

**Address by Ambassador Christian Strohal,
Director of the OSCE Office for Democratic
Institutions and Human Rights (ODIHR)**

716th Meeting of the Permanent Council

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Excellencies,
Ladies and Gentlemen,
Dear Colleagues,

It is with satisfaction but also a measure of sadness that I have come to deliver my final report to the Permanent Council. Reporting to you for the last time as Director of the ODIHR is not an occasion I have been looking forward to, but I certainly enjoy the company.

Five years ago, I was thrilled to take on what I believed to be the most exciting function in the world of human rights. Since I took office in 2003, I have focused on three broad objectives: enhancing the Office's capacity to fulfill its mandate, strengthening leadership and focus for the Office, and developing outreach to our partners. As a consequence, I am even more thrilled today. Let me sketch some of the key issues, and the reasons why we can take satisfaction in the Office's activities.

Our work had to continuously adjust to a changing OSCE environment. Already back in 1991, a prominent scholar asked the question: "New European Unity: The End of the CSCE?" Since then, of course, we have witnessed not only the consolidation of some of the most far-reaching changes in our region but also, at the same time, the development of the OSCE and its institutions and field operations, and a unique operationalization of support to participating States in the implementation of their OSCE commitments. In other words: this is the opposite of "end", responding to awareness about continuing problems and challenges.

Challenges

In more recent years, Ministerial Councils have taken important decisions to address new challenges in the human dimension: combating trafficking in human beings, racism, anti-Semitism, xenophobia and other forms of intolerance, the situation of Roma and Sinti, or gender inequality. Yet the bulk of the OSCE's human dimension commitments date back to the 1990s, and to the 1975 Helsinki Final Act.

I am pleased that the Ljubljana Ministerial Council in 2005 tasked us to produce a comprehensive report on commitments and their implementation, as well as our role in supporting States in this

regard. The report, which we called *Common Responsibility: Commitments and Implementation* gave us an opportunity to take a step back, reflect on the role of the ODIHR in this changed security and human rights environment, and identify the challenges we face in the Human Dimension today. This was a collective ODIHR effort, which I trust will continue to guide our efforts to constantly strengthen the efficiency of our work. At the same time, I strongly believe that the conclusions we reached on challenges to implementation require the urgent attention of participating States – of all of them. Because there can be no doubt: serious challenges remain, for all, throughout our region - and let me give you some examples:

- In some parts of the region, systematic election fraud continues with at least the tacit consent of authorities;
- sometimes, the fight against terrorism is abused as a pretence to curtail fundamental freedoms;
- independent media are facing serious restrictions by authorities;
- the freedoms of assembly and association remain overly restricted;
- human rights defenders are increasingly under threat or harrassed; and
- some governments give inadequate attention to prevent torture and to ensure impartial and accessible justice for all.

In all of this, perpetrators, all too often, go about with impunity and remain unchallenged.

At the same time, migration and displacement create new challenges for governments and societies as a whole, as do crimes resulting from aggressive nationalism, racism, xenophobia and anti-Semitism, and as does the lack of tangible progress improving the situation of Roma and Sinti throughout the OSCE region.

Most of these challenges were already identified more than a decade ago in the 1996 Lisbon Summit Document. In the face of these persistent and new challenges, and the uneven response to them, some want to conclude that the OSCE is in a crisis. I believe that the opposite is the case. In times when some participating States fail to meet their commitments, it is the OSCE and Institutions like the ODIHR which are best suited to identify

shortcomings and offer assistance to States in remedying lack of implementation.

ODIHR response

One of my first steps as ODIHR Director was to create a fully-fledged Human Rights Department with a strong monitoring capability and the ability to strengthen the capacity of officials as well as of civil society institutions to pursue human rights issues in their countries. We have seen progress, certainly; but we also have seen the need to establish a focal point to follow the specific challenges faced by human rights defenders.

Subsequently, and following an unprecedented series of high-level OSCE conferences, the Tolerance and Non-Discrimination Programme was added to our portfolio. The programme has now successfully been developed into an effective department. In addition to assistance activities, such as training law enforcement officers in combating hate crime and developing educational materials, the department closely follows incidents and violent manifestations of racism, xenophobia, anti-Semitism and other forms of intolerance. Our annual report on hate crimes in the region has become a widely-used monitoring and early-warning tool, and our TANDIS website provides a valuable portal to access relevant information, including on best practices.

Human dimension meetings and civil society

One core OSCE activity that has been attractive to civil society but remains underestimated by some participating States are Human Dimension Meetings. Unique in providing access to civil society and States on an equal footing, the meetings have attracted new record numbers of participants each year. We have worked hard in making these meetings, including the HDIM, more interactive. In this way, we contribute to our collective implementation review, together with our partners both from within the Organization and from outside. Further improving the relevance of these meetings could be achieved by giving more systematic follow-up to their recommendations.

Democracy as a process

Our democratization work, too, has developed stronger focus, in particular on democratic governance and democratic processes. In response to your growing demand, we have strengthened our capacity to provide assistance in drafting and amending legislation,

including by further developing legislationline.org. Over these years we have organized numerous practical roundtables and workshops, providing concrete assistance in judicial reform, civil registration, political participation of women, and other related fields, and have developed a systematic planning and evaluation approach to longer-term assistance.

Elections and follow-up

Our election work continues to be my Office's most visible activity, our observations widely recognized in the international community. During my tenure, we established 79 election missions, deploying more than 19,000 election observers and experts. In line with our general policy, we have also increasingly been following developments in longer-established democracies, assessing specific aspects of the electoral process, for example last year during the Swiss Parliamentary elections, or following the impact of newly-introduced voting technologies, as we did in Estonia. Thus, we have over the past years been able to considerably expand the geographic scope of our elections work. In total, our missions have visited more than two-thirds of the participating States.

I take this opportunity to express my gratitude for the cooperation and support we enjoyed from those who have hosted election missions over these past years as well as to those who have provided our missions with so many dedicated long- and short-term observers. The success of our missions will continue to depend on this support.

A functioning cooperation with our parliamentary partners from the OSCE Parliamentary Assembly and other Parliamentary groups is also key to ensuring that the international community speaks with one voice. For this, a spirit of true partnership is necessary.

Sadly, we were unable to observe the two largest electoral events in our region since the last Ministerial. The controversy sparked by our inability to observe was largely an artificial debate trying to distract from sometimes uncomfortable truths reported by OSCE observers. There is no crisis of election observation. What we do have is a crisis of compliance with election standards in some countries. Yet the picture is not all bleak: there are now in many countries better legal frameworks and more professional electoral administrations than only a few years ago. But these positive steps

are still too often devaluated by illegal state interference: governments that prevent opposition forces from registering their candidates, that clamp down on independent media, or even resort to blatant falsification of election results.

Election observation, as you are all aware, is not an end in itself - it is a tool to identify challenges and point to ways in which shortcomings can be addressed. The ODIHR has therefore continuously stepped up efforts to follow up on our observations by presenting concrete recommendations and offering our assistance in meeting them. These efforts involve all ODIHR programmes, and, in the final analysis, of course, participating States themselves, individually and collectively.

Management

Finally, a word on our management: We have moved away from one-year project planning cycles to multi-year, long-term programming in our assistance activities. This enabled us to set more ambitious goals and to become more transparent and predictable.

We have mainstreamed a number of cross-cutting issues into our work. Gender aspects are now reflected in our work across all departments. Most programmes, whether on trafficking in human beings, hate crime policing or elections activities, include, for example, specific consideration for Roma and Sinti communities.

In all of this, we take great care to ensure best management practice, often at the forefront of the Organization as a whole, basing our activities on needs assessment, careful programming and planning, and continuous evaluation. This has enabled us not only to strengthen our cooperation with participating States, but also with our numerous partners within the organization and outside.

Acknowledgements

Let me conclude: I thank all of you for the cooperation we have enjoyed over these five exciting and eventful years. I ask the indulgence of those who I have had to call at midnights or weekends in emergency cases, but none more so than the six Chairmen with whom I have been privileged to work and who have had to endure numerous such intrusions: Ambassadors Justus de Visser, Ivo Petrov, Janez Lenarcic, to whom I am delighted to be

handing over the baton, Bertrand de Crombrughe, Carlos Sanchez de Boado, and for the last six months now, Antti Turunen.

Let me also express my appreciation to Secretary General Marc Perrin de Brichambaut for his patient understanding for the distinctive and sometimes unusual needs of my Institution.

I am particularly sad to be leaving my two good colleagues, the High Commissioner on National Minorities and the Representative on the Freedom of the Media. In five years of working very closely together with them and their predecessors, I do not recall a single disagreement or let alone a sign of "turf battle" between our three Institutions – a rare privilege in the world of international organizations.

I thank all of you for the interest you have showed in the activities of the ODIHR and for the friendly collegiality which prevailed in my personal contacts with you. I do hope that you will continue to provide support and in many cases additionally financial assistance to the ODIHR programmes.

Of course none of the achievements of the past five years could have been possible without the hard work of my collaborators at the ODIHR. Their dedication and commitment has produced high quality work in often very difficult circumstances, heavy travel schedules and working hours taxing family life. Their honest belief in the values the OSCE is remarkably free from the cynicism we encounter elsewhere and to me has been a constant source of motivation. I would also like to thank our Polish hosts who have continuously had to cope with our needs for adequate office space.

Dear colleagues,

Over the past five years, we together have worked hard to reshape the ODIHR into an even more effective tool in identifying and helping to address the challenges States face in the human dimension. I am proud to be able to hand over a strong and functioning ODIHR to my successor Ambassador Janez Lenarcic.

Renewing the Helsinki Movement

It is some 35 years ago that Finnish President Urho Kekkonen said at the first Helsinki conference: "Security is not gained by erecting fences, security is gained by opening gates." This remains as true today as it was then. Our collective security concept is based on the

fact that human rights, fundamental freedoms, democracy and rule of law are common concerns and are not exclusively internal affairs. Upholding these principles is thus a collective endeavour. We at the ODIHR are mandated to assist in this collective effort. But for this, gates that have remained closed must be opened and no new fences should be erected.

You are the gatekeepers – or, rather, the gate-openers. I am convinced you will remain aware of this responsibility, as were your predecessors in Helsinki and subsequently. I see two overarching issues in this:

An important basis for implementation of human rights at the national level is good legislation, consistent with international human rights standards and OSCE commitments. As a corollary, weak and inconsistent law-making closed to societal stakeholders is often both the cause of, and an indicator for, problems in the sphere of human rights protection. Accordingly, when we pronounce ourselves on the importance of the rule of law as key to functioning democratic processes and economic growth, we must remain aware that both international law and international commitments set high standards for the design of the domestic rule of law.

Secondly, partnership with civil society: At my very first Human Dimension Implementation Meeting in 2003, I concluded as follows:

“Democracy, the rule of law, human rights: they are always in danger, everywhere. This is the message from the Helsinki movement of civil society, governments, and international organizations. This movement has been the *avant-garde* in Europe, and beyond. We must strive to serve as this *avant-garde* again.”

As you will prepare for the Helsinki Ministerial Council, this remains your key challenge.

I am proud and grateful to have led the ODIHR for more than five years and thank you for your trust and support. It is uniquely positioned - with its strong mandate, its freedom from undue political influence, its operational autonomy, its internationally recognized expertise and its ability to work flexibly -to help

participating States in what is their common responsibility:
implementing their commitments to the benefit of human security
for all.

I thank you.