

**Remarks of Michael H. Posner**  
**Assistant Secretary of State for Democracy, Human Rights and Labor**  
**at**  
**The Closing Session of the Human Dimension Implementation Meeting**  
**of**  
**The Organization for Security and Cooperation in Europe**  
**Warsaw, October 9, 2009**

Mr. Moderator, Distinguished Colleagues:

I am Michael Posner, Assistant Secretary of State for Democracy, Human Rights and Labor. This is my first appearance at the Human Dimension Implementation Meeting. I appreciate this opportunity to join Dr. Haltzel in expressing the United States' strong dedication to the Helsinki Final Act and the OSCE's Human Dimension commitments. We also support the OSCE's institutions and field missions that are working to transform those commitments into practice.

Mr. Moderator, two weeks ago, President Obama addressed the U.N. General Assembly. He called for a new era of U.S. engagement with the world. He expressed his determination that the United States be a leader in meeting complex challenges to global prosperity and peace. And he emphasized that respect for human rights and democracy is essential to sustained prosperity and lasting security. He said, "just as no nation should be forced to accept the tyranny of another nation, no individual should be forced to accept the tyranny of their own government." And he pledged that "America will always stand with those who stand up for their dignity and their rights."

His address to the General Assembly built on themes he sounded in speeches in Cairo, Moscow, and Accra earlier this year. Accordingly, our approach here and elsewhere is guided by three tenets: a commitment to principled engagement; a determination that all – including ourselves -- are responsible for upholding universal principles of human rights and humanitarian law; and a fidelity to the truth.

**Engagement.** The United States is deeply committed to the OSCE and its comprehensive concept of security that links respect for human rights and democratic principles within states to international peace and progress. The Obama Administration is reinvigorating U.S. engagement in the OSCE. We are participating actively in the Corfu process with the objective of ensuring that the OSCE – and its Human Dimension – are strengthened to meet 21<sup>st</sup> century challenges. Working in partnership with fellow participating States, we seek to tackle OSCE's greatest task: improving implementation of OSCE commitments. To this end, we value the constructive work of the Representative on Freedom of the Media, the three Tolerance Representatives, and the High Commissioner for National Minorities. We also appreciate the contributions of ODIHR Experts and Points of Contact, whose efforts have resulted in helpful training tools and reports, such as the reports on Human Rights Defenders and Hate Crimes.

We stand ready to engage in open, constructive, fact-based discussions on these subjects and will consider ideas from any quarter that will improve the OSCE's effectiveness. We will not,

however, support efforts that we believe will undermine OSCE principles or weaken the Office for Democratic Institutions and Human Rights or other Human Dimension architecture.

The second tenet of our approach is **universality**. We are dedicated to upholding consistently the principles reflected in the U.N. Universal Declaration of Human Rights, embodied in international law, and enshrined in the Helsinki Final Act and subsequent OSCE agreements. President Obama's decision on his second day in office to end abusive interrogations, to close the detention facility at Guantanamo and to review security detention policies more generally are emblematic of our commitment to apply universal principles to ourselves.

Over the past two weeks, our delegation has exchanged views with others here on the challenges of implementation confronting participating States. Our own record has been a matter for discussion, not just by officials from other governments, but by several non-governmental representatives. My government takes our Human Dimension commitments seriously, and we have made every effort to respond to concerns expressed to us. We do not consider expressions of concern about our record to be interference in our internal affairs. In order to address issues seriously, however, we need to know the specifics on which a statement is based. There have been several oral statements during the course of this meeting raising concerns about the United States. Whenever specific cases have been cited, we have responded. In several sessions, however, these criticisms have been lacking in details and sources, making it difficult for us to address them. If and when such specifics are provided, we stand ready to respond.

**Telling the Truth.** The third tenet of our approach here and elsewhere is telling the truth about human rights conditions. At this meeting, we have emphasized our deep concern about increasing incidents of racial and ethnic discrimination and violence, including against Roma. We have also condemned human rights violations and acts of violence against lesbian, gay, bisexual and transgender individuals. In a number of participating States, fundamental freedoms of thought, conscience, religion or belief, expression, peaceful assembly, and association continue to be denied. So-called "extremism" laws, onerous registration and tax requirements and "defamation" laws constrain the legitimate, peaceful activities of human rights defenders, non-governmental organizations, religious groups, and independent media, including those who communicate via the Internet.

Human Rights defenders and journalists who advocate for the freedoms of their fellow citizens, report human rights violations and expose corrupt practices all too often are themselves targets of persecution. The anonymous, lethal attack on Natalia Estemirova, and three years ago this week on Anna Politkovskaya, are disquieting reminders of the risks human rights defenders face. A deepening climate of intimidation and impunity has a chilling effect on the exercise of basic rights. It is antithetical to the rule of law.

It is precisely in areas like this, where the gap between commitment and implementation is greatest, that ODIHR and the OSCE in general must continue to focus their efforts.

As we look ahead, we encourage the upcoming Chair of the OSCE, Kazakhstan to ensure that during its tenure the OSCE will continue to enhance its capacity to tackle tough Human Dimension issues. We call upon Kazakhstan to show leadership by example. Working closely

with OSCE and civil society, it should make steady progress toward meeting all of its Madrid commitments, including reducing criminal liability for defamation in the media. We also look to Kazakhstan to ensure that any future changes to the religion law meet OSCE commitments.

We call upon all parties to fulfill their ceasefire commitments with respect to the conflicts in South Ossetia and Abkhazia. We urge the continued active participation of Russia and Georgia in the Geneva talks aimed at facilitating security and stability in the region and addressing humanitarian and human rights issues there, including full access for international humanitarian groups.

Here at the HDIM, we have welcomed the exchange of ideas with other governments and NGOs regarding OSCE's current activities and proposals for its onward work. We look forward to continuing this dialogue as together we shape proposals in the Human Dimension for consideration at the OSCE Ministerial in Athens in December.

Let me add a final word on the important contributions of NGOs and civil society in addressing complex problems in our societies. This has been and will be a major theme for President Obama and Secretary Clinton. The subject has special resonance for me because I have spent the past thirty plus years working as an NGO human rights advocate. The OSCE has an important role to play in amplifying the voices of civil society and providing a lifeline of protection when human rights defenders face trouble. We have heard some participating States express concern about the active NGO participation in these proceedings. Some participating States have suggested that new constraints be placed on NGO participation. My government strongly disagrees. It is the ability of a wide variety of NGOs to participate on an equal footing with government officials that makes the HDIM such a valuable forum for discussion. Indeed, the HDIM sets a pioneering example of openness and NGO participation for other multilateral institutions to emulate.

In the years ahead, I look forward to working with OSCE colleagues in a concerted effort to advance human dignity and the Human Dimension of the Helsinki Final Act. On behalf of the U.S. Delegation, I wish to thank the Government of Poland and the ODIHR for being such welcoming and gracious hosts.

Drafted: Michael H. Posner, DRL Assistant Secretary; DRL/FO Senior Advisor  
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P:PAguileraTWaser - ok  
G:LSherman - ok  
S/P:CPowell - ok  
L/HRR:KGorove - ok  
EUR/FO:PDASNMcEldowney - ok  
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EUR/RUS:MFogo - ok  
EUR/Georgia:TKaidanow- ok  
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