



Third High Level Meeting of the Inter-Regional Dialogue on Democracy

Press Statement

(Brussels, Belgium, 28 May 2013)

1. The Third High Level Meeting of the Inter-Regional Dialogue on Democracy was held from 27-28 May 2013 at the European Commission in Brussels, Belgium. The Meeting, which was hosted by Dr. José Manuel Barroso, President of the European Commission, was attended by Mr. Le Luong Minh, Secretary-General of the Association of Southeast Asian Nations (ASEAN), Mr. Ahmed Saleem, Secretary-General of the South Asian Association for Regional Cooperation (SAARC), Ms. Andie Fong-Toy, Deputy Secretary-General of the Pacific Islands Forum (PIF), Ambassador Albert Ramdin, Assistant Secretary-General of the Organisation of American States (OAS), Ambassador Mr. Hesham Youssef, Senior Adviser to the Secretary General of the League of Arab States (Arab League), Dr. George Mukundi Wachira, Coordinator, African Governance Architecture and Platform, African Union Commission (AU) and Mr. Vidar Helgesen, Secretary-General of International IDEA. The Deputy Secretary-General of the United Nations (UN), Mr. Jan Eliasson, was the Keynote Speaker of the Meeting.

2. In his welcome address, President Barroso recalled highlighted the importance of partnerships and cooperation with and among regional and international organizations as a way to reinforce inclusive global governance. Dialogue among regional organisations can provide a platform and act as an enabler of an effective multilateralism. He emphasized that the Rule of Law is one of the values on which the EU is founded, together with respect for human dignity, freedom, democracy, equality, as well as respect for human rights, including the rights of minorities. He also stressed that democracy and rule of law are powerful enablers of peace and security at the national and international level. The EU will remain committed to strengthen the rule of law in its member states and to promote it in its external action, as clearly stated in the EU Treaties.

3. In his keynote address, Deputy Secretary-General Eliasson presented the highlights of the High Level Meeting of the General Assembly on the Rule of Law at the National and International Levels and its Declaration (A/Res/67/1), which stressed that the rule of law is an indispensable tool for the work of the United Nations in peace and security, development and human rights. For this reason, the UN Secretary-General has decided to mainstream the rule of law in the work of the entire UN system.

The Deputy Secretary-General recalled Chapter VIII of the UN Charter, and noted the important work of Regional Organizations in strengthening the rule of law. Such work spans all three pillars of UN action: strengthening international peace and security; fostering sustainable development; and protecting human rights. He also highlighted the UN's commitment to supporting national constitution-making processes, and noted examples of cooperation with Regional Organizations in this area.

The Deputy Secretary-General reaffirmed the need for further collaboration between the UN and Regional Organizations and encouraged the continuous cooperation and dialogue among Regional Organizations, as well as with the UN. In this regard, he welcomed the annual meetings and activities of the Inter-Regional Dialogue on Democracy, facilitated by International IDEA, as a useful platform for exchanging experiences and best practices on democracy and the rule of law. He looked forward to working together with this platform in the future.

4. The Heads and representatives of the Regional Organizations, the President of the European Commission, the UN Deputy Secretary-General and the Secretary-General of International IDEA had an open discussion on the theme "Upholding and Strengthening the Rule of Law in our Regions". They recognised that the Rule of Law implies that all persons, institutions and entities, public and private, including the State itself, are accountable to just, fair and equitable laws and are entitled without any discrimination to equal protection of the law. This broad conception of the rule of law incorporates elements such as a legitimate constitution with constitutional limits on power, protection and promotion of human rights in all its aspects, an effective electoral system that promotes and protects electoral integrity, a commitment to gender equality, laws for the protection of minorities and vulnerable groups, and a strong civil society. They further recognised that the rule of law is fundamental for any functioning democracy.

5. The Meeting acknowledged the role that Regional Organizations play in promoting the rule of law and constitutionalism, subject to their respective mandates and regional contexts. This includes various initiatives undertaken in norms and standards setting in, among others, the fields of human rights, democracy and constitution building.

6. Regional Organizations have set up different mechanisms and bodies to promote the rule of law. These include inter alia, legal cooperation, technical support, and exchange of information and best practices, as well as initiatives to ensure accountability, subject to regional contexts. These are meant to complement the commitment of regional organizations to democracy and human rights.

7. This commitment to democracy and human rights by Regional Organizations and their member states are expressed in their founding charters. Moreover, some have adopted democracy and human rights charters and have or are in the process of setting up judicial or quasi-judicial bodies, which act as key instruments in achieving democracy and in implementing the human rights commitments of their respective member states.

8. Regional Organizations and their member states also express their adherence to constitutionalism. In this context, some are engaged in processes of

democratic transition and support to the actual design of national constitutions in their member states. In some cases, this includes mediating dialogue among stakeholders as part of the constitution building process.

9. The Meeting also recognised the limitations and challenges that Regional Organizations face in these fields. Their different mandates, regional contexts, resources and capacities mean that their work in the promotion of rule of law, human rights and constitution building are not uniform and have regional variations. These initiatives have, however, been inter-related and mutually reinforcing and have thereby opened up spaces for dialogue and sharing of experiences and best practices.

10. The Meeting recognised the importance of the African Charter on Democracy, Elections and Governance as the main instrument for promoting democracy and constitutionalism in Africa. The Charter rejects unconstitutional changes of government. It promotes and enhances adherence to the principle of the rule of law premised upon the respect for, and the supremacy of the constitution and constitutional order. An unconstitutional change of government could lead to the suspension of an AU Member State. The Meeting noted and acknowledged the establishment of the African Governance Architecture (AGA) and Platform by the AU and the Regional Economic Communities (RECs). The AGA is an important framework for enhancing synergies, coordination and cooperation among the AU organs and RECs to strengthen governance, consolidate democracy and realize human and peoples' rights in Africa.

11. The Meeting noted that the ASEAN Charter provides that among ASEAN's mandate is to "strengthen democracy, enhance good governance and the rule of law". The Meeting congratulated ASEAN on the adoption of the ASEAN Human Rights Declaration. The Declaration is a landmark document that establishes a framework for human rights cooperation in the region and contributes to the ASEAN community building process. The meeting also noted the progress of the work of the ASEAN Intergovernmental Commission on Human Rights in promoting and protecting human rights and fundamental freedoms.

12. The Meeting recalled the 2009 Council conclusions on Democracy Support in the EU's External Relations, the 2011 Joint Communication of the European Commission and the High Representative of the European Union for Foreign Affairs and Security Policy to the European Parliament and the Council on Human Rights and Democracy at the Heart of EU External Action-towards a more effective approach, and the 2012 EU Strategic Framework and Action Plan on Human Rights and Democracy. These stress the will of the EU to strengthen its cooperation on human rights and democracy with regional and intergovernmental organisations, both at the political level and at the local level. The Meeting also noted the continuous work of the Court of Justice of the European Union. The Court since its establishment in 1952, ensured that "the law is observed" in the interpretation and application" of EU Treaties.

13. The Meeting welcomed the Doha Declaration of the Twenty-Fourth Arab League Summit in March 2013. The Doha Declaration emphasized the importance of pursuing efforts of reform and modernization of the Arab League. The Meeting also noted the progress of the Arab League in conducting the preparatory work for the establishment of an Arab Court on Human Rights. The Meeting recalled the Declaration of the EU-Arab League Ministers of Foreign Affairs Meeting of 13 November 2012 in which they reaffirmed their support of the process of democratic reform undertaken in a number of countries in the region and welcomed the development of cooperation between the EU and the Arab League, including in the area of human rights and electoral processes.

14. The Meeting recognised how the Inter-American Democratic Charter identifies the respect for human rights, the rule of law and the separation of powers among the essential elements of representative democracy. The Charter offers elements that guide the collective action of the Member States and the OAS Secretary General when they consider that democratic institutions or the legitimate exercise of power is at risk in one of the Member States. The Meeting also recognised efforts by the OAS to implement the Inter-American Democratic Charter, as well as the continued advancement of the Inter-American Human Rights System, most recently in the Special Session of the OAS General Assembly held on March 22, 2013 in which a resolution adopting specific measures to strengthen the Human Rights System was approved by acclamation. The Meeting noted the achievements of the OAS in the field of regional legal cooperation, especially the progress achieved in the implementation of the Inter-American Convention against Corruption and the process of Meetings of Ministers of Justice or other Ministers or Attorneys General of the Americas (REMJA).

15. The Meeting recognised the Pacific Islands Forum's commitment to the rule of law to progress the Pacific region's goals for economic growth, sustainable development, security and good governance. The Meeting recognised the achievements of the Regional Assistance Mission to Solomon Islands (RAMSI) – a regional partnership initiated under the Forum's Biketawa Declaration – in supporting Solomon Islands to lay the foundations for long-term stability, security and prosperity. The Meeting noted the Forum's ongoing work to encourage and support Fiji's return to parliamentary democracy in accordance with the Biketawa Declaration. The Meeting further acknowledged the Forum's role in promoting the rule of law by facilitating regional cooperation amongst Member States in relation to law enforcement, human rights and accountability and transparency mechanisms. The Meeting also noted the 2012 Forum Declaration on Gender Equality, including its commitments to improve women's access to justice and participation in political decision making.

16. The Meeting recognised that the SAARC Charter on Democracy is the main instrument for democracy of SAARC. In particular, the Charter shall "renounce any unconstitutional change of an elected government in a member state". The Charter guarantees the independence of Judiciary and primacy of the rule of law and renounces unconstitutional changes of government in the region. The Meeting also noted the continuous progress of legal cooperation activities in the SAARC, such as

the South Asian Association for Regional Co-operation in Law, (SAARCLAW), to promote better understanding of the legal systems of SAARC Member States.

17. The UN noted its activities in strengthening the rule of law at the national and international level, inter alia through the peaceful settlements of disputes, its normative work, fostering legal cooperation, technical cooperation and the protection of human rights. The UN particularly highlighted its fight against impunity for serious international crimes. The UN underscored that pursuant to Chapter VIII of the UN Charter, Regional Organizations are encouraged to resolve issues within their region, “provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations”. The activities of Regional Organizations in strengthening the rule of law are therefore key to complementing UN efforts in this area, and more broadly in supporting the UN in fulfilling its purposes, as set out in the United Nations Charter.

18. Recognising the rich experiences of Regional Organizations, as well as their contribution to the promotion of rule of law, human rights and constitution building, the Meeting agreed to organize the third inter-regional workshop on constitutional governance and the rule of law. The workshop aimed at senior officials and international and regional experts will take stock of the mandates and activities of Regional Organizations; facilitate the sharing of experiences and lesson learned in the field of judicial and quasi-judicial institutions for the protection of human rights; and explore and discuss the different mechanisms for regional legal cooperation, as well as national constitution building processes. International IDEA will host this workshop in The Hague, The Netherlands from 15 to 17 October 2013.

Book Launch: Regional Organizations and Integrity of Elections

19. The Meeting formally launched the first publication of the Inter-Regional Dialogue on Democracy, “The Integrity of Elections: The Role of Regional Organizations”, which captures the experiences of Regional Organizations in the field of elections. The first of its kind with a global scope and coverage, this publication examines both the mandates and initiatives of Regional Organizations in the field of elections. Topics covered include election observation, electoral technical assistance and gender mainstreaming. The Meeting agreed to support the development of a programme in the field of election observation, which will develop, improve and support the work of Regional Organizations.

Outcomes and Follow-Up to the Inter-Regional Workshop on Regional Organizations and Inclusive Political Participation and Representation

20. The Meeting noted the report of the Secretary-General of International IDEA, Mr. Helgesen, on the Inter-Regional Workshop on Regional Organizations and Inclusive Political Participation and Representation, which was held in New York, USA on 23-25 October 2012. The Workshop took stock of the mandates and mechanisms set up by Regional Organizations to promote and encourage inclusive political participation and representation including the participation of minorities and vulnerable groups; facilitated sharing of experiences and lessons learned by

Regional Organizations in promoting gender balance and mainstreaming; discussed and recognized the role of regional parliaments and parliamentary assemblies; and explored and discussed how Regional Organizations could further collaborate with the UN in promoting and encouraging inclusive political participation and representation in particular in the context of the formulation of the post 2015 Development Agenda. International IDEA will publish the experiences of Regional Organizations in promoting inclusive political participation and representation, including those undertaken in collaboration with the UN, by the end of 2013.

21. Based on the demand and interest in the mandates, mechanisms and experiences of Regional Organizations in promoting gender equality and gender mainstreaming at the regional level, the Meeting agreed to support the development of a follow-up programme on gender issues at the regional level. This programme will discuss in a more detailed manner lessons learned by Regional Organizations and develop concrete outputs that policy makers and implementers in the regions could utilise.

European Union Pledge

22. The European Union underlines its commitment to multilateralism and to cooperating with regional organisations, whose contribution is fundamental to conflict resolution. Rule of Law calls for a coordinated and consistent action at continental, regional and national levels. Regional organisations, as motors of regional integration, have shared responsibility in this agenda.

23. In this respect, in line with the results of the UNGA High Level meeting on the rule of law, the European Union has pledged to improve access to justice and strengthen judicial cooperation; support peace and security in conflict and post-conflict situations; fight corruption; and address transnational threats, including countering violent extremism, terrorist financing and money laundering, organised crime, trafficking in human beings, as well as piracy and armed robbery at sea.

Next Meeting

24. Recognising that Regional Organizations are among the key players in the inter-play between democracy and development in their regions, the Meeting agreed to continue the constructive dialogue among the Heads of Regional Organizations on the topic of democracy and development, including the development of the post-2015 Development Agenda, on the occasion of the Fourth High Level Meeting of the Inter-Regional Dialogue on Democracy in 2014, which the Arab League expressed its readiness to host.