

Intervention to the OSCE Ministerial Council ENGLISH only
Under Secretary of State for Political Affairs
Nicholas Burns

Thank you very much, Mr. Chairman,

I would like to thank our Spanish hosts, in particular Foreign Minister Miguel Moratinos, for their fine efforts this year as Chairman-in-Office, and for their hospitality here in Madrid.

As we have tried to achieve a democratic peace in Europe over the last 17 years since the fall of the wall in Berlin and since the dissolution of the Soviet Union, the OSCE has been a supremely important institution for all of us. We should take a moment today to look back with pride at what it has accomplished.

The OSCE charted the path out of the Cold War to a different democratic world. It has defended democracy and human rights and respect for minorities. It has battled trafficking in human beings. It has been present in Kosovo, and we hope as a result of decisions that we will make at this table, shall be present in Afghanistan in the future. It has established ODIHR, the gold standard for election monitoring worldwide. In Nagorno-Karabakh, the Minsk Group met this morning, and the Co-Chairs – Russia, France, the United States met with Armenia and Azerbaijan to see if that frozen conflict can finally be resolved. So there is much to be proud of in this organization and we are right to take a moment to say that today.

There's no question that over the years the OSCE has gained international prominence for the pioneering work it has done on the concept of cooperation and cooperative security. This concept links security among nations with respect for human rights within nations. That has been the secret of the OSCE and that is what made it unique. The generation that re-crafted the OSCE – the generation of Helmut Kohl of Germany, Margaret Thatcher of the United Kingdom, Francois Mitterrand in France, and President H.W. Bush in the United States, the people who met in 1989, 1990, and 1991, remade this organization for all of us.

But we fear that this fundamental understanding of how to achieve democratic peace in Europe has been under assault from within this organization. The consensus on cooperative security is increasingly difficult to maintain. Doubt is now cast on issues we had all once taken for granted. Attempts are being made to reverse the progress we have made over many years. In too many places in the OSCE region, fundamental human rights commitments which are at the heart of what this organization is about are either questioned or ignored. This Ministerial has before it a number of proposals that are little more than transparent attempts to dismantle the structures that we have put in place to promote democracy, free elections and human rights. We face threats to the CFE regime. That is a cornerstone of European security. We see proposals that would undermine the autonomy, and the independence and effectiveness of OHIDR, and so we need to talk

about these issues. We have seen a hollowing out of democracy, unfortunately, in some parts of the OSCE region.

Under the guise of the rule of law, some participating States have in reality wielded the law as a political weapon or an instrument of repression. By doing so, they retreat from our core commitments on human rights, democracy and fundamental freedoms, freedoms that all of us said we would uphold when we joined this organization.

Look at what has happened in the last year since our Ministerial in Brussels. Just a few examples:

- use of administrative rules to keep candidates off the ballot and prevent political parties from organizing;
- restrictions on freedom of assembly by those who challenge government actions;
- harassment of human rights defenders who have been beaten and jailed;
- onerous registration requirements and frivolous investigations on NGOs, non-governmental organizations in an attempt to prevent civil society from performing its invaluable role as a check on those of us in government;
- misuse of anti-terrorism and anti-extremism laws to hamper the work of peaceful human rights defenders;
- intimidation of journalists, including judicial harassment, criminal defamation proceedings, and physical attacks;
- efforts to hinder or prevent effective election observation by OHIDR and other credible national and international election observers.

The very commitments that are the mortar, the glue that hold us together, are being eroded in some parts of the OSCE region. In our view, this is not time to retrench in our commitments, but rather a time to recommit and press ahead. This is seen perhaps in no more obvious light than what is happening with OHIDR, the Office of Democratic Institutions and Human Rights. This is the indispensable tool for monitoring elections and ensuring human rights, and it deserves our support. In that regard the United States is disappointed that Russia and a few other countries around this table have made a proposal that would cripple ODIHR's capability to monitor elections in other countries. The United States will oppose this proposal. We will not agree to any proposal or compromise proposal that will undermine the core purpose of ODIHR – to provide an objective monitoring of all member states' elections. We do not believe that any participating OSCE State should have anything to fear or hide from ODIHR and its technical expertise in election monitoring.

At the same time, the allegations of President Putin and the Russian Federation that the United States was somehow involved in ODIHR's decision to decline sending a limited mission to Russia are completely untrue and unfounded. We should not allow these unfortunate and inaccurate public accusations to distract us from the real problem at hand: unprecedented and unacceptable restrictions by Russia on ODIHR.

ODIHR is the world's premier organization for election monitoring. No other institution has the resources, experience, and objective standards that ODIHR brings to bear. All of

us, without exception, have the responsibility to permit it unfettered access to our elections.

The CFE Treaty is the most successful arms control regime of its kind. It has been responsible for the verified destruction of over 60 thousand pieces of military equipment, for the exchange of detailed information on the military forces among us, and on countless on-site inspections. All of these were advancements that changed the face for the better of European security. Openness and transparency regarding all the major armies in Europe have replaced mistrust and lack of information. This is why the CFE Treaty remains a cornerstone of European security, and it is why we deeply regret Russia's unilateral threat to suspend implementation of the CFE Treaty over the next month.

The United States will continue to support, as we did in 1999, entry into force of the Adapted CFE Treaty. The Adapted Treaty was developed to update the original 1990 Treaty to take account of changes that had occurred in Europe since the end of the Cold War. The United States and our NATO Allies have consistently made clear that we want to ratify the Adapted Treaty. We are prepared to help find ways to resolve the remaining differences about Istanbul Commitments, particularly relating to withdrawal of forces and ammunition from Georgia and Moldova. Those commitments related directly to the core CFE principle that governments may freely choose whether to permit foreign forces on their territory. They were reflected in the CFE Final Act, a political document agreed by the CFE States Parties at the time of the Adapted Treaty in 1999. The Istanbul Commitments were critical and they were critical to the decision of my government to sign the Adapted Treaty.

Now we note and applaud the important progress that has been made in some parts of the flank region, particularly in Georgia. We believe the last remaining presence at the Gudauta base can be resolved soon with creativity and political will.

During the last several months NATO members have sought to engage Russian authorities on several tracks in order to find a way forward to take account of Russia's CFE concerns. But we also need to remember that Georgia and Moldova have concerns as well. We regret that no progress has been made in Moldova since early in 2004 on the withdrawal of munitions from that country.

My country will continue to pursue an intensive dialogue with the Russian Federation, as we all will on these issues. That work continued yesterday. There were hours of meetings yesterday here on CFE and so we hope that Russia will not answer that effort with a unilateral suspension of implementation of the current CFE Treaty. Such a step would make it harder to find cooperative solutions. It would damage near-term prospects for ratification of the Adapted CFE Treaty by all 30 CFE governments. We hope we can use this Ministerial to advance our work. We hope by that work that we can persuade the Russian Federation to rescind its unilateral intention to notify suspension of this treaty. We have made all possible efforts. We should use this Ministerial to make progress.

There are two other issues which this Ministerial should make a decision on: the first is Kosovo. We should commit to continuing the OSCE's activities in Kosovo no matter what the outcome of the current troika-inspired talks of the United Nations mandate to find a solution between the Serb authorities and the Kosovar Albanian leadership. What the OSCE has been doing in Kosovo is extremely valuable for everyone because the OSCE is protecting the rights of persons belonging to minority groups. We are providing assistance to the Albanian leadership and the Serb minority to see if they can build some trust among each other and put aside their animosities. No matter what happens during this transitional phase that is certainly upon us, and will be upon us in December and January of this year, we believe that the OSCE should stay. We have heard some states proclaim that if the outcome of these troika talks is not to their liking, they would demand immediate closure of the OSCE mission. This would be a dramatic mistake because no matter what happens in Kosovo, people in Kosovo, no matter whether the minority or majority, are going to need the assistance of the OSCE itself. We will argue for that at this Ministerial.

Finally in Central Asia, the OSCE has much to do. Many of us have troops on the ground in Afghanistan to help the Afghan government. We have a decision here at this Ministerial to create a new initiative of the OSCE to work with Tajikistan and some of the other neighboring states of Central Asia to see if we can promote better border security between Afghanistan and its neighbors in the Central Asian region. This is a good project and if we agree on nothing else at this Ministerial, then we should agree on that proposal.

Finally, Mr. Chairman, let me just say that the OSCE and the CSCE have been through a lot in the last 30 to 35 years. We have been through the height of the Cold War, the end of the Cold War, through the Balkan Wars of the 1990's, and now into this millennium. There were tough times before, but we are currently experiencing tough times as well now. There are serious disagreements around this table about the future of this organization, but we have always been able to find ways through cooperation and compromise to build on the Helsinki Final Act. We have always found ways to keep the CFE Treaty going. We have never forgotten our commitments to human rights, to minority rights, and to the right of people to have free elections. As we face the current difficulties and disagreements, we should be inspired by the work of our predecessors in the past. The United States intends to take the higher road of cooperation, compromise and dialogue as we continue to try to build a democratic peace in Europe, which is our overarching strategic ambition.

Thank you, Mr. Chairman