



United States Mission to the OSCE

**Reply to the Russian Federation on
Ongoing Concerns About the
Freedom of Association in Russia**

As delivered by U.S. Ambassador Daniel B. Baer
to the Permanent Council, Vienna
September 8, 2016

I, too, want to respond to comments made by our distinguished Russian colleague. I agree with our distinguished Ukrainian colleague: I think it's wrong to interpret genuinely expressed concerns about implementation of our shared commitments as politicization. We owe it to each other – it is part of responsible stewardship of the OSCE acquis to raise concerns when we see them about the implementation of our shared commitments. And therefore I reject the characterization of our distinguished Russian colleague.

And yes, this is the Organization for Security and Cooperation in Europe: but the cooperation is meant to be grounded in the foundation of our shared commitments. And Russia's actions, both internationally, beyond its borders including in Crimea, as well as domestically, make that cooperation more difficult because Russia fails to keep the commitments it has made to its own people and to all of us.

In terms of the comments about the foreign agents law, and I think I have said that before, reminds me of that old quote that the difference between a republic and a people's republic is like the difference between a jacket and a straitjacket. Well, the difference between US law and the Russian law is like the difference between a jacket and a straitjacket, too. And I'm sure that Mr. Toner was right in pointing out that it's not that there can't be a foreign agents law that is called a "foreign agents law" that would be consistent with international law and standards. But in this case neither the Russian law nor the application of it IS consistent with international standards. And the Russian Federation doesn't have to take that from the US but it can look at those responsible for opining on behalf of the international community. Many of them, Special Rapporteurs and others, have expressed deep concerns with both the law and its application in numerous cases.

Finally, our distinguished Russian colleague's comment that we ought to be careful to make sure that we had an accurate understanding and not to politicize things – I'm sorry but on the previous issue, on the issue of enforced disappearances, the Russian Ambassador gave us a perfect example of an inaccurate application of the actual standard in international law and characterized things that aren't actually the topic that we are talking about. So he used sloppy work to politically raise issues, and if I were him I would fire the person who actually wrote that statement because it is not accurate. So I

think it is really rich for the Russian Ambassador to give us all commentary on how we should be careful when our distinguished Russian colleague has just delivered a statement that was so messy.

Thank you, Mr. Chair.