

HDIM 2013

Working Session 11: Democratic institutions, including:

- Democracy at the national, regional and local levels;
- Citizenship and political rights.

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Working session 11 was set up to discuss democratic institutions, including democracy at the national, regional and local levels as well as citizenship and political rights.

The introducer, Dr. Andriy Meleshevysh of National University of Kyiv-Mohyla Academy, explored the reflective link between formal political institutions and informal norms and traditions particularly in the countries of transition. In addressing dichotomy of political institutions versus political culture, he maintained that newly established political institutions can drive and shape new political culture. In basing his assumptions on one country specific situation, Dr. Meleshevysh identified three important variables which can contribute towards creating viable political institutions: political party institutionalization, genuine separation of power and free and fair elections. Though the introducer subscribed to the institutionalist view of change, he clearly recognized the need to influence political culture through shaping and leading discourse on democracy and modern governance. To this end, he valued the role of ODIHR, which can bring recommendations and knowledge to wider public through inclusive discussions with the participation of all stakeholders such as government institutions, NGOs and academia.

The presentation of the introducer was followed by 20 interventions, of which 16 by non-governmental organizations and 1 by an international organization. 4 delegations exercised their rights to reply.

Throughout number of interventions fight against corruption was highlighted as key for proper function of democratic institutions along side with the need of transparency and accountability. It was argued that corruption undermines democratic principles and processes, and diverts resources from serving the public good.

A group of delegations stressed the importance of ensuring fundamental freedoms such as freedom of expression, opinion, assembly and association as necessary prerequisite for democratic governance.

Fighting discrimination towards national minorities and vulnerable groups was recognized as important undertaking by different delegations.

Large number of interventions stressed the role of active and independent civil society in building and maintaining a functional democracy. Likewise, the advancement of women participation in democratic institutions was prioritized.

Many interventions referred to country specific situations where political pluralism has been endangered through various restrictions imposed on political parties. The difficulties with registration and

participation in the elections, as well as politically motivated criminal persecutions were most quoted challenges.

A number of non-governmental organizations and a representative of international organization supported the need of building democracy at the local level. Strengthening local self-governance through delegating more functions and responsibilities was recognized as an important step towards establishing local democratic institutions.

Some speakers placed importance in ensuring free access of the citizens to the democratic institutions and judiciary including courts and state agencies. The ability to inquire and receive information was noted in this regard. One delegation called on ODIHR to disseminate commitments of the OSCE participating States and thus enable citizens of the relevant participating States to pursue their interests in the framework of those commitments.

Throughout the discussion, a number of speakers valued relevant code of conducts and guidelines elaborated by ODIHR in the realm of democratic governance and called for their wider outreach.

The issues of citizenship and political rights were touched upon by number of speakers. One non-governmental organization supported the exercise of the right to vote and form the government elsewhere in the OSCE area as a right deriving from the principle of self-determination which is enshrined in the International Covenant on Civil and Political Rights.

A number of speakers, including representatives of delegations, international organization and non-governmental organization addressed the issue of citizenship. The issues of political rights of stateless persons and foreigners, including the right to vote and education were most discussed topics. In this context some speakers argued that continued existence of large number of stateless persons in some participating States negatively influences the exercise of political and other rights.

A representative of international organization referred to the Council of Europe's 1992 Convention on the Participation of Foreigners in Public Life at Local Level, as useful instrument for providing consultative participation of foreign residents in local self-governing bodies.

Recommendations to the participating States:

- Adopt, implement, and enforce the laws to eliminate corruption;
- Consider legislative measures to facilitate a more balanced participation of women and men in political and public life, including decision-making;
- Bring the legislation regulating political parties' activities in line with international standards and the OSCE commitments.

Recommendations to the OSCE and its institutions:

- All relevant OSCE structures should continue their activities in advancing the participation of women in political life;
- The OSCE and ODIHR should assess the citizenship and minority rights in the OSCE participating States for compliance with international obligations;

- ODIHR should raise awareness of the citizens of the OSCE participating States on the commitments undertaken by the participating States in the realm of democratic institutions and political pluralism.