

OSCE Human Dimension Implementation Meeting

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Introduction by Mr. Gerald Mitchell Head of OSCE/ODIHR Election Department

Since last year's HDIM, the OSCE/ODIHR has continued to deliver its election observation mandate in accordance with the documents of Copenhagen and Paris 1990, Rome 1993, Budapest 1994 and Istanbul 1999. The OSCE/ODIHR assesses elections in line with the criteria of the 1990 Copenhagen Document, which includes commitments for democratic elections more advanced than any other intergovernmental agreement to date.

Since the 2005 HDIM, the OSCE/ODIHR has undertaken election observation missions for parliamentary elections in Azerbaijan, Ukraine, the former Yugoslav Republic of Macedonia, Montenegro and Bosnia-Herzegovina, and for presidential elections in Belarus and Kazakhstan. The OSCE/ODIHR also deployed an observation mission to the May referendum on the state status of Montenegro.

Each of these elections was observed according to the long-term OSCE/ODIHR election observation methodology outlined in the OSCE/ODIHR handbook, first introduced in 1996, in response to a direct tasking in the 1994 Budapest Summit Decision. The methodology and resulting recommendations has benefited participating States in their stated intention to meet OSCE election commitments for a full decade.

The OSCE/ODIHR observation methodology has also been broadened to meet circumstances where the presence of short-term observers is not deemed to bring added value. Observation missions without short-term observers, or limited election observation missions, have been deployed in countries where past experience, or the findings of a needs assessment mission, indicates that election day procedures enjoy broad confidence. Alternatively, short-term observers may not be deployed for election day observation if it is deemed that conditions have not been established for a

meaningful election day contest. Also, on occasion, a limited observation may be deployed due to time constraints. Thus far in 2006, the OSCE/ODIHR deployed limited election observation missions for the partial repeat parliamentary elections in Azerbaijan, the local government elections in Georgia, and parliamentary elections in Latvia.

The OSCE/ODIHR has just deployed an observation mission to Tajikistan, and an initial assessment on whether to request short-term observers is underway.

In 2002 the OSCE/ODIHR introduced assessment missions in order to follow issues in a broader range of participating States. An assessment is predicated on past experience, that the election will generally meet OSCE commitments, but that there may be specific issues to follow. While an assessment mission does not undertake comprehensive and systematic coverage and election day observation, it provides opportunities to address issues pertaining to the overall framework for elections. Thus far in 2006, the OSCE/ODIHR has deployed assessment missions for parliamentary elections in Canada and Italy, and is preparing to deploy missions to the presidential election in Bulgaria, the congressional elections in the United States and the parliamentary elections in the Netherlands.

When the OSCE/ODIHR is not observing a particular election, it may send a small team of experts to support the respective OSCE field mission. Since the 2005 HDIM, election support teams have been deployed to parliamentary by-elections in Georgia, local government elections and parliamentary by-elections in Kyrgyzstan, and municipal elections in south Serbia. An election support team is currently deployed in the context of partial municipal elections in Azerbaijan. In some cases, an expert visit may be undertaken with a specific focus, such as was done yesterday during the municipal elections in Belgium with regard to electronic voting.

A fundamental tenet of election observation is regular and transparent public reporting. OSCE/ODIHR reports, including Needs Assessment Reports, pre-election Interim Reports, the Statement of Preliminary Findings and Conclusions and Final Reports are posted on the OSCE/ODIHR website immediately upon release. Thus far in 2006, the OSCE/ODIHR has released 38 election-related reports.

The conduct of elections in a number of OSCE participating States has greatly improved due to the will to rectify identified shortcomings. However, in others serious concerns remain, including: limitation of competition of parties and candidates, misuse of administrative resources; pressure applied by the authorities to vote in a specific manner; media bias; election administration bodies whose composition is not sufficiently inclusive; lack of sufficient voter registration guidelines and safeguards to prevent abuse; lack of transparency and accountability during the vote count and tabulation; and inadequate complaints and appeals procedures.

The OSCE/ODIHR continues to develop its follow-up efforts in order to assist States in implementing their commitments, including the commitment “to follow-up promptly the OSCE/ODIHR’s election assessment and recommendations.” However, effective follow-up also requires effective cooperation from participating States, including a clear statement of intent to follow-up, and preferably a specific invitation for a follow-up dialogue to OSCE/ODIHR reports.

Each year the OSCE/ODIHR undertakes the review of several election laws, mostly in conjunction with the Venice Commission of the Council of Europe, in order to assist participating States to bring their legislation more closely in line with OSCE commitments and Council of Europe standards. Thus far in 2006, the OSCE/ODIHR has reviewed election legislation of Armenia, Croatia, Georgia, Kyrgyzstan, former Yugoslav Republic of Macedonia, Moldova, Serbia, Tajikistan and Ukraine. In this context, we welcome the recent adoption of legislation in the United Kingdom, following up on earlier OSCE/ODIHR recommendations, to provide for observer access to the election process.

While ultimately the issue of composition of OSCE/ODIHR election missions can only be addressed by participating States through secondment, the OSCE/ODIHR continues its attempt to further diversify the geographic composition of election observation missions through its voluntary fund established for this purpose. Since 2001, OSCE/ODIHR has supported the deployment of 967 observers through this fund, from a total of 28 countries. The OSCE/ODIHR would like to thank those eleven participating States, as well as the European Commission, that have contributed to this fund. I would also like to underscore that the OSCE/ODIHR maintains a database of election experts, whereby national experts can register their information with OSCE/ODIHR online.

As a result of the April 2005 Supplementary Human Dimension Meeting on electoral issues, the OSCE/ODIHR has provided participating States with an Explanatory Note in November 2005 with regard to drafting possible additional commitments to supplement the existing ones, convened a meeting on election observation and assessment methodologies also in November 2005, and initiated an extra-budgetary project on Observation of New Voting Technologies with an expert meeting in July and a second meeting scheduled for early 2007.

I also use this opportunity to underscore a new programme the OSCE/ODIHR has recently launched in order to enhance election observer capacity: in an effort to complement some national training initiatives, the OSCE/ODIHR will conduct periodic training courses for short-term observers from 20 eligible participating States, together with the OSCE Academy in Bishkek.

The OSCE/ODIHR would like to underscore the importance of domestic non-partisan election observation for enhancing the transparency of the election process, and notes its concern whenever barriers are erected, including through legislation, that limit this important activity.

The OSCE/ODIHR recognizes the valuable contribution of parliamentarians from the OSCE Parliamentary Assembly, the Parliamentary Assembly of the Council of Europe and the European Parliament, in the delivery of the OSCE/ODIHR election observation mandate.

As always, we thank participating States for their support, and look forward to discussing election-related issues of interest with delegations.