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Statement by OSCE PA Special Representative

Ambassador Andreas Nothelle

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Let me start out by underlining what I have said here many times before: the PA attaches great importance to the OSCE's work in the Human Dimension, and in particular to an open and public process of monitoring the implementation of OSCE commitments in all 57 participating States – without bias, but in a manner that is open and candid enough to be congruent with solid democratic principles of governance.

In democratic systems, parliaments are the central place where open debates take place and governments have to justify what they are doing. Transparency is a cornerstone of effective parliamentary governance. Multilateral diplomacy must not contribute to a further erosion of parliamentary oversight. In the absence of a strong democratic dimension in multi-lateral organizations, national parliamentarians who provide the organization with the money of the taxpayers need to be fully informed about the work that government representatives often conduct behind closed doors. This is why the OSCE PA is so important for the transparency and accountability of the organization. The PA will continue its calls on the OSCE in all its parts to become more transparent.

Autonomous institutions funded by governments and not even indirectly accountable to the citizens for the substance of their work remain part of the executive branch of government. They can serve a useful purpose by lending technical and expert assistance to legitimate democratic institutions. That way they help decision-makers to take the right decisions. However, they cannot substitute parliamentary scrutiny over the performance and the actions of the governments of participating States.

Much of the ODIHR report is about finances and resources of the OSCE or the lack of it. The long list of conferences and seminars that the report mentions and the many documents and brochures that have been produced by the ODIHR cannot conceal that there is an apparent discrepancy between the expectations that some have regarding the Office's output and the amount of funds that it has at its disposal. Some years ago, our late former colleague Tabibian said here in this Permanent Council: One of the problems of this multi-lateral organization is that those who manage its work are the same ones who also ensure the money flow and assess the organization's performance. The amount of funds that executive structures receive and spend on hired consultants more often is the result of diplomatic negotiations than based on consequences drawn from an open debate about independent performance assessments.

In this context, one of the recurring recommendations of our Assembly has been that the audit of the OSCE needs to be performed by independent professional outside auditors. You might have seen the proposal made by the OSCE's Special Representative on the OSCE budget, our Icelandic member Petur Blöndal. We circulated it last week among the members of the ACMF. Mr. Blöndal's proposal goes a step further by recommending that the PA be the place where the Audit Reports are discussed.

The ODIHR report mentions several areas in which the Office cooperated with the PA during the reporting period. As I said a minute ago, ODIHR's consultants can in fact, upon request by the directly elected legitimate representatives of our citizens, provide supplementary technical expertise and assist them in the exercise of their democratic functions.

Somehow surprisingly, however, the written remarks that were circulated do not mention election observation as an area of cooperation in 2012. Throughout the reporting period, the PA has been very active conducting a high number of election observation missions. In 2012 and at the beginning of this year we observed 11 elections with a total of 553 PA observers. Only three of these observations we did on our own. In all of the six full EOMs that the ODIHR-Report is mentioning, we cooperated with the Office, and our Special Coordinators led the short term OSCE observer missions.

We heard that the ODIHR - despite the six-and-a-half million Euros from the Unified Budget that it has at its disposal for election observation - is facing difficulties when trying to meet the expectations of all participating States of the OSCE regarding credible election observations, not least because of decreasing numbers of secondments or reluctance by certain participating States to send observers to so-called "established democracies". The PA budget for EOMs is a small fraction of the ODIHR's; the totality of our observations costs the PA less than an individual ODIHR EOM. Despite this, or probably because of this and because of the problems that the ODIHR report mentions, the PA's role in election observation seems to be more crucial than ever.

Of course we all know that this is an area where PA-ODIHR cooperation has often been difficult. Ideally, ODIHR-PA cooperation should take place between the two administrations of the two institutions, in an effort to support the politician who is appointed as Special Coordinator in order to help him deliver his mandate - the Post-Election Statement - in the best possible manner. I probably need to repeat this, although I have said it before: we are ready to cooperate with the ODIHR, and we have been the strongest advocates of a full compliance with the 1997 Cooperation Agreement in letter and in spirit. This is why we welcomed very much the 2006 Brussels MC Decision that called on the ODIHR to base our cooperation on this Agreement. For 15 years, the PA has implemented the Agreement in full.

However, in December last year in Dublin, our Bureau members concluded that the ODIHR has failed to implement the Agreement by – among other things - not accepting the political leadership of the Chairman-in-Office appointed Special Coordinator. PA President Migliori has therefore declared the Agreement inoperable. Again: This is not equivalent to not cooperating with the office.

The PA's committee in charge of the relationship between the PA and the executive side of the OSCE is the Ad hoc Committee on Transparency and Accountability, a committee of several experienced senior PA members chaired by President-appointed Belgian MP de Donnea. The President has tasked this committee with exploring ways in which a cooperation that respects central elements of the Cooperation Agreement can be re-established. The next meeting of the Committee will take place in four weeks from now, on April 14, before our Bureau Meeting. Our cooperation with the ODIHR will be discussed there, as well as our Contribution to the Helsinki+40 Process and Mr. Blöndal's Auditing proposal.