

## Consolidation and New Challenges: The ODIHR in the OSCE's 30th Anniversary Year

### *Fundamentals and OSCE Reform*

In 2001, the OSCE Yearbook published an article on the occasion of the tenth anniversary of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR).<sup>1</sup> In this anniversary year, in which we celebrate not just the 30th anniversary of the Helsinki Final Act but also the 15th anniversary of the Paris Charter for a New Europe and the Copenhagen Document on the Human Dimension, it seems about time for an update on the development of the ODIHR.<sup>2</sup> The assessment given four years ago presented the ODIHR at a crossroads and pointed out the challenges the Office faced after a decade of rapid growth and rising demand for its services. In 2005, I can safely say that the ODIHR has successfully managed the challenge of consolidating, systematizing, and professionalizing its work without losing its ability to react quickly to human dimension crises as they emerge.

At the same time, the OSCE sees itself confronted with a political challenge: the quest for a reform. As a result of the Ministerial Meeting in Sofia in December 2004, a Panel of Eminent Persons was established in early 2005 to review the work of the OSCE and advise on its future. It has come forward with concrete suggestions in its report<sup>3</sup> currently being discussed by the participating States.

These developments present something of a paradox: The "success story" of the OSCE in contributing decisively to the most fundamental peaceful change of Europe after the end of the Cold War – has it become a victim of its own success in the face of new challenges in what is often described as "the post-9/11 world"? Is the ongoing transformation of post-Communist societies now perceived to be of lesser significance for the specific strengths of the multilateral OSCE framework of co-operation? Does the identification of new regional, indeed global, challenges – the fights against terrorism, against trafficking in human beings, against anti-Semitism and discrimination, to mention just a few – carry with it the risk of "diluting" the core strength of

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1   Randolf Oberschmidt, Ten Years of the Office for Democratic Institutions and Human Rights – An Interim Assessment, in: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.), *OSCE Yearbook 2001*, Baden-Baden 2002, pp. 387-400.

2   I want to thank my Special Adviser, Dr Marcus Brand, for assisting with the preparation of this article.

3   *Common Purpose: Towards a More Effective OSCE, Final Report and Recommendations of the Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE*, 27 June 2005, reproduced in this volume, pp. 359-379.

the OSCE, i.e. the values and commitments shared by the 55 participating States, and the support for their effective implementation?

In addition, the “revolutions” that follow deeply flawed electoral processes in Georgia, the Ukraine, and Kyrgyzstan have intensified the fundamental need to maintain the credibility of participating States’ determination to fulfil their commitments and to work with the institutions they created for this purpose. The anniversary year and the reform debate provide an excellent occasion to reconfirm the three-dimensional security concept of the Organization and the continued importance of the commitments and their effective implementation.

At the same time, confidence in the ODIHR was reflected in numerous new tasks entrusted to it in Action Plans and other decisions made by the Permanent and Ministerial Councils.

We at the ODIHR have certainly prepared for the reform debate, both by developing our substantive activities and by strengthening our management structure and our co-operation with partners. Before describing recent developments relating to the structure, the programmes, and the external activities of the ODIHR, several fundamental cornerstones must be kept in mind. Only in the context of an international organization originating in the depths of the Cold War, based on political commitments, and devoted to a comprehensive security concept does it become clear why the ODIHR has its specific mandate and functions and how this mandate is implemented.

Since its origin in 1975 as the Conference on Security and Co-operation in Europe (CSCE), the OSCE has taken a comprehensive view of security. The human dimension of security – the protection and promotion of human rights and fundamental freedoms and the promotion of strong democratic institutions and the rule of law – is considered to be as important for the maintenance of peace and stability as are the politico-military and economic dimensions. All OSCE participating States are equally committed to upholding democratic principles and to observing the full range of human rights.

They have confirmed their commitment to these principles on numerous occasions:

- “Full respect for human rights and fundamental freedoms and the development of societies based on pluralistic democracy and the rule of law are prerequisites for progress in setting up the lasting order of peace, security, justice and co-operation [...]” (Copenhagen Document, 1990)
- “Human rights and fundamental freedoms are the birthright of all human beings, are inalienable and are guaranteed by law. Their protection and promotion is the first responsibility of government.” (Charter of Paris for a New Europe, 1990)
- “Democratic government is based on the will of the people, expressed regularly through free and fair elections. Democracy has as its founda-

tion respect for the human person and the rule of law.” (Charter of Paris for a New Europe, 1990)

- “Respect for human rights and fundamental freedoms, democracy and the rule of law is at the core of the OSCE’s comprehensive concept of security.” (Istanbul Document – Charter for European Security, 1999)

The participating States have also “categorically and irrevocably” declared that the “commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned” (Moscow Document, 1991).

The ODIHR is the main OSCE institution for the human dimension, meaning that it has the primary task of seeing that commitments such as those mentioned here are more than mere words. It does this both by monitoring their implementation by the participating States and by conducting its own programmes that are aimed at helping states develop and uphold a democratic culture that will respect and promote the ideals expressed in those commitments. The Istanbul Summit in 1999 recognized the ODIHR, together with the other two institutions, as one of the “essential instruments in ensuring respect for human rights, democracy and the rule of law”.<sup>4</sup>

The report of the Panel of Eminent Persons has reinforced the conclusion that the structure in which the ODIHR is situated is fundamental to the implementation of its mandate. Institutions can only be efficient and effective if they retain their relative autonomy under the general leadership and guidance of the Chairmanship and the Permanent Council. The very essence of an institution in this Organization is that it is free from polarization and not subject to political pressures, which means that it can focus on reliable, predictable, and long-term implementation of its mandate and tasks.

#### *Established and Emerging Priorities*

While the Office benefits increasingly from a strong horizontal capacity for synergies and co-operation among its departments, our activities are presented in the following according to the structural set-up of the Office.

With respect to the *Elections Department*, we have seen a steady expansion of activities. With an increased number of elections to be observed, a growing number of invitations to observe referenda and local elections, stronger interest by some participating States in systematic follow-up support, and increased outreach beyond the OSCE region, the existing set-up has

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4 The commitments in the human dimension have been collected and published by the Office in an updated two-volume compendium: *OSCE Human Dimension Commitments: Thematic Compilation* and *OSCE Human Dimension Commitments: Chronological Compilation*, also available on the ODIHR website, at: <http://www.osce.org/odihr>.

come under strain. This has been communicated to participating States, who were asked to consider making more resources available to the Elections Department in order not to jeopardize the quality of the work produced.

The ODIHR has enhanced its efforts to diversify the composition of election observation missions – both in terms of the composition of each core team and through the special voluntary Fund for Diversification of Election Observation Missions. The ODIHR has also encouraged the use of observers with knowledge of languages widely used in the region where a particular observation takes place and has continued to call on all participating States – in particular those that have so far not been able to do so – to second observers to participate in election observation missions.

In addition to our election observation activities, we also continue to promote the implementation of OSCE election-related commitments through follow-up visits and activities, legislative reviews, and other work such as inclusive round tables or seminars to enhance our support to participating States. These activities are appreciated by a growing number of participating States, which increasingly invite us for specific follow-up visits to discuss the recommendations emanating from our observations.

The increasing involvement in project work in the election sector has been made more focused. Here, the introduction of Office-wide programming and project co-ordination has had a particularly useful impact.

The *Democratization Department*, by far the largest until 2003, has undergone some streamlining. Its main strength, the capability to identify and analyse gaps in the democratic structures and institutions in participating States and to find remedies, is not hampered by the day-to-day work of processing project proposals and overseeing their implementation. It has shifted its focus to the creation of specific strategies in the areas of rule of law development, promoting women's participation in public life, and supporting emerging democracies in their legislative reform efforts, as well as reform issues related to migration and freedom of movement. The capacity for activities in the field of *democratic governance* has been strengthened, thus allowing a more systematic approach to issues concerning public administration as well as civil society. This has essentially meant a new focus for the former NGO Unit, which now increasingly addresses questions on how civil society can best be included in political processes and have its voice heard when it comes to decisions affecting societies as a whole. This approach has been discussed and elaborated in the context of the 2004 Human Dimension Seminar on Democratic Institutions and Democratic Governance. Furthermore, the capacity for *legislative support* by the Office in a number of areas also needed strengthening through a more coherent and focused approach, making full use of the tool provided by [www.legislationline.org](http://www.legislationline.org). With respect to a further strengthening of support for the effective implementation of the *rule of law* in participating States, specific activities are offered in areas such

as criminal justice and penal reform, torture prevention, capital punishment, and training for lawyers.

The requirement for consistency and budgetary clarity led to the abandonment of a separate regional unit with responsibility for *South-eastern Europe*, which had contributed to improving co-ordination among OSCE missions in the region and was the focal point for other project activities in the Balkans. The ODIHR's work in the region is now organized by topic (through "thematic programmes"), which are responsible for both monitoring and assistance across the entire OSCE region in their respective fields.

A central component of the consolidation undertaken since 2003 has been the development of a stronger expertise on human rights issues and the creation of a *Human Rights* Department at the ODIHR, replacing the former Monitoring Unit. Human Rights should not only appear in the ODIHR's name but should be identifiable as an integral part of the Office's structure. Moreover, it must be clear to the outside world that the ODIHR is doing more than just monitoring, but is also taking a proactive role in the field of human rights protection and promotion. The monitoring component of the department has been enhanced by several new elements, including a stronger capacity for human rights training and education – internal as well as external – and support for local human rights NGOs. It is also the focal point for liaising with the ODIHR's international human rights partners, including the major international human rights NGOs.

Furthermore, the Human Rights Department is responsible for the ODIHR's anti-trafficking programme, which has been at the forefront of international efforts to prevent *trafficking in human beings* and ensure a co-ordinated response that puts the rights of victims first. Its main focus is on improving the capacity of states to identify, protect, and assist victims of trafficking, while co-operating fully with the broader mandate of the Special Representative nominated in 2004 for this issue. With respect to *human rights and the fight against terrorism*, the Human Rights Department has adopted three distinct but complementary programmes: prevention of terrorism, which addresses factors that may engender terrorism or extremism; assistance in implementation of international legal obligations and OSCE commitments relating to terrorism in compliance with the rule of law and international human rights standards; and human rights monitoring and analysis in the context of combating terrorism. In addition, the Human Rights Department also carries out work in a number of other areas, including *freedom of assembly and association*, *trial monitoring*, and issues related to the *death penalty*.

As a fourth major programme, the ODIHR's *tolerance and non-discrimination* programme was established in the course of 2004. It provides

support to participating States in implementing their OSCE commitments<sup>5</sup> and in strengthening their efforts to respond to and combat hate crimes and violent manifestations of intolerance. The programme also aims to strengthen civil societies capacity to respond to hate-motivated crimes and incidents. In this field, the ODIHR's activities are focused on the following areas: legislative assistance; law-enforcement training; monitoring, reporting and following up on responses to hate-motivated crimes and incidents; and educational activities to promote tolerance, respect, and mutual understanding.

In order to promote freedom of thought, conscience, religion, or belief and to support the implementation of OSCE commitments in this area, the ODIHR's Panel of Experts on Freedom of Religion or Belief has been restructured and now consists of some 60 experts from across the OSCE regions. Its activities include reviewing draft legislation; promoting interfaith dialogue and conflict prevention; providing comments and analysis of key court cases and developments relating to possible violations of the right to freedom of religion or belief as a basis for raising issues of concern with the relevant authorities; and undertaking initiatives related to religious and tolerance education.

The *Contact Point for Roma and Sinti Issues* – a topic in which the ODIHR is at the forefront of the OSCE's entire network of institutions – continues to work with all the Office's other programmes and represents the fifth thematic programme of the restructured ODIHR.

One lesson this Office has learnt from years of experience with democratic capacity-building is that structures are only there to serve substantive goals, not the other way around. A structural solution never constitutes a final step. To keep up with changing times and new challenges, institutions must continually work on themselves and adapt to whatever best serves the purpose. Structures should never become an end goal nor hide dynamic potential in a chimera of stability. This belief has guided the ODIHR in its structural adaptation and in its continuing search for how best to fulfil its mandate and achieve its goals.

#### *Developing Specific Assistance Activities: The Evolution from 1998 to 2003*

While the ODIHR, in its early years, focused primarily on formal human dimension meetings and on monitoring the implementation of human dimension commitment by, for instance, observing of elections, recently, participating States have increasingly sought assistance in meeting their commitments. In response, the ODIHR has developed a series of concrete human dimension-related assistance projects, which it carries out in recipient States, and which are funded primarily through voluntary extra-budgetary contribu-

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5 These commitments have been significantly strengthened by the declarations of major OSCE conferences on combating anti-Semitism and other forms of discrimination held since 2003.

tions by donors.<sup>6</sup> Between 1999 and 2002, this package of activities expanded to an average of 130 individual projects per year with a total annual average value of over four million euros. This trend was already well described in the *OSCE Yearbook 2001*, as were the risks associated with a quick expansion into this area.<sup>7</sup>

These assistance projects constitute a prime vehicle for providing ODIHR expertise in the field, thereby serving both the participating State concerned and relevant other OSCE bodies. They also constitute a useful channel for learning from practices in the field, and gathering additional expertise and feedback from the ground. These lessons are fed back into the ODIHR's overall mandated activities as well as in the planning process for future activities, in the same country or elsewhere. The implementation of projects in the field has thus become one of the ODIHR's primary tools for bringing life to abstract human dimension principles, allowing it to fulfil its overall mandate and responsibility towards the Organization.

#### *Technical Assistance: The New Approach to Programming*

Several years of hands-on experience with project implementation have given the ODIHR considerable knowledge of the operational side of field activities, as well as invaluable practical feedback for its more standards-related work on human dimension commitments emerging from the Warsaw and Vienna meetings.

At the same time, the need for more consistent, longer-term engagement and the need to ensure continuity and consistency in its assistance work have led the ODIHR to consolidate its project-related work into more comprehensive programmes. This development was also due to recommendations received from participating States, donors, and recipient countries alike, as well as from its partners in other OSCE bodies such as field missions. This approach also serves to better reflect the interrelation between Warsaw-centred monitoring, analysis and recommendations, and activities in the field.

In the years 2004 and 2005, the ODIHR therefore focused on targeted institution-building and capacity-building programmes, while still retaining the option of shorter-term projects as a rapid response to emerging needs. The programmatic shift is expected to provide greater continuity in assistance, the chance to build upon existing work in a broader framework, and linkage between related development challenges.

Since 1998, the ODIHR has been systematically providing technical assistance to a number of OSCE participating States: either upon request through memoranda of understanding (concluded with Armenia, Azerbaijan,

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6 ODIHR activities are funded through both a core budget, which is approved annually by all OSCE participating States, and voluntary "extra-budgetary" contributions from participating States. The core budget for 2004 was 11.5 million euros, which represents about six per cent of the overall budget of the OSCE.

7 See Oberschmidt, cited above (Note 1), especially p. 390.

Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan) or upon mutual agreement through a consultation process with host country delegations, capitals, and OSCE field presences. Lastly, special OSCE mechanisms and mandates, such as Action Plans and specific recommendations emerging from human dimension meetings, provided a further basis for ODIHR activities in the field.

The project work undertaken by the ODIHR in its various areas of expertise reflects the need for interactive, relevant, and concrete assistance to participating States. The diversity of challenges faced by participating States also affects the nature, duration, and modalities of ODIHR projects. The ODIHR, with the support of the OSCE's States, has been able to respond to these needs with great flexibility, and has tried to tailor assistance projects as much as possible to the concrete field context. Some of these projects are of a regional or trans-border character, many address post-conflict needs, several are generic and general, whereas some are connected to one specific situation. Also, in terms of target groups, partners, and techniques, the ODIHR has developed a broad variety of approaches in order to maximize the impact of its field activities. In providing concrete assistance, the ODIHR can draw on its own in-house expertise as well as on the extensive resources of expertise provided from across the participating States.

The new ODIHR programming takes into account that the OSCE, as a security organization with a comprehensive approach and a strong focus on field presence, is well suited to provide certain types of focused technical assistance and project work. As an OSCE institution, the ODIHR does not operate in a vacuum. On the contrary, a considerable number of actors – national and international, governmental and non-governmental – pursue objectives that coincide with those of the OSCE: establishing and strengthening democratic institutions and promoting and protecting human rights.

The ODIHR's programme planning has been extended and broadened to enable a *multi-year outlook*. This is based upon the recognition that many projects have a more lasting effect when embedded in longer-term programmes and can be better evaluated, adjusted, and followed up as part of a more comprehensive, thematic approach. While steering clear of becoming a development agency, let alone a donor, the ODIHR has thereby been able to enhance the impact and sustainability of its field activities.

One of the most important factors of sustainability – in particular in an institution-building and governance reform context – is to ensure *local ownership*. While this is widely recognized in a development perspective, it has been less the case with respect to the earlier generations of democratization and post-conflict reconstruction efforts, including in an OSCE setting. In the past, ODIHR project activities have occasionally been criticized because “a high percentage of project funding is used to pay (Western) experts, travel expenses and administrative costs”.<sup>8</sup> The extensive use of external experts

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8 Ibid.

and non-governmental organizations has at times been assessed negatively. The ODIHR has reacted to this in three different ways: (1) qualitative improvement of project activities ensuring more local ownership through a programming approach rather than stand-alone projects; (2) increased use of East-East consultancy, which makes use of relevant reform experiences; (3) increased use of in-house expertise to assist field missions in carrying out project activities.

Planning and programming of all activities also includes an enhanced element of *gender mainstreaming*, following the guidance provided by participating States in the Action Plan on the Promotion of Gender Equality, adopted by the Ministerial Council in Sofia.<sup>9</sup> In the ODIHR's work, promoting gender equality cuts across all programmes. Gender-specific structures can be useful and are still necessary, but cannot substitute for striving to implement gender aspects in all of the Organization's work.

#### *A Stronger Focus on Planning and Co-ordination*

Since 2003, special care has been taken to ensure that the ODIHR's programming is based on careful needs assessments, intensive planning, and extensive consultation with relevant host countries, OSCE field presences, other international organizations, civil society actors, and potential donors in order to identify the ODIHR's added value and to avoid duplication of effort. Only after completing this process does the ODIHR compile a comprehensive programming document as a basis for discussion with OSCE field presences and recipient States.

The detailed outlook of programme activities is presented in a regularly updated special document.<sup>10</sup> Whereas the predecessors of this document contained a large number of individual project proposals, the new version organizes them in a number of "programmes". This helps to improve synchronization with the planning process of the unified budget and to give both providers and users of extra-budgetary contributions a better overview of the longer-term context and purpose of individual projects.

#### *Human Dimension Meetings*

As in the earlier years of its operation, one of the core activities of the ODIHR remains its role in the preparation and organization of *human dimension events* throughout the year. The topics and detailed agendas are deter-

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9 2004 OSCE Action Plan for the Promotion of Gender Equality, Annex to Decision No. 14/04, in: Organization for Security and Co-operation in Europe, *Twelfth Meeting of the Ministerial Council*, 6 and 7 December 2004, Sofia 2004, MC.DOC/1/04, 7 December 2004, pp. 38-53, here: pp. 39-53.

10 *Democracy and Human Rights Assistance, OSCE/ODIHR Programmes Funded Through Extrabudgetary Contributions*, which is distributed periodically to the OSCE delegations and is also available on the internet.

mined according to the modalities adopted in 2002 by the Permanent Council in co-operation with the Chairmanship and the delegations.<sup>11</sup> The ODIHR also plays an assisting role with respect to a series of additional human dimension-related conferences held by participating States, often based on decisions of Ministerial Councils.

The Human Dimension Implementation Meeting (HDIM) in Warsaw is the largest regional human rights conference in Europe and represents the major occasion for reviewing the implementation of the human dimension commitments in the whole OSCE area. It also provides an opportunity for the exchange of ideas and suggestions on specific topics of particular relevance. Presentations, interventions, and discussions cover an enormous range of issues, some referring to encouraging achievements, others to areas of concern.

The tenth HDIM, which took place from 4-15 October 2005, was the third to be organized under the new modalities adopted in 2002, which attempt to ensure that there is a more specific thematic focus during the second week of the meeting. However, suggestions were made in view of even further enlarging and focusing debate and discussion. To make the HDIM successful, strong and active involvement from participating States, international organizations, OSCE institutions, and representatives of civil society is an absolute pre-requisite. It was therefore encouraging to see that the 2005 HDIM was able to attract some 1,000 participants, which represented a significant increase compared to previous years.<sup>12</sup> Of these, over 400 were representatives of more than 300 NGOs,<sup>13</sup> who made use of the opportunity to contribute to the discussions on an equal footing with government representatives, thus enriching the debate and making exchanges more relevant and constructive. In addition, 33 representatives of twelve international organizations were present, often making valuable contributions on the work done by their organizations in the human dimension field and thus facilitating a co-ordinated approach of international actors.

The presence of staff from other OSCE institutions and practically all OSCE field missions was also of great value for these discussions. Almost all 55 participating States were represented at the meeting, and many were able to send larger delegations, including experts from their capitals, who were essential for a focused debate.

It is therefore anything but true to say that the OSCE's human dimension events have lost steam. Complementing the HDIM in Warsaw, the three Supplementary Human Dimension Meetings and the more technical, forward-looking Human Dimension Seminar represent excellent opportunities for politicians and diplomats, experts and field workers, academics and civil society activists to work together with a view to better implementation

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11 OSCE, Permanent Council, Decision No. 476, Modalities for OSCE Meetings on Human Dimension Issues, 23 May 2002, PC.DEC/476.

12 For instance, in 2002, there were 475 participants at the HDIM.

13 The 2002 Implementation Meeting had gathered 155 participants from around 100 NGOs.

of human dimension commitments by focusing on specific issues and engaging in constructive and results-oriented debate. Nonetheless, there is still a need for an enhanced focus on follow-up to the recommendations collected at these meetings.

### *The People at the ODIHR*

To fulfil its varied functions, the ODIHR develops and implements a broad range of programmes aimed at protecting human rights, strengthening democratic institutions, respecting the rule of law, promoting democratic electoral processes, combating intolerance and discrimination, and fostering civil society in all participating States. The ODIHR now employs more than 120 staff members from some 30 different countries. They are all dedicated professionals in a variety of areas of expertise, including lawyers, election experts, and anti-trafficking specialists, as well as individuals with experience in the fields of human rights education, monitoring places of detention, and minority rights – ODIHR staff have both academic and hands-on field experience.

Recent years have seen internal reforms that allow the ODIHR to provide long-term, country-specific programmes that meet the needs of individual participating States, while never losing sight of the individuals at the heart of our efforts. The central elements of these reforms are discussed below.

This diversity of backgrounds and experience are what make the ODIHR the flexible, responsive, and dynamic institution that it is. In recent years, the diversity of staff and experts has increased significantly. One example of this trend is the use of experts and consultants with local knowledge and language skills. They provide a tremendous resource for implementing any programme, not only in terms of their expertise but also with respect to their ability to gain the trust of their target group, which more often than not includes individuals with similar backgrounds. When conducting legal-reform activities in the Commonwealth of Independent States (CIS), for example, the ODIHR relies almost exclusively on lawyers with training and experience in the CIS, most of whom are from Russia.

But this rule applies equally to the ODIHR's permanent members of staff, more than one-third of whom come from within the CIS, while the rest come from all parts of Europe and North America. The ODIHR is therefore one of the most diverse parts of the whole Organization. While four years ago a "considerable discrepancy" was noted in the *Yearbook*, recent trends show significant improvements in this context, including efforts to ensure a better gender balance.

Many issues the ODIHR deals with are not confined to particular regions but are relevant to the entire OSCE area. These include trafficking in human beings, terrorism, intolerance, and election-related challenges. This

has been reflected in its activities, and the ODIHR will continue to address human dimension issues throughout the whole OSCE region.

### *Restructuring*

In light of the growth of the ODIHR over the past years, it seemed necessary in 2003 to take stock, evaluate, and consolidate: As a consequence, the ODIHR developed a stronger focus, further strengthened its human resource capacity, and adapted some working methods and the internal structure of the Office. This development had to build on the existing strengths of the ODIHR, i.e. its flexibility to respond quickly to urgent political expediencies while at the same time preserving its in-depth competence. The reform also addressed certain weaknesses of the structure as it had emerged from the previous reform in 1997, which had been amended over time by *ad hoc* arrangements. Based on more than a decade of operational experience, the ODIHR moved to develop its role as a centre of excellence in the fields of elections, democratization, and human rights for the OSCE area.

The main objectives of the reform aimed at deepening and broadening the ODIHR's capacity with respect to all key human dimension commitments. They also included the need to develop the capacity for enhanced internal and external communication in view of new political and technological developments, and to build on the Office's capacity to interact with other partners, both inside and outside the Organization.

While structural aspects were identified as important for an office of the size and complexity of the new ODIHR, they were far from being the only area where improvements could be made. In order to achieve internal cohesion and a true sense of corporate identity, communication and co-ordination needed to be strengthened. To meet this goal, the practice of holding topical discussion forums, where all ODIHR staff are invited to contribute to issues of common interest, was initiated.

Other new initiatives to improve the flow of ideas between programmes focus on enhancing in-house capabilities to prepare senior staff prior to travel, on major events such as the mandated human dimension meetings, and on visits by experts to discuss current issues with staff from across the Office's broad range of expertise and specialization. Thus, while it did not become a "think-tank", the ODIHR was nevertheless able to enhance its internal reflective capacity, which has had positive effects on both the planning of programmes and on the creation of synergies among the many activities undertaken.

The new budgetary parameters, and in particular the introduction of the OSCE-wide Integrated Resource Management system (IRMA), forced the ODIHR (and all other OSCE institutions) to sharpen and consolidate its structural set-up in order to be better equipped to implement ever more de-

manding tasks and achieve better quality financial management. In essence, the new budgetary guidelines called for a clearer separation of general direction and policy development, fund administration, and substantive work. Comparatively speaking, the ODIHR was already well placed to adapt to these new guidelines; several organizational and structural measures were, however, necessary. As mentioned above, they coincided with what would have been wise to do anyway with respect to the ODIHR's new size and enhanced role as the cornerstone of the OSCE's human dimension.

As part of the general policy development and strategic direction of the Office, the *First Deputy Director* has directly assumed specific competencies – in addition to his overall role of standing in for the Director whenever needed – which require a co-ordination element for the entire Office. Thus, the First Deputy Director was specifically tasked with assuming responsibility for overall *programme and policy supervision*. This included, as a start, the co-ordination of strategic programme outlines and the preparation of the 2004 budget. To allow him to actively co-ordinate all programme planning and project activities in the ODIHR, he is assisted by a project co-ordinator, whose responsibilities had previously been concentrated in the democratization department. This new set-up addresses Office-wide co-ordination needs, while co-ordination within individual departments remains the responsibility of the various programme managers.

In addition, the First Deputy Director has been put in charge of the overall preparation of the *mandated human dimension meetings* that the ODIHR holds on an annual basis, i.e. the Human Dimension Implementation Meeting, and the Human Dimension Seminar, and is to assist in the preparation of the Supplementary Human Dimension Meetings.

The *Second Deputy Director* has overall responsibility for administrative and financial services. The structure of the *Common Services* department has remained roughly the same. However, an institution the size of the ODIHR needed stronger *human resources* management, which led to the creation of a professional human resources unit. Together with a strengthening of IT and procurement and the concentration of all financial assistants under the authority of the Finance Unit, this further professionalized the ODIHR's administrative capacity.

Clearly distinguished from general management and administration, the ODIHR's areas of expertise – elections, democratization, human rights, tolerance and non-discrimination, and the Contact Point for Roma and Sinti – were embodied in five thematic programmes staffed by professional experts.

#### *Working with Other OSCE Structures, Particularly Field Missions*

The ODIHR has been working on developing strategic relationships with its main partners, participating States, other parts of the Organization including

field missions, and other international organizations. It enjoys a special relationship with the other two key human dimension institutions, the High Commissioner on National Minorities and the Representative on Freedom of the Media. ODIHR's co-operation with the Chairmanship and the Secretariat (in particular the Conflict Prevention Centre, but increasingly also the specialized units) has also been particularly important in this context. Outreach to governmental and non-governmental organizations that share the ODIHR's goals and work in related fields has also been increased.

*The OSCE's Threefold Field Strategy: Missions, Conflict Prevention Centre, the ODIHR*

OSCE field missions vary greatly in size and resources, level of challenge in the host country, scope of mandate, and geographic location. All these factors have an effect on the specific relationship the ODIHR can develop with missions, but do not hinder the ODIHR from offering a specific set of services to missions within their particular set of parameters.

In doing so, the ODIHR has improved its responsiveness to field missions and listens systematically to the missions' own assessments and recommendations (taking into account their size and resources). This field of co-operation has become an intensive two-way exchange of field information and assessments, on the one hand, and human dimension related expertise, on the other. In all this, the OSCE Conflict Prevention Centre (CPC), which already constitutes an essential relay of information between the ODIHR and the missions, has come to play an increasingly significant role. A comprehensive and inclusive approach, creating an effective triangle of co-operation among the ODIHR, the Secretariat, and the missions, is essential to meet the growing challenges faced by missions in the field and the need for better management.

The CPC's Project Co-ordination Cell assists the missions in the handling of extra-budgetary contributions and co-ordinates the provision of substantive advice by the respective competence centre within the Organization. The ODIHR is already included in this screening of project proposals in terms of their content and the topics they deal with. In addition, the ODIHR is not limited to the reactive task of detecting inconsistencies in proposed project outlines, but has also moved towards developing substantive guidelines based on best practices on specific human dimension-related project modules. The ODIHR offers the field missions its support in the form of training exercises and concrete planning events.

*The ODIHR's New Approach towards Field Missions*

In general, OSCE staff in field missions regard the ODIHR as an external resource for substantive expertise while they see their own strengths in their

presence on the ground, the relationship they have developed with local counterparts, and in their ability to focus on one single country or context. The relationship with field missions thus goes significantly beyond co-operation in planning and implementing projects, which was one of the key outcomes of discussions with the OSCE field missions over the past couple of years. Projects are activities with a limited scope of time, objective, and financial implication. The ODIHR's work however includes a much larger range of interaction with participating States (and therefore with field missions), which often cannot be apportioned into "projects". The ODIHR can offer more than projects: external experts and its own expertise, materials for training as well as training itself, analysis, and advice.

At the request of field missions and following up on an analysis of deficiencies in field staff training and guidance<sup>14</sup> the ODIHR has, since 2004, been organizing quarterly training courses for new human dimension officers in field operations in Warsaw. The purpose is to introduce new mission members to the human dimension and the ODIHR as well as to provide hands-on training for working in a mission. The training curriculum is flexible and adjustable to the profiles of the participants. Preparations before each training event include surveying the profiles of the participants as well as any special training requests. As such, it is more in-depth and specific for Human Dimension Officers than the general induction training in Vienna which the ODIHR training complements.

Participants have often spent some time in the field before training commences, which helps to keep the training focused on relevant issues and facilitates discussion and information sharing among the participants. The courses are open to international and local staff, including longer serving mission staffers, who can themselves often contribute by bringing in their specific expertise and experiences. The first eight such training events during 2004 and 2005 were attended by some 200 participants from all field operations across the OSCE region.

This training is followed up by encouraging the development of networks among participants in order to share concrete and issue-related experiences among themselves and with the ODIHR.

#### *A Competence Centre on the Human Dimension for the Entire OSCE*

Both the enhanced focus on programming and project development in co-operation with the field missions and the new role as a provider of training on programming and on human dimension expertise point in the direction of the ODIHR's goal of becoming a competence centre for the entire Organization

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14 Institute for Peace Research and Security Policy at the University of Hamburg/Centre for OSCE Research (CORE), Annette Legutke, *Working in OSCE Field Missions – Recruitment, Selection, Preparation, Working and Employment Conditions of OSCE Seconded Personnel*, Hamburg, November 2003 (unpublished).

in the human dimension, i.e. in the fields of human rights, democratization, rule of law, elections, and tolerance and non-discrimination. One of the weaknesses associated with the OSCE's human resources management model, which is largely based on secondments and reflects the political decision to prevent it from becoming a "career organization" by limiting the length of time staff can serve in the Organization, is that lessons learned and good practices, in particular those in the field, tend to be lost or forgotten. An increased number of ODIHR staff with their own practical field experience in field missions, combined with a qualitatively enhanced focus on supporting field operations, put the ODIHR, as the main institution in the human dimension, in a better position to be a depository of successful strategies, methodologies, structures, and projects in the areas of the human dimension.

The ODIHR's role is different in every country, including those that host field missions. The ODIHR's relationship with the field missions is a complex one, and results from conscious decisions based on mandates, comparative advantages, and capacities. This does not necessarily mean that the ODIHR plays a bigger role in smaller missions and a more marginal one in larger presences, especially those in South-eastern Europe. Experience has shown that it is precisely those larger missions with full-fledged programmes on human rights, rule of law, or democratization that need an outside reference point, a depository for lessons learnt, a resource centre which can bring in knowledge from other field missions. The ODIHR can be used for safeguarding their expertise for the benefit of the whole Organization. The ODIHR thus plans to further expand on this relay and exchange function, which has come to be very much appreciated by OSCE staff in the field, who are often not in a position to do research and comparative analyses themselves.

#### *Outreach to Other International Organizations*

The ODIHR has developed a cordial and constructive working relationship with the Secretariat of the Council of Europe (CoE). The ODIHR Director and the Secretary General of the CoE regularly consult and co-ordinate directly, including during visits to Warsaw and Strasbourg respectively, and advisors have a good, close working relationship with their relevant counterparts. This good practice is based on issue-driven, informal consultations rather than diplomatic formalities.

Real practical co-operation and working level co-ordination has long existed. Both the CoE Secretariat and the ODIHR agree that, in fact, co-operation and co-ordination between the two organizations at staff level is excellent. This needs to be pointed out more clearly at the political level of both organizations, where the perception is not always one of close co-ordination and a debate on possible duplication of effort persists.

The ODIHR also continues to have close working level and head of institution level relations with the UN and its agencies. The interaction is frequent, both in formal frameworks such as the various interagency meetings and processes, and informally, primarily in the field and in the context of political consultations. The ODIHR has a special relationship with the UNHCHR, based on a co-operation agreement setting out regular consultations as well as joint work and initiatives. This is also the case for UNDP, with which the ODIHR shares quite close and good relations.

The ODIHR has been closely following the reform processes within the UN, in particular where they relate to international human rights protection mechanisms. The ODIHR stands ready to actively engage in this debate with its focus on the OSCE region and maintains, in this context, close relations to relevant UN partners in Geneva and elsewhere. It can be argued, indeed, that the recent proposal of Secretary-General Kofi Annan<sup>15</sup> embraces essential elements of the three-dimensional concept of the OSCE – what better argument for the continued, indeed worldwide, relevance of our organization?

Co-operation also exists between a number of other organizations, not least with the European Union and its various bodies and institutions. The European Commission, has, for instance, practically adopted the ODIHR's methodology for its own election observation missions. The Commission is also a significant contributor to a variety of ODIHR assistance projects in transition countries. The European Monitoring Centre on Racism and Xenophobia (EUMC) is a primary partner of the ODIHR within its new tolerance and non-discrimination programme.

An exhaustive analysis of the entirety of inter-organizational and inter-institutional co-operation would go far beyond this overview and probably deserves separate attention. The ODIHR reports, as part of its annual reporting, on the various relationships with partner organizations.

### *Outlook and Conclusion*

Fifteen years after it was conceived, the ODIHR is in very good shape. It has become a stable, high-performance institution, which is committed to its mandate and enjoys the support of all participating States that firmly stand behind the values and commitments on the basis of which the OSCE was established.

In more than a decade of activities, the ODIHR has proven that the OSCE needs institutions that can operate autonomously and which answer to the Permanent Council as a collective body, about the degree to which they have implemented their mandate. The unprecedented visibility the OSCE has received through the work of the Office in 2004 confirms that.

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15 *In larger freedom: towards development, security and human rights for all*, Report of the Secretary-General Kofi Annan, United Nations, 2005.

The principles and commitments in the human dimension are clear and as relevant as ever. One thing that is often mentioned in this Organization is a concern that it might lose its “credibility” if certain challenges are not mastered. The ODIHR, through its dedicated staff, does its best to contribute much to the credibility the Organization enjoys.