

Spanish Presidency of the European Union

Copenhagen Anniversary Conference “20 Years of the OSCE Copenhagen Document: Status and Future Perspectives”

10-11 June 2010

EU general statement to be submitted during Session 1 of the Copenhagen Anniversary Conference “Democratic processes – elections and human rights” 10 June 2010

Mme Moderator,

Let me congratulate the Chairman in Office and the Minister of Foreign Affairs of Denmark for organizing this comprehensive conference to mark the 20th anniversary of the Copenhagen Document and to discuss the way forward. We look forward to assess the status of our commitments in the human dimension, to address ways and means to improve their implementation and follow up and to discuss future perspectives.

Together with the Charter of Paris for a new Europe, the Copenhagen Document marked the end of the cold war and the dawn of a new era for the peoples of Europe. The Copenhagen Document determined human rights, democracy and the rule of

law to be the foundation of the political systems of all OSCE States.

History has shown repeatedly that without respect for human rights and fundamental freedoms there will be no security, and without security, human rights and fundamental freedoms can never be fully enjoyed. This link was recognised in the Helsinki Final Act and is a cornerstone of the concept of comprehensive security on which the OSCE is based. It continues to be a key guiding principle in the dialogue on the future of European security and the Corfu process.

The EU reaffirms its commitment to the Copenhagen Document and the human dimension as essential guidelines within each participating State and as crucial in its relations with other participating States. Let me comment briefly on each session to come.

Election observation is a core activity of the OSCE and the election observation standards constitute indispensable benchmarks for democratization. ODIHR has developed a methodology, that is both credible, effective and comprehensive and has built up a body of skills which has repeatedly demonstrated its value. We also pay tribute to the important efforts of the Parliamentary Assembly in this respect.

Building on what has already been achieved, further improvements are possible, for example on the follow-up to the recommendations made by election observation missions. It is

important that the Copenhagen commitments on election monitoring are honoured to the full in the spirit and in the letter by all participating States. The EU also wishes to stress the importance it attaches to complementarity between the competences of ODIHR and the OSCE Parliamentary Assembly, and to their harmonious cooperation on the basis of the 1997 cooperation agreement and MC Decision 19/06.

The checks and balances provided by a strong civil society and political opposition are a key feature of a functioning democracy. Civil society and political parties can only be effective where they have freedom of assembly and association.

In the framework of the OSCE, the EU highly appreciates the unique platform for dialogue with civil society it provides and remains firmly committed to the open and free participation of non-governmental organizations in Human Dimension meetings, as is set out in our commitments. We stress the importance of the work and dedication of human rights defenders to ensure that human rights are respected in the OSCE area and underline the need to ensure that human rights defenders can work without fear of harassment or threats.

Freedom of expression and opinion also remain of fundamental importance. Free media is a precondition for a free exchange of opinions in any democratic society. The office of the Representative on the Freedom of the Media enjoys widespread recognition throughout the OSCE area and is one of the main institutional pillars of our organization in the Human Dimension. We look forward to further close cooperation with Ms. Mijatovic

and her team on all aspects of media freedom, including new opportunities and challenges arising from developments in broadcasting technology and the growing use of internet media. This is certainly an area where our commitments could be upgraded and their implementation improved, as reflected in our dialogue in the Corfu process.

The Copenhagen Document confirmed participating States' determination to support the rule of law. They considered that the rule of law does not mean merely a formal legality which assures regularity and consistency in the achievement and enforcement of democratic order, but justice based on the recognition and full acceptance of the supreme value of the human personality, guaranteed by institutions, which provide a framework for its fullest expression.

The Copenhagen Document represented a major achievement also in the field of national minorities. We salute the efforts of the successive OSCE High Commissioners to diffuse and assist in solving high risk situations. Even if serious setbacks have occurred, it is very much thanks to the HCNM that governments and peoples throughout the OSCE area are increasingly subscribing to the notion that the protection of rights of persons belonging to national minorities is indispensable for stability, social cohesion, democracy and prosperity.

In many respects the objectives of the Office of the High Commissioner and the EU are complementary. This is illustrated *inter alia* by the Treaty of Lisbon and also by the "Copenhagen Criteria" for accession to the EU.

The Copenhagen Document also deals with freedom of movement. Reducing barriers to contact among people is important. The right of everyone to leave and return to one's country is a firm commitment in the Copenhagen Document. It is also enshrined in the Universal Declaration on Human Rights and the International Covenant on Civil and political Rights.

The EU takes that the principle of "freer movement and contact among the citizens" of participating States also covers the right of everyone to freedom of movement and residence within the borders of each State— a right that is also enshrined in the UN instruments.

We look forward to discussing these and other relevant issues.

But the commitments are useless if they are not implemented properly. Participating States need to look at better coordination among the many implementation measures of the OSCE. We need more automatic trigger mechanisms to mobilise them, and participating States need to cooperate in good faith with independent human rights monitors – from OSCE and elsewhere. We need a more proactive approach to implementation.

This is an important issue for our conference, and the Corfu process is also a very useful forum for discussion on improved implementation of our human dimension commitments.

Mme Moderator,

EU members will intervene in the different substantive sessions. We should all seize the opportunity that this timely conference represents to reaffirm our commitments, find ways to improve their implementation and make progress in the human dimension, in the spirit of Copenhagen.

Thank you very much.

The candidate countries TURKEY and CROATIA*, the countries of the Stabilisation and Association Process and potential candidate countries BOSNIA AND HERZEGOVINA, MONTENEGRO and SERBIA, the European Free Trade Association countries and members of the European Economic Area ICELAND, LIECHTENSTEIN and NORWAY, as well as UKRAINE and the REPUBLIC OF MOLDOVA align themselves with this statement.

*Croatia continues to be part of the Stabilisation and Association Process.