

United States Mission to the OSCE

Opening Plenary Statement

As prepared for delivery by Ambassador Avis T. Bohlen, Head of US Delegation
OSCE Human Dimension Implementation Meeting
Warsaw, September 24, 2012

It is a pleasure and, indeed, an honor to be in Warsaw for the annual Human Dimension Implementation Meeting. My career in the U.S. Diplomatic Service coincided, and at key points intersected, with the Helsinki process and the development of its security and human dimensions in particular. OSCE's comprehensive security concept, reaffirmed by all participating States at the 2010 Summit in Astana, rightly, and I quote, "relates the maintenance of peace to the respect for human rights and fundamental freedoms." And for nearly four decades, the Human Dimension has defined the Helsinki process for those courageously working, often against great odds and at personal risk, for human rights and peaceful, democratic reform across the OSCE space.

In the 21st century, the OSCE community is no longer divided along East-West lines by the Cold War competition between Soviet totalitarianism and democracy. At Astana, the participating States recommitted themselves to "the vision of a free, democratic, common and indivisible Euro-Atlantic and Eurasian security community" that is "rooted in agreed principles, shared commitments and common goals." The divides that concern us at the HDIM are not geographical or ideological. The divides we must focus on here are those between principle and practice. These are the chasms of confidence and trust between citizens and their governments, the walls of intolerance among people that prevent them from recognizing and acting upon their common humanity, and the gulf between OSCE commitments and the political will of countries to implement them.

Our concentration here in Warsaw is on the Human Dimension commitments each of our states has adopted and reaffirmed, on how well they are being implemented, and what we can do, individually and collectively, to improve their implementation by actions we can take within our countries and through strengthening OSCE's institutions and instruments.

Every participating State, my own included, has room for improvement. And every participating State reaffirmed in Astana that "the commitments undertaken in the field of the human dimension are matters of direct and legitimate concern to all

participating States and do not belong exclusively to the internal affairs of the State concerned.” The human rights and fundamental freedoms under international law that are enshrined in the Helsinki Final Act are universal, transcending differences of geography, culture, politics, race, religion, ethnicity and level of development and any restrictions by states of those universal rights and freedoms must be consistent with international law. All people want to be free and to be treated with dignity. They want to be able to express themselves, to assemble and associate, to practice their faith or belief, to leave their own country and return to it. They want to exercise their human rights and fundamental freedoms without fear, on line and off line. And as citizens, men and women want to take part in the life of their own country and shape its future, to be governed not by the whim of those who hold power but by laws that guarantee equal protection of every citizen’s rights and an equal opportunity for advancement.

The significant gaps between human rights commitments and the conduct of authorities in some participating States are deeply troubling. These gaps can lead to instability and conflict within countries and across borders. For example, inter-ethnic tensions in Kyrgyzstan continue to simmer in the face of ongoing police abuse in the south and divisive policies and rhetoric from politicians.

In Astana, the participating States reaffirmed that they “value the important role played by civil society and free media in helping to ensure full respect for human rights, fundamental freedoms, democracy, including free and fair elections, and the rule of law.” Yet, Tajikistan, Turkmenistan, and Uzbekistan continue to restrict traditional media as well as the Internet, blocking selected news sites, and limiting the space for civil society to operate.

Kazakhstan’s reliance on a vague national security law that defines “inciting social hatred” as a crime fosters an environment in which its citizens may be subjected to political abuse by the judicial system. Amendments to Kazakhstan’s law on religion, passed in 2011, limit religious freedom and empower a government constituted board of “experts” to decide which religions are worthy of registration, and requires a registering group to submit a list of its members.

In Belarus, we see the gulf between promise and performance widen with the harassment of the political opposition and civil society. Opposition leaders and democratic activists continue to languish in prison, while journalists risk arrest and detention for doing their jobs, and human rights activists face restrictions.

A law signed by President Putin in Russia in July requires non-governmental organizations engaged in promoting civil society to register as “foreign agents” if they accept contributions from abroad. The harsh penalty meted out to Pussy Riot punk band members and the legal action taken against Alexey Navalny show a steady trajectory away from due process, the rule of law, and respect for human rights.

We note with concern a recent lawsuit initiated by the official Hungarian News Agency against journalist György Balavany for a blog post he wrote critical of public service media. It is particularly unfortunate that the plaintiff in such a lawsuit is a media organization, and it is suing a journalist. We concur with the OSCE Representative on Freedom of the Media, Dunja Mijatović, who noted that “a lawsuit for expressing critical views on the Internet can cause a chilling effect on media in Hungary.”

Our HDIM discussions also must focus on protecting the human rights of members of vulnerable and marginalized populations within our OSCE community. These populations tend also to be targets of intolerance and attacks that violate, often brutally, the inherent dignity and integrity of the human person. We must keep the spotlight trained on trafficking for the purposes of sexual or labor exploitation, discrimination and violence against the Roma and other minorities, anti-Semitism and other manifestations of hatred and pernicious bigotry, violence against women, and crimes against individuals because of their sexual orientation or gender identity. These are serious and compelling human rights challenges that countries across the OSCE must address, whether they concern countries that happen to be members of NATO or the EU or happen to have been part of the FSU. Let us all be fair in our assessments of our respective records, regardless of alliance or affiliation.

My delegation will use the next two weeks to raise what my government believes are the most egregious and the most pervasive failures to adhere to Human Dimension commitments in the OSCE. We will also respond forthrightly to concerns about U.S. performance, in the belief that a willingness to discuss not only “best practices” but also criticisms is the best catalyst for positive change in the world. I hope my delegation will not be alone in this regard.

Given the great weight of their collective voice, I want to encourage our friends and partners in the European Union and associating states to be candid in raising their concerns, and to acknowledge the developments within their membership that

give rise to concern, not only in Hungary and Romania but elsewhere in the EU ranks, regarding the treatment of minorities and migrant communities in particular.

In our deliberations, let us welcome the civil society representatives who are here today and encourage their participation in our discussions. At the beginning of the Helsinki process, it was the determined advocacy of a few, brave private citizens in Moscow, Kyiv, Prague, our host city of Warsaw, and other places, that held the participating States accountable not only to each other, but also to their own citizens. These intrepid Helsinki monitors helped to make the Human Dimension the dynamic element of inter-state relations that it is today.

Finally, the United States calls on everyone here to generate greater support for the OSCE's emphasis on Human Dimension implementation not just at this annual meeting but year round, not just in Warsaw but in Vienna and wherever the OSCE has a field presence. We must not allow those countries that show blatant disregard for their Human Dimension commitments to thwart the organization's efforts to address the very human rights violations they commit. Participating States that seek to curtail or weaken the OSCE's Human Dimension activities only succeed in bringing their own, poor implementation records up for scrutiny.

The Russian Federation continues to seek to subject the conclusions of OSCE election observers to the approval of diplomats in Vienna, while it demands a "Charter" that could re-open for discussion the solid, longstanding commitments made by the participating States. The Russian Federation, along with Belarus and other likeminded states, continues to block a variety of decisions that enhance the OSCE's needed presence in the field, in Georgia in particular. Many of the same delegations regularly seek to shorten the duration and to shift the focus of this Human Dimension Implementation Meeting, and to limit the access and participation of NGOs in Human Dimension events.

Those states in particular which chair the OSCE must lead by example, improving their own human rights and democratic practices as they press others to abide by the democratic norms of the OSCE. We urge the authorities in Ukraine, next year's Chair-in-Office, to halt the democratic backsliding, to end selective and politically motivated imprisonments, to free former Prime Minister Yulia Tymoshenko and former Interior Minister Yuriy Lutsenko from detention, and to allow their unrestricted participation in the political life of the country. Doing so would be a welcome boost to both the country and the OSCE.

As Serbia prepares to assume its chairmanship, we look to its newly-elected leadership to acknowledge unequivocally the crimes, including genocide in Srebrenica, that were committed in the 1990s and to persevere in bringing those responsible to justice. We also urge Serbia to engage neighboring countries in constructive dialogue about their common European future to heal the rift among communities. Belgrade will need to urge other participating States to do likewise in 2015. To be effective and convincing, it must stand on its own achievements.

When we invoke our common commitment to comprehensive and indivisible security and the universality of rights from Vancouver to Vladivostok, we must be consistent. Kosovo's exclusion from the OSCE community is wrong. This is another artificial divide within the OSCE that must be overcome. Unless Kosovo is accepted as a participating State, the OSCE's support for Kosovo's efforts to build democratic institutions and the rule of law will remain limited. Unlike many states that are seated comfortably at this table even as they deny the OSCE a needed presence, Kosovo deserves credit for accepting a large mission from this organization.

The United States remains deeply committed to the Helsinki process and its Human Dimension. We continue to oppose any efforts that would undermine its institutions, operations and credibility. We remain determined to find ways for the OSCE to continue creatively and effectively to defend and advance human rights and fundamental freedoms online and offline, foster democratic development, promote the rule of law, and combat intolerance in all of its ugly forms. Our next step is a vigorous, thorough and honest review of implementation of our Human Dimension commitments here in Warsaw.