance out-of-the box'. There is an entire industry of international assistance programs out there waiting to deploy at a call's notice.

We are not part of this industrial complex.

This of course does not mean that that the OSCE can afford the luxury of watching from afar; Mediterranean partners have a chance to avoid making their own mistakes by learning from transitions elsewhere. What we can offer is to share some of our experiences – good and bad – in the hope that they may have some relevance to our partners. We can also offer what I have talked about before: solidarity with the very sentiment that the citizens in the southern Mediterranean have expressed and are very much still expressing.

- VI. -

Ladies and Gentlemen,

Something very important and very dramatic is happening on the southern shores of the Mediterranean. Against all odds, as Roger Cohen wrote, people find it in themselves to rise up, stare down the guns and grasp freedom from their oppressors. In doing so, they have repudiated the unspoken agreement that some in the West have made over the years with their autocrats, to barter the people's freedom for a façade of 'stability'.

I wish that we – the OSCE – were in a position to vindicate this moment of moral clarity when we meet around this time next year; that we will see, in practice, how democratic institutions are being built, how free elections are organized, the way in which the separation of powers is established, the independence of the judiciary is ensured, religious freedom is respected and gender equality promoted.

In engaging with Mediterranean Partners, we have no ambition to 'teach' or 'lecture'. We would just seek to share with our partners what we have learned, and learn from them in return.

Thank you.