

## HDIM 2013

### **Working Session 13: Democratic elections and election observation – sharing best practices (specifically selected topic, continued)**

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Working Session 13 was devoted to sharing best practices on democratic elections and election observation. The introducer, Ambassador Spiro Koçi, Permanent Representative of Albania to the OSCE, shared Albania's experience in co-operation with ODIHR. He explained that 17-year long history of co-operation included election monitoring as well as assistance in reforming electoral legislation. Regarding the monitoring activity on recently held elections, Ambassador Koçi welcomed preliminary positive assessments by ODIHR, OSCE PA and PACE, stating its readiness to work on further improvements in accordance with the recommendations to be made in the final report. He presented the activities Albania undertook in regard to the recommendations from elections held in 2009 and 2011, focusing on the work of an *ad hoc* parliamentary committee, formed in 2012 to prepare necessary amendments to Electoral Code, specifically addressing the recommendations by ODIHR Election Observation Mission (EOM). The OSCE representative had been invited to participate in the work of the Committee and its role was perceived as an honest broker, mediating between different positions of political parties. Ambassador Koçi highlighted the bi-partisan formation of the Commission and its inclusive nature, which successfully produced agreed amendments well in advance of the next elections. Presenting some of the key ODIHR recommendations and challenges Albania has been facing in their implementation, Ambassador Koçi explained how the restructuring of the Central Election Commission, as the most sensitive issue had been solved, with the aim to depoliticize and increase the confidence in this body. He also mentioned the issues that still need time to be solved, such as public broadcasting. Having in mind these positive experiences in co-operation with the Office, Albania invited ODIHR to monitor its local elections, as well. In conclusion, Ambassador Koçi underlined that experience of his country showed that participating States could significantly benefit from impartial and expert assistance of ODIHR, even if they are not bound by commitments to follow up to ODIHR EOM's recommendations.

10 interventions were made after the introducer, of which 6 by non-governmental organizations. In addition, 3 participating States used their right of reply in response to prior interventions.

A large number of delegations gave its support to ODIHR's activities in election observation, including follow-up visits. Many delegations called on participating States to make good use of ODIHR's assistance in the framework of a follow-up to ODIHR's election monitoring reports, including with regard to possible election legislation projects, and to report on follow-up measures. It was underlined that participating States should not shy away from recommendations, but welcome ODIHR's assistance in implementing their election-related commitments.

A number of delegations underlined the need for issuing timely invitations for election observation, thus allowing adequate preparation for ODIHR. In cases when the election date is yet to be defined, the suggestion was made to send the invitation before the official date for the elections is set.

Some delegations and non-governmental organizations raised their concerns regarding elections in specific countries. It was stated that even if regular elections exist in some participating States, the true choice for citizens does not exist. A number of NGOs underlined that the opposition often faces with serious obstacles and cases of imprisonment of political opposition activists continue to happen. The problems in freedom of the media, namely information blockade and state propaganda, were highlighted. One NGO suggested using new technologies to overcome these problems.

The session participants drew attention to the problem of transparency, particularly related to election administration, financing of the political parties and election campaign. The influence of private financing was also pointed out.

One delegation stressed the need to respect national legislation when applying election monitoring methodology, reminding that OSCE Copenhagen Document provides only general principles, but not specific norms. As an example of good practice, it mentioned international legally binding standards for election observation, adopted and ratified by the CIS countries.

A number of speakers raised the issue of non-citizenship as a human rights abuse and underscored that no elections could be accepted as legitimate, if these persons are deprived of their basic political rights, namely right to vote, even if they reside in the country since its independence. A few delegations expressed their concern for the high number of persons not being allowed to vote in some participating States. The problem of participation of national minorities in elections was also highlighted in a number of interventions.

Finally, some delegations informed on steps they have taken concerning their past or upcoming elections.

#### **Recommendations to the OSCE participating States:**

- Engage with ODIHR in the follow-up of electoral recommendations;
- Highlight measures taken to address ODIHR election recommendations at the political level of the OSCE Permanent Council;
- Invite ODIHR in a timely manner to observe elections;
- Ensure that all OSCE 'rules' apply to all OSCE participating States.

#### **Recommendations to the OSCE, its institutions and field operations:**

- Focus observation efforts on the media;
- Raise its voice when opposition activists are imprisoned;
- Pay attention to issue of non-citizenship.