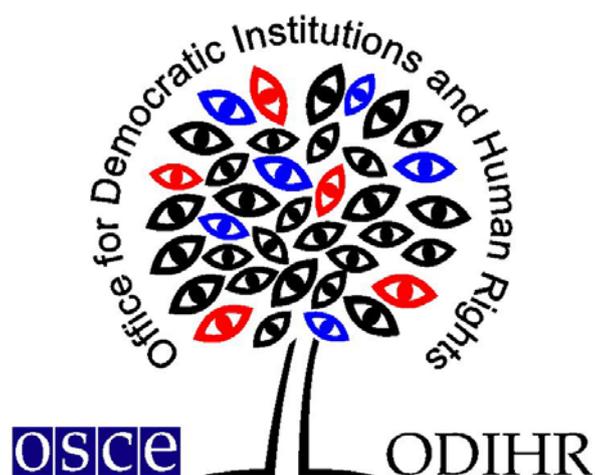


# Opening remarks

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Excellencies,  
Ladies and Gentlemen,

I would like to thank the Finnish Chairmanship for organizing this seminar on election issues, and Ambassador Turunen for his kind words in which he described the work of my Office. The topics we will be discussing today and tomorrow are central for this Organisation as a community of shared values, and to a considerable extent define the OSCE in the eyes of the public.

I would like to start my remarks today with a few thoughts on ODIHR's unique election mandate – what that mandate is and why the participating States have tasked ODIHR to carry it out. The ODIHR's mandate covers all three areas discussed at this seminar: implementation of OSCE commitments by participating States, election observation, and follow-up by participating States to improve the conduct of elections.

Since the establishment of the ODIHR as the Office for Free Elections in 1991, the Office was tasked with fostering the implementation of the election-related commitments agreed upon in the landmark Copenhagen Document of 1990. The ODIHR was established as the principal instrument to assist participating States in holding one another accountable to the high standards they set for themselves. The cornerstone of this assistance is election observation.

As the OSCE developed, the capacity of the ODIHR to assist States in the implementation of commitments was increased. A key element was the idea that the ODIHR's election monitoring activities should be

“comprehensive”, taking place “before, during and after elections”. These decisions by OSCE participating States gave the ODIHR the mandate to assess the implementation of the full range of election-related commitments, thereby also enhancing its ability to support participating States.

The theme underlying our mandate was, and remains, that such comprehensive, long-term observation is a sensitive and complex activity that cannot be accomplished in an *ad hoc* manner. To underline this, participating States tasked my Office with developing a methodology that would deliver the mandate in a systematic, unbiased and effective manner. Our approach has inspired others involved in the field of election observation. I am sure we will hear more on this subject from international organisations and domestic observers in the course of this Seminar.

Fact is that election observation became a signature activity of the OSCE. As a result of forging partnerships in this field, the important contribution made by parliamentarians to our joint undertakings has become both evident and welcomed. The ODIHR works in close cooperation with the OSCE Parliamentary Assembly, as well as the Parliamentary Assembly of the Council of Europe, the European Parliament and on occasion the NATO Parliamentary Assembly. There is no doubt that election observation can only be effective if it is a common endeavour. And I am pleased to be able to recognise Secretary-General Spencer Oliver to my [right] who has, in the past decade, been such an outspoken advocate of tying parliamentarians more closely into our common endeavour.

I think he will agree that it is precisely the combination of the respective strengths of the OSCE PA and the ODIHR -- *the parliamentarians' experience as well as the ODIHR's expertise* -- that has made our work in the field so successful. As I have said to the Secretary General last week in Copenhagen, I strongly believe in the notion of partnership. Partnership between us is the term participating States used at the Brussels Ministerial Council in 2006 to define our relationship. And it is in this spirit of true partnership that ODIHR will approach its relationship with the OSCE parliamentarians during my tenure as ODIHR Director.

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Ladies and Gentlemen –

We have often said, and I am sure you have heard it many times, that an election is not a one-day event. Equally, an election is not only a logistical exercise involving supplying ballot papers and ballot boxes: the electoral period, in any country in the world, is a moment when the exercise of all fundamental freedoms is at stake; it is a moment when free speech, the right to peaceful assembly, freedom of the media, among others, are tested to the highest degree.

These aspects are, as you all know, underscored in the 1990 OSCE Copenhagen document. It defines the context in which an election takes place; without realising these democratic principles, there would be no democratic election. The consensus of Copenhagen, I should stress, was directed at creating basic democratic conditions within the foreseeable future, not as a distant goal decades ahead.

*Vice versa*, without the Copenhagen Document, there would be no agreed standards against which the conduct of an election could be assessed. The participating States took a historic step in Copenhagen, committing to respecting fundamental civil and political rights, and thus providing a set of criteria for democratic elections that are more advanced than any undertaken by any other intergovernmental agreement to date.

We are all aware of the fact – the observable fact, I may add – that election-related commitments are not always implemented fully. As the ODIHR highlighted in the *Common Responsibility* Report in 2006, there are trends in the OSCE region that sometimes point in the opposite direction:

- In a number of countries, administrative rules are used to keep certain candidates off the ballot or to de-register candidates during the campaign;
- Candidates and political parties experience difficulties in accessing the media or face biased coverage by the state media;
- Authorities interfere with election campaigns by imposing arbitrary administrative obstacles; this in particular affects the freedom of speech and the freedom of peaceful assembly;
- A lack of transparency and accountability in the counting and tabulation processes leads in some cases to fraud with impunity.

These are real problems. And I must agree with what my predecessor has often stressed here in this hall: there is no crisis of election observation; there are challenges to the realisation of electoral rights

in the OSCE region. These problems should not be ignored or denied since they ultimately constitute a real threat to security and stability.

On the other hand, we need to acknowledge the significant progress that has been made towards meeting OSCE commitments for democratic elections in a number of participating States since the 1990s. A number of OSCE States have addressed certain shortcomings. In some cases, these initiatives have followed ODIHR election observation reporting and recommendations, and the ODIHR has been invited to participate in events, roundtable discussions, and other projects to improve legislation and practice in a range of participating States. In other cases, participating States have effectively addressed outstanding issues on the basis of concerns raised by political parties and civil society organizations.

I look forward to learning more during the course of tomorrow afternoon's session about the ways in which this progress has been made. Identifying key elements of the process of electoral reform can benefit other participating States in completing the transition to fully democratic elections and fully democratic institutions.

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Finally, let me turn to the topic of observation of elections. As you are all aware, questions have been raised in the past years about election observation and about the ODIHR's activities in this respect, regarding both its mandate and its implementation. Some of the criticism has been constructive, some less so, in some cases distracting from the real problems and shortcomings. We know that.

But let me at this point say that criticism can also be healthy. Some of it has been useful and has served to strengthen the work of the ODIHR. We have taken a number of steps to enhance our election observation work to fulfill our mandate even more effectively, and under my leadership will continue to do so. We will speak about this in more detail tomorrow morning.

Let me just reflect upon an observation which I have made over the past years as I followed the workings of the OSCE. It is sometimes said that the ODIHR needs to maintain its ‘independence’ in its election observation activities. The statement is misguided in its absoluteness and needs to be qualified. The ODIHR is not ‘independent’. It cannot say whatever it wants about an election process. It is bound by its mandate given to it by a succession of Summits and Ministerial Councils which precisely defined the range of activities it undertakes. Instead of ‘independence’, I wish we would refer to the impartiality of my Office in the delivery of its mandate. I say this also because there have, in recent years, been consistent efforts to politicize election observation.

What is crucial for our impartiality is that the ODIHR is able to make its findings, to draw conclusions based on them, and to formulate appropriate recommendations for follow up. For each election, observation must reflect the situation as it is, not as we would like it to be.

I hope – and in fact I believe – that the period of attempts to inject politics into election observation is drawing to a close, that

participating States appreciate the efforts ODIHR has consistently made to fulfil its election-related mandate and recognize the steps that we have taken to take on board constructive criticism. I believe that we should be moving beyond the era of mistrust, and towards a broader discussion of how to regain the initiative on implementation of commitments in the OSCE community.

I see this seminar as a major step in this direction. I look forward to a genuine and open discussion on where progress has been made in implementing commitments, and hear where efforts need to be redoubled. Equally, I look forward to discussing, again, the role and methodology of election observation, and to listening to ideas on how this activity can be made more useful for the participating States. And most importantly, I look forward to hearing what the best practices are in addressing the remaining challenges.

Once again, I thank the Chairmanship for its initiative in conducting this seminar.

Thank you.