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Address by

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Madame Chair, Mr. President, Members of the Venice Commission,

At the outset, I would like to express my appreciation to President Gianni Buquicchio and the whole Venice Commission for your kind invitation to this meeting. It is a great honor and pleasure to be here with you today in the Scuola Grande.

In the 1990 Copenhagen document OSCE participating States recognized the “important expertise of the Council of Europe in the field of human rights and fundamental freedoms” and in Prague in 1992 they furthermore directed ODIHR to “work closely with other institutions active in the field of democratic institutions building and human rights, particularly the Council of Europe and the Venice Commission (the European Commission for Democracy Through Law).

Thus our two institutions have long employed their shared expertise to prepare joint legal opinions - since 2002 we work jointly on elections related legal reviews and from 2005 we extended cooperation to other areas, such as freedom of assembly and association and political party regulations, freedom of religion, and judiciary.

So far, ODIHR and the Venice Commission have jointly prepared over 100 opinions on topics ranging from freedom of religion or belief to political party regulation, to freedom of association or electoral laws, speaking with one voice to defend democracy and rule of law. The volume of these opinions is impressive but let’s remember that the real value lies in their impact and political significance.

In the current political climate, where attempts to undermine democracy and the respect for human rights, including the cross cutting principle of non-discrimination and gender equality, are on the rise, strategic cooperation between our two Institutions is not only more important but also more necessary than ever. Speaking with one voice is therefore crucial when defending rule of law, democratic elections and protecting space for vibrant civil society.

We need to remain mobilized and strengthen the ties that bind us, taking pride in our common achievement.

You as the Commission have shown leadership in many areas of the development of the international human rights system. Your Commission has profoundly contributed to shape the legal culture and protect democracy and rule of law in Europe. As Director of the ODIHR, I want to thank you as our key partner for the excellent cooperation.

Looking back at the last 15 years and seeing what the VC and ODIHR have achieved together I am convinced that there are just a few, if any, other examples of such a successful and robust cooperation as ours. I know very well how decisive our partnership is to the success of my own missions. But the real beneficiaries and winners of our strategic partnership are over 1 billion citizens who can rest assure that there is a working mechanism to protect and advocate for their rights and freedoms. Together we have to ensure to keep it that way.

We know that the existence of good legislation, consistent with international human rights standards and OSCE commitments, is a precondition for the effective implementation of human rights at the national level.

Ladies and gentlemen,

One of the most important aspects of our cooperation is in the field of elections which is ODIHR's most visible activity. Working on electoral matters always comes under intense scrutiny and the importance of speaking with one voice becomes ever more important. Our joint legal opinions are of particular value in assessing how OSCE participating States follow-up on recommendations of the Election Observation Missions that ODIHR deploys.

Our advice in the joint opinions is precise, objective, practical and timely - all of the components needed for a successful electoral reform, if there is a political will to improve the elections.

Our close co-operation last year with regard to the joint opinion on electoral laws in Turkey and in Uzbekistan comes to mind, demonstrating the value of how clear and constructive legal opinions can deliver recommendations for further improvements and also highlight positives in addressing prior recommendations.

We also appreciate the presence of Venice Commission experts among staff accompanying the delegations of the PACE during election observation missions. Inputs of Venice Commission experts are very valuable as we finalize the joint preliminary statement on elections. Their contributions are very much based on precise reading of the law, which is where we find ourselves on the same page.

You will also see that we reference the Venice Commission Code of Good Practice in Electoral Matters very often in our reports. It is a very valuable document, as it often provides practical information on possible ways to implement existing commitments and standards. The Code is invoked very often in our discussions on follow-up to electoral recommendations, along with other standards such as General Comments to the ICCPR.

Overall, I believe that this systematic cooperation between our institutions and our common efforts to bring the ‘law in books’ into ‘law in action’ is a success story and serves as an example to other organizations.

On this basis, we can look ahead and ask ourselves how we can be more effective.

Firstly, I believe we have to think about how we can best follow up the results of our work more systematically, through joint activities such as more regular conferences, seminars, field visits, and more regular expert consultations.

We need to maximize our input to, and our impact on democratic law making.

Secondly, we have over the years, seen a number of states that have announced questionable reforms undermining political pluralism, judicial independence, and freedom of association. Publishing comments jointly by two respective institutions working in this field ensured highest quality of expertise. It also sent strong and clear messages, thus avoiding duplication of efforts and reducing possibilities for “forum shopping”.

Thirdly, we have to do more to prevent further inflation of good practices. Hasty lawmaking seldom guarantees good laws. Too great is the temptation to pass laws based on the imperative of political convenience based on short-term gains.

We have therefore turned our attention increasingly on the legislative process as such, to not only bring about democracy through law, but also law through democratic procedures, through rendering law-making more transparent and more inclusive.

Ladies and gentlemen,

Our overlapping membership and complementary mandates are an asset in addressing shared challenges allowing us jointly to offer constructive advice to our ‘member/participating’ states.

As “good friends”, we do not shy away from expressing clear views, but at the same time we are always ready to support each other and it is our honest and open dialogue that builds trust in the long-term, even when we sometimes face challenges and sensitivities in the short-term.

I hope we will jointly continue to be a voice that consistently reminds our member/participating states of the importance of supporting democracy and ensuring and promoting human rights and rule of law. We have to stick to these principles, even when faced with arguments about stability, security and geopolitical uncertainties.

I look forward to continuing our excellent cooperation.

Thank you.