Office for Democratic Institutions and Human Rights — An interim appraisal

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In 1990, the participating States of the Conference on Security and Cooperation in Europe (CSCE) adopted the Paris Charter for a New Europe. They also decided to found an Office for Free Elections in Warsaw. This became operational in May 1991.

At the time, it was hardly imaginable that this tiny office would develop into the most important institution for the human dimension of the Organization for Security and Cooperation in Europe (OSCE) (the new name of the CSCE since 1995). Originally charged with the task of furthering the exchange of information between the participating States of the CSCE on elections, the Office’s mandate was later broadened also to embrace other aspects of the human dimension, including human rights and democratisation. Subsequently, in 1992 the Office for Free Elections was renamed as the Office for Democratic Institutions and Human Rights (ODIHR). Together with the High Commissioner on National Minorities (HCNM) and the OSCE Representative for Freedom of the Media, the activities of the ODIHR 'are essential instruments in ensuring respect for human rights, democracy and the rule of law.'

At the core of ODIHR’s mandate are the promotion of democratic elections, practical support in consolidating democratic institutions and human rights, strengthening civil society and the rule of law, conflict prevention, and an early-warning function, in particular by monitoring the implementation of human dimension commitments. ODIHR thus mainly fulfils a two-folded task:

First, it is an instrument of control already based on the CSCE concept that the human dimension is not the internal affair of its participating States but subject to the legitimate interest of all the OSCE, including the entire populations.

Secondly, based on the OSCE’s cooperative approach, it is an instrument of assistance rather than accusation, trying to help participating States to overcome eventually existing shortcomings and to live up to their commitments in the field of the human dimension.

Finally, any attempt to assess ODIHR’s activities must take into account the CSCE/OSCE concept of comprehensive security, that is the need to protect and to

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2 Cf. Charta of Paris for a New Europe, 19-21 November 1990, New Structures and Institutions of the CSCE Process: ‘We decide to establish an Office for Free Elections in Warsaw to facilitate contacts and the exchange of information on elections within participating States.’
promote not only human rights and fundamental freedoms, but also security and cooperation in the fields of the economy and the environment as well as politico-military issues.

It is not possible to describe in detail all the activities of the ODIHR during the last ten years. This would go far beyond the limits of this brief article. Instead, this article aims to evaluate the institutional development, as well as the scope of the ODIHR's activities. This will be approached through substance and regional outreach, and particular focus will be placed on the years after 1997, when the ODIHR as an institution received its actual structure. Apart from informing the reader about the major facts, activities and priorities, the article also strives to elaborate some existing problems and the possible solutions thereto.

Structure and finances

Around 1990, the participating States of the then CSCE had more or less completed their work of formulating their commitments in the human dimension. The question of implementing these commitments was becoming increasingly important, especially for the ODIHR, which was the main implementing institution. Certain limitations of the ODIHR became apparent rather quickly: while the Office managed to establish the observation of elections as a reliable and adequate instrument for ensuring basic democratic principles, other activities in the field of the human dimension had rather limited success. This is because they were often not focused, not sufficiently operational, and were too far from their target region. Another burning issue was the ODIHR's acute lack of personnel.

The situation began to change significantly when the ODIHR was restructured in the summer of 1997. Some of the encountered shortcomings were then taken into account. As a result, the staff was increased and different activities received clearer profiles. These new structures and reforms are still valid today. Some slight modifications have occurred with the introduction of some new positions.

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