

Keynote Address

by

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at the

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Prospects for Democracy in Eastern Europe”



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Excellencies,
Ladies and Gentlemen,
Dear Colleagues,

It is a great honour for me to take the floor to represent the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe – OSCE ODIHR – at such a distinguished gathering of officials, experts and practitioners on “Prospects for Democracy in Eastern Europe.” Let me thank the Institute of Public Affairs and the other sponsors of this conference for inviting ODIHR and express regret that you could not be joined here at this session by ODIHR’s Director, Ambassador Janez Lenarčič. But let me also explain that Ambassador Lenarčič’s absence from Warsaw today is directly related to a core topic that I would like to address this morning:

At this very hour, as we open this Polish-Nordic Forum on prospects for democracy in neighbouring countries, Ambassador Lenarčič is in Copenhagen to open a conference hosted by the Government of Denmark in co-operation with the Kazakh Chairmanship of the OSCE to commemorate the 20th anniversary of the Copenhagen Document on the human dimension of security.

Adopted in a Nordic capital just after the year that saw the fall of the Berlin Wall and the most critical phase of Poland’s democratic transformation, the Copenhagen Document continues to this day to represent perhaps the most far-reaching and unambiguous international agreement by which former ideological adversaries expressed a common vision of democratic governance, human rights, and the rule of law. It is our sincere hope that the

commemorative session which Denmark has had the wisdom to host in Copenhagen today will serve as a reminder of the shared commitments to democracy contained in that landmark text.

Before addressing some of the specific issues that will be considered in more depth in our panel discussions here in Warsaw today, let me also pay tribute to the role of Poland and its Nordic partners in the development and promotion of democracy as well as the evolution of what has come to be known as the human dimension of the Helsinki process. Even as its own democratic transition was new and potentially fragile, our host country demonstrated boldness and vision by offering in the 1990 Charter of Paris for a New Europe to host an “Office for Free Elections” of the then-Conference (now Organization) for Security and Co-operation in Europe (then the CSCE, now the OSCE). That Office evolved a bit later into the institution I am proud to represent, ODIHR, with a broad mandate to assist participating States in protecting human rights, strengthening democratic institutions, and promoting tolerance and non-discrimination. ODIHR has been most privileged to benefit from the hospitality of Poland’s Government since the early 1990s, and Poland’s Ministry of Foreign Affairs has recently entered into an arrangement to provide a new permanent headquarters for ODIHR’s staff of over 130 persons here in Warsaw. We expect to move into these new premises sometime later this year or early in 2011.

It goes without saying that the OSCE and ODIHR trace our real origins back to the 1975 Helsinki Final Act – like the Copenhagen Document, a historic text developed and ultimately adopted on Nordic soil. We also cherish another less well-known Helsinki document, adopted at a CSCE summit in

1992, which laid out modalities that continue to govern OSCE's unique and innovative approach to reviewing implementation and considering follow-up of human dimension commitments through an annual cycle of meetings open to participation by non-governmental organizations and other civil society actors on an equal footing with government representatives.

Hosting the negotiations of these key Helsinki and Copenhagen documents was merely a precursor to the critical role that Nordic countries have played over the past two decades in promoting democratic transformation, including through robust support for the Baltic States as they restored their independence and built institutions after the end of the Cold War, and as leading contributors of post-conflict democracy and rule of law assistance following the tragic wars in former Yugoslavia. I look forward to hearing from our Nordic and Polish colleagues about your plans for future activities to promote democracy in Europe and beyond.

Among the questions on today's agenda are whether democratic values are really shared among various players in the broader European region, whether assistance programmes are really effective in promoting democratic development, and what our future democracy assistance priorities should be.

I will answer the question about "shared values" by recalling my earlier remarks about the documents adopted in Paris and Copenhagen 20 years ago: The OSCE participating States undertook in the Charter of Paris for a New Europe "*to build, consolidate and strengthen democracy as the only system of government of our nations*" and in the Copenhagen Document they recognized "*that vigorous democracy depends on the existence (...) of*

democratic values and practices as well as an extensive range of democratic institutions”.

It is no doubt very difficult to assess the extent to which various partners really share what they described in 1990 as “democratic values.” On the other hand, there is no question that our participating States have undertaken a very comprehensive and to some extent measurable set of shared commitments through the Helsinki process. I would therefore stress the importance of basing our work to build democratic institutions on those common and very specific commitments, such as those undertaken at Copenhagen, as direct expressions of the democratic values that all OSCE states have professed to share.

To cite just a few examples, ODIHR works every day on the basis of the Copenhagen commitments by participating States:

- that they will invite international observers to their elections;
- that they will hold free elections in accordance with detailed standards to ensure fairness and transparency;
- that they consider protection and promotion of human rights and fundamental freedoms to be one of the basic purposes of government;
- that the activity of the government and the judiciary will be exercised in accordance with the law;
- that they will guarantee effective protection against discrimination on any ground;
- that they will combat racial and ethnic hatred, anti-Semitism, and xenophobia; and

- that they recognize the special needs of Roma communities.

These and other Copenhagen commitments, many of which have been supplemented over the years in subsequent OSCE documents, underpin virtually all of ODIHR's core activities. These include: the conduct of election observation missions and advising States on ways to improve their electoral practices; reviewing legislation for its compliance with OSCE commitments and other international standards; developing and refining guidelines on key human rights issues, such as the practical aspects of ensuring respect for freedom of assembly; promoting dialogue between civil society and governments on human rights practices that have major implications for democratic development, such as respect for citizens' right to form political parties and non-governmental advocacy groups; assisting states with addressing hate crimes and other forms of intolerance; and promoting greater social inclusion of Roma populations.

The question of whether all this work is effective in actually promoting or consolidating democratic change is one which could be discussed for many days by experts who have written many monographs. My short answer is that building democratic institutions is quite different than building bridges or roads, and it is ultimately not possible to assess with scientific certainty to what extent a particular set of assistance programmes may be responsible for a particular outcome. What we can observe on the basis of our own experience is that we encounter a continuing high level of demand from counterparts in governments and in civil society institutions across the OSCE region, all of whom tell us that our assistance can be meaningful as they seek to implement their commitments in the human dimension. We

believe that our work does have a positive impact, sometimes immediate but often in terms of building capacity for democratic development that can only be measured over a considerable period of time.

While I feel most humble in offering any suggestions to such leading proponents of democracy as Poland and the Nordic countries, I will end with a few thoughts that relate specifically to ways in which your national and collective efforts can help reinforce the work that we are doing in ODIHR.

The first thing we hope to see from this part of the world is perhaps the easiest for you to deliver – continuing to serve as shining examples of democracy in action, and of the view that respect for democracy and human rights is a matter of shared international concern rather than the internal affair of sovereign states. A fresh demonstration of this approach was a presentation by Norway at the Human Dimension Committee of the OSCE Permanent Council this week, highlighting that Norway is giving serious consideration to recommendations that emerged from an ODIHR assessment of recent parliamentary elections. I cannot overemphasize the value of pointing out to others in the OSCE region that, if a country like Norway considers it worthwhile to study and perhaps act upon ODIHR recommendations, it might be of value for certain other countries to study and follow up our suggestions about how to improve their electoral legislation and practices.

A second area in which your continued contributions are most welcome is the political and material support that you provide to ODIHR. I need say no more about this point because your backing has been consistent and strong,

and we appreciate your continued willingness to provide practical assistance even in difficult economic times. It should go without saying that we also welcome your constructive criticisms and suggestions about how we might do our work more efficiently or effectively.

Before concluding I will highlight two areas in which ODIHR would humbly request our partners, including our friends in this region, to examine whether your already strong efforts can be intensified:

The first concerns ODIHR's ability to continue effective election observation, which is to a large extent dependent on the willingness of countries to second the Long-Term and Short-Term Observers (LTOs and STOs) that perform much of the work of each mission. While all of your countries have been generous, there has been a regrettable tendency during some recent elections (such as last week's local elections in Georgia) as well as the current referendum observation mission in Kyrgyzstan for participating States as a whole to fall quite far short of providing the number of LTOs and STOs that ODIHR has requested. Your further efforts to serve as good contributors, but also to encourage such contributions from others, would be most welcome.

A second area I would like to mention is the level and number of participants at OSCE meetings on human dimension topics, including such events as the annual Human Dimension Seminar here in Warsaw that is intended to provide for an in-depth exchange of experience among experts on a particular topic. This year's Seminar on the rule of law, with a special focus on independence of the judiciary and access to justice, was addressed

by a number of leading experts in the field but was attended by far too few experts from capitals. We at ODIHR are keenly aware of financial and personnel constraints, and we also understand that the topics of human dimension meetings are often rather narrow or repetitive (which is incidentally a problem that can only be addressed by the participating States, and not ODIHR). Nevertheless, given the long-term strategic importance of maintaining a robust programme of meetings and events to review and address gaps in implementation of OSCE human dimension commitments, we can only encourage attendance at the appropriate level and by the relevant experts. Diplomats accredited to Warsaw or even from OSCE missions in Vienna are no substitute for the practitioners from your countries who have so much to share with their counterparts.

In conclusion I would like to stress the broad convergence of interests and approaches to promoting democratic development among OSCE ODIHR and those responsible for supporting this conference, including Poland and the Nordic countries as well as the European Commission and the EU as a whole. I would encourage all of you to keep ODIHR in mind as you develop and implement your democracy assistance programmes, and we will of course endeavour to maintain and enhance our valuable partnerships. Close co-ordination and collaboration can only contribute to the achievement of our shared objective, as highlighted 20 years ago in the Copenhagen document, to “the ideals of democracy and political pluralism” and “democratic societies based on free elections and the rule of law.”

Thank you for your attention.