



## **United States Mission to the OSCE**

### **Closing Statement for the OSCE Ministerial Council in Dublin**

As delivered by Ambassador Ian Kelly  
December 7, 2012

Thank you, Mr. Chairman.

On behalf of the United States, I would like to thank you and your team for your tireless work to advance fundamental freedoms, strengthen our efforts against intolerance, promote good governance, and combat transnational threats.

I'd also like to thank you for your warm Irish hospitality.

In the Astana Commemorative Declaration, all participating States agreed that the protection and promotion of human rights and fundamental freedoms is our first responsibility. Despite the vigorous efforts of the Chairmanship, for the second year in a row, we were not able to reach consensus on any decisions that reaffirm or strengthen our commitments in the human dimension.

Specifically, we deeply regret that we were not able to adopt ministerial decisions on Strengthening Media Freedom, on Combating Racism and Xenophobia, on the Freedom of Peaceful Assembly and the Freedom of Association, and that we were not able to adopt the Declaration on Fundamental Freedoms in the Digital Age.

Not surprisingly, the countries most responsible for this outcome have an increasingly troubling record on respect for human rights and fundamental freedoms, and the implementation of their existing OSCE commitments. We are particularly troubled by efforts made to undermine existing OSCE human dimension commitments by watering them down or refusing to reaffirm them.

Regrettably, even where the task before us was merely to reaffirm existing commitments, we were unable to reach consensus. Forty-seven participating States continue to cosponsor the Fundamental Freedoms in the Digital Age declaration. This declaration contains no new commitments; it merely reaffirms that fundamental freedoms apply whether they are exercised in the real or the virtual world – online or offline. It is deeply troubling that some participating States argue that the emergence of a new technology, such as the internet, can abrogate or diminish fundamental freedoms.

At a time when our region has witnessed a rise in racism, xenophobia and hate crimes targeting migrants, Roma, Jews, other ethnic and religious minorities, LGBT persons and other vulnerable populations, we also find it regrettable that the OSCE was prevented from adopting provisions to help protect our diverse communities, such as strengthening

participating States' responses to hate crimes, enhancing our assistance to victims, and facilitating evaluation of the effectiveness of anti-hate crimes policies.

The Irish Chairmanship's Decision on Strengthening Media Freedom addressed a compelling concern: persistent threats to the safety of journalists and to freedom of expression both online and offline in the OSCE region. These disturbing trends have been documented in detail by the Representative on Freedom of the Media. Independent journalists, bloggers, and activists who employ social media to expose corruption or human rights abuses or oppose government policies face increasing threats in some parts of the OSCE region.

We will continue to promote and protect human rights and fundamental freedoms in the OSCE region and we will do our utmost to ensure that they are a major focus of OSCE's onward work. We will return again and again to these issues of profound importance to people across the region.

The negative outcome in the human dimension and the limited results achieved with respect to the OSCE's role in the protracted conflicts demonstrate the deep divide amongst participating States on a wide range of fundamental issues. For our part, the way forward is clear: the realization of the Astana Declaration's vision of a "security community" can only be achieved through the implementation of existing commitments.

In the first dimension, Secretary Clinton made clear our concern about the erosion of military transparency in the OSCE region in recent years. We regret that no significant steps were agreed in Vienna this year to redress that decline – and we are concerned that we could not even agree to continue our efforts to modernize the Vienna Document in 2013.

On cyber-security, we were also disappointed that participating States were unable to reach consensus on an initial set of transparency confidence-building measures.

We are pleased, however, that participating States also agreed the draft transnational threats chapeau decision.

We also welcome agreement on the Chairmanship's Good Governance Declaration, and believe it can serve as a useful tool in guiding our work in the second dimension. It will assist in focusing the work of the field missions and facilitate fruitful cooperation between the OSCE and other international organizations and fora.

We welcome the Ministerial statement issued today that recognizes progress of the 5+2 talks this year toward a final Transnistria settlement.

This is the first time our Ministers have issued a separate statement in support of the 5+2 process, reaffirming our collective commitment to help the sides resolve a protracted conflict that has persisted far too long.

We urge all participants in the 5+2 process to develop basic principles for a comprehensive settlement consistent with OSCE norms, principles and commitments, and to redouble efforts toward our shared goal of a final settlement that respects the sovereignty and territorial integrity of Moldova and provides a special status for Transnistria.

In addition to the issues addressed in the Ministerial statement regarding the 5+2, there are other issues to be dealt with. Commitments regarding the withdrawal of military forces should be honored. The OSCE has an important role to play in facilitating this process.

We also urge intensified work to promote demilitarization and to achieve greater mutual confidence and trust through openness regarding all military forces in the region. Consideration of proposals to transform the current peacekeeping force can also contribute to greater security.

We are also pleased that the co-chairs agreed on a Ministerial-level statement on the work of the Minsk Group and urge broad support for their efforts.

On Georgia, we regret that agreement on a regional statement proved unattainable again this year. We look forward to efforts to develop ideas for a Vienna-based OSCE support team, as discussed here in Dublin.

Next year we will begin work under the rubric of the “Helsinki + 40” process. Some participating States have suggested that the Helsinki + 40 process should usher in significant reforms and changes in the way the OSCE conducts election observation, engages with civil society, or its legal structure. While we believe that there is room for improvement in any organization, we fundamentally disagree with the assessment by some that the OSCE needs “major reform” or a legal charter. The key to making the organization more effective is to allow it to do the work we have agreed it should do.

Going forward, the United States looks forward to working with the incoming Ukrainian Chairmanship, the Troika, and all participating States to elaborate the tasks to be undertaken as part of an inclusive and transparent Helsinki+40 process that welcomes contributions from civil society as well.

As it has been from the beginning, so too today, the value, relevance, and promise of the Helsinki+ 40 process rest on its comprehensive concept of security: that lasting peace among states is inextricably linked to respect to human rights within states.

As Secretary Clinton stated yesterday, “as we approach the 40th anniversary of the Helsinki Final Act, this is a time for the OSCE to once again take up the mantle of leadership, to push forward the frontiers of human rights and dignity, and to reaffirm the values and principles that have guided this organization ever since its founding.”

Mr. Chairman, I ask that you attach this statement to the Journal of the Day.