



**The Brookings Institution – University of Bern
Project on Internal Displacement**



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Statement of Walter Kälin,¹

Representative of the United Nations Secretary-General
on the Human Rights of Internally Displaced Persons,
to the OSCE Supplementary Human Dimension Meeting on
Challenges of Election Technologies and Procedures
Vienna, 21-22 April 2005

THE VOTING RIGHTS OF INTERNALLY DISPLACED PERSONS

Mr. Chairman, Excellencies, Ladies and Gentlemen,

The challenges faced by internally displaced persons (IDPs) in exercising their right to vote are among the points of discussion at this meeting. I welcome the attention being given by the OSCE to this important issue.

There are some 3 million people in 13 countries of the OSCE who have been forced from their homes by armed conflict and violations of human rights and who remain displaced within the borders of their own countries, often for protracted periods. In a number of cases, they have faced difficulties voting in elections and thereby having an influence over the decisions affecting their lives.

The OSCE's 1990 Copenhagen Document guarantees universal and equal suffrage without discrimination. In addition, the Guiding Principles on Internal Displacement,² which the OSCE recognized in 2003 as "a useful framework...in dealing with internal displacement,"³ affirm that: "Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of [t]he right to vote and to participate in governmental and public affairs."

The OSCE has an important role to play in safeguarding this right. Its Office for Democratic Institutions and Human Rights (ODIHR), through election monitoring and technical assistance programs, has, in a number of cases, devoted attention to IDP voting rights, especially at the field level. Such efforts have also contributed to identifying the need for national legislative reform. Indeed, in some states, governments have worked to bring their electoral laws into line with OSCE

¹ Delivered by Balkees Jarrah of the Brookings Institution-University of Bern Project on Internal Displacement.

² Guiding Principles on Internal Displacement, United Nations doc. E/CN.4/1998/53/Add.2.

³ OSCE Ministerial Council, Decision 4/04 "Tolerance and Non-Discrimination", adopted at Maastricht, 2 December 2003, para. 13.

commitments to ensure the fair and equal political participation of IDPs -- most notably Georgia, which revised its electoral law in 2003. In other places, laws or policies that posed an obstacle to IDP voting have been improved and better regulations put in place. However, many problems still remain.

A recent study of the Brookings Project on Internal Displacement, available here today, reveals that internally displaced persons in the OSCE continue to encounter a range of practical and political difficulties in exercising their right to vote.⁴ Among the obstacles they have experienced are: discriminatory practices, obsolete and restrictive residence certifications, insecure voting areas, inadequate arrangements for absentee voting, a lack of transportation to polling stations, and acts of intimidation.

It is therefore important that the OSCE has recognized the need to devote greater attention to the issue of IDP voting rights. At the Supplementary Human Dimension Meeting on Electoral Standards and Commitments a key recommendation was made that ODIHR mainstream the issue of IDP voting rights into its election observation activities. This recommendation was echoed at the Supplementary Human Dimension Meeting on Internally Displaced Persons last November, which further encouraged the OSCE to devote greater attention to the voting rights of IDPs.

Among the steps the OSCE could take are to sensitize OSCE election monitors to the particular challenges IDPs often face in voting as well as to ensure systematic monitoring and reporting of their ability to exercise this right. Other possible areas for OSCE engagement include providing capacity-building support and technical assistance to national and local authorities, in particular with regard to registration and, where needed, legislative reform. Finally, the exchange of best practices among OSCE field staff on IDP voting rights could prove valuable.

Mr. Chairman, the Representative stands ready to work closely with the OSCE on this important issue and looks forward to our collaboration to ensure that IDP voting rights are fully realized throughout the OSCE region. It is to be hoped that today's meeting will make a substantial contribution toward achieving this goal.

⁴ Mooney, E. and Jarrah, B. *The Voting Rights of Internally Displaced Persons: The OSCE Region*. Washington, D.C.: Brookings Institution – Johns Hopkins SAIS Project on Internal Displacement (2004).