

The Netherlands Helsinki Committee at 25

We still have lots to do!

Ian de Jong

Speech by Ian de Jong, Chairman of the NHC at the Netherlands Council for the Judiciary, 24 October 2012,
abridged version.

DOI: [10.1163/18750230-99900037](https://doi.org/10.1163/18750230-99900037)

Today, we celebrate the 25th anniversary of the Netherlands Helsinki Committee. We can look back on great successes in building democracy and the rule of law in Europe and the wider OSCE region. At the same time, it is also a good moment to reflect on the question whether the Dutch Helsinki movement and its sister organisations in the Netherlands and abroad should continue their work in this field. Our previous speaker, Dr. Ben Knapen, the Netherlands Minister for European Affairs and International Cooperation, has just presented two key messages:

- Within the European Union we need to work on better ways to ensure the observance of the rule of law. The proper application of the rule of law is essential for people to trust the structures within which they live.
- And second, the values and principles agreed in the Helsinki Accords in 1975 are still the basic rules for all member states of the OSCE, or perhaps more applicable, the wider European region and its neighbours.

Looking back on the last two decades of the Twentieth Century, back when the international Helsinki Movement was founded, one recognizes so much enthusiasm, dedication and energy. All aimed at supporting the countries and their people that threw off the inhuman yoke of Communism, and their establishment of durable democratic societies, where the fundamental rights of the individual would be properly protected. In a large number of countries that process was a tremendous success. Many of those success stories culminated in their membership of the European Union.

The question is therefore quite legitimate: Is this at last the moment to rest on our laurels, and apply the well proven American system of the sunshine clause? Why not have a big party to say farewell, and then close our shop quietly, now that public interest in countries further away is waning?

My answer to that question is a clear 'No'! For the simple reason that democracy and the rule of law in Europe are in no way assured, or at best, are still in an early stage.

It doesn't make sense to turn away when the situation in other countries of our region is not up to the mark, hoping that problems will disappear if you look the other way. Sooner or later the consequences of such a denial will catch up with us, mostly in an unpleasant way. Because migration, crime, corruption and civil war don't respect borders.

One might ask: Is there a role that democratic governments can play in countries where the rule of law hardly stands a chance? My response is: of course, governments can try and encourage developments, and the prospect of future membership of the EU is sometimes helpful. Often, however, we're dealing with countries where progress is blocked, for inbuilt political or historic reasons, by their own political, legal or social structures. At the same time, in these countries one senses an emerging political consensus that it is time for change. Or, as an earlier stage, that an increasing number of people realize that things can be different.

This is precisely where there is room for organizations such as the NHC. Because we have the capacity to work both at the institutional and the local level. In a non-political and cooperative manner we can help to adapt existing structures or address other sensitive points, which are essential to strengthen people's trust in the possibility and benefits of change. Sometimes we work together with local NGOs. But organizations such as ours can also work very well together with judicial bodies, prison officials, and other institutional actors. No matter which method we choose, our aim remains to make a genuine improvement to the application of the rule of law,

and the protection of both civilians and enterprises. Incidentally, these might include our own investors.

We believe that by working along these lines, the perception of trust in governments and their institutions can gradually move ahead. It is no longer a secret that during recent accessions to the EU it appeared considerably easier for countries to formally adopt the European legislative 'acquis communautaire', than to build a convincing case that these rules would be applied fully and without discrimination.


Of course, I am aware that over the last couple of decades much work has been done to strengthen structures and legislation in, for instance, the Western Balkans and other parts of the European region. I also realize that, even when we're dealing with our own region, a certain amount of donor fatigue is a fact of life. Which, unfortunately, coincides with a review of government budgets because of the financial and economic crisis.

It would be a sad mistake to give in to these considerations, especially when we are dealing with our own neighbourhood. One additional reason to keep the faith is that in many of the countries we're focusing on, the will to be a democracy is already a reality. In many countries with structural deficiencies when it comes to the rule of law, it is still a fact that at regular intervals elections actually do take place. Even if the quality of such elections is not always up to the mark. Also, the cost of investing in the rule of law and, as a consequence, the internal perception of democracy and civil rights, is relatively cheap. At least, only a fraction of the cost of dealing with the consequences of what I described earlier as 'looking away'.

So the Netherlands Helsinki Committee will stick to its guns, and carry on with fresh energy, always looking for new methods and channels of cooperation. We shall continue to work closely together with NGOs and institutions in other countries in the wider European region.

Thanks to our dedicated Editorial Board one of our most valuable instruments remains the publication of the quarterly journal 'Security and Human Rights'. This unique journal is devoted to issues inspired by the work and principles of the OSCE, and addresses a wide range of subjects from human rights and democracy to peace and security from Vancouver to Vladivostok. We intend to adapt this journal to modern methods of communication, including an active blog that will keep you abreast of recent developments and discussions, and where you can add your own comments directly.

Let me end my speech by remembering and commending the dedication and energy expended by so many people over the last 25 years to the achievement of the goals of the Helsinki Movement. Many of those persons are present in this room today: politicians, senior government officials, NGOs, academics, experts and so many representatives of what I'd like to call: a very active and responsible civil society. Some eminent supporters are no longer with us. I would like to mention our first Chairman, Peter Baehr, our former Minister for Foreign Affairs and the OSCE High Commissioner for Minorities, Max Van der Stoep, as well as the organizer of so many of our trendsetting conferences, Jan Ter Laak. Their work and names symbolize the great dedication and activism of so many people for the cause of building justice, democracy, the rule of law and human rights in our continent and far beyond its geographical borders.



This article was first published with Brill | Nijhoff publishers, and was featured on the Security and Human Rights Monitor (SHRM) website.

Security and Human Rights (formerly Helsinki Monitor) is a journal devoted to issues inspired by the work and principles of the Organization for Security and Cooperation in Europe (OSCE). It looks at the challenge of building security through cooperation across the northern hemisphere, from Vancouver to Vladivostok, as well as how this experience can be applied to other parts of the world. It aims to stimulate thinking on the question of protecting and promoting human rights in a world faced with serious threats to security.

Netherlands Helsinki Committee
Het Nutshuis
Riviermarkt 4
2513 AM The Hague
The Netherlands

© Netherlands Helsinki Committee. All rights reserved.

www.nhc.nl