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Delegation of the Russian Federation

**STATEMENT BY
MR. MAXIM BUYAKEVICH, DEPUTY PERMANENT REPRESENTATIVE OF
THE RUSSIAN FEDERATION, AT THE 1389th MEETING OF THE
OSCE PERMANENT COUNCIL**

15 September 2022

**On gross violations of human rights and fundamental freedoms by some
OSCE participating States, including the freedom of movement**

Mr. Chairperson,

Freedom of movement occupies a most important place among human rights and freedoms. It is the prerequisite for exercising virtually all civil, political, economic, social and cultural rights.

Article 12 of the International Covenant on Civil and Political Rights guarantees the right of everyone to liberty of movement within a State, the right to leave any State and the right to return to one's own country. In General Comment No. 27 [of the Human Rights Committee] it is emphasized that these provisions of the Covenant protect the rights of all inhabitants of a State, including foreigners. Similar norms are to be found in Article 13 of the Universal Declaration of Human Rights and in Article 2 of Protocol No. 4 to the European Convention on Human Rights.

Safeguarding the right to freedom of movement is one of the central obligations of our Organization as well. In Helsinki in 1975, the CSCE participating States made it their aim "to facilitate freer movement and contacts ... among persons, institutions and organizations of the participating States", having recognized this to be "an important element in the strengthening of friendly relations and trust among peoples".

In Vienna in 1989, they made the additional commitment to "respect fully the right of everyone to freedom of movement and residence within the borders of each State" and the right "to leave any country". Moreover, the document in question stipulates that countries will "deal favourably with applications for travel abroad without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin". They are likewise expected to facilitate "travel on an individual or collective basis for personal or professional reasons and for tourism". Similar norms are also to be found in the CSCE Copenhagen Document of 1990.

In the Charter of Paris for a New Europe (1990) it is stressed that "free movement and contacts among our citizens as well as the free flow of information and ideas are crucial for the maintenance and development of free societies and flourishing cultures."

Mr. Chairperson,

Today this freedom, like several other human rights, is being held to ransom by the anti-Russian political course of the European Union. By pandering to Russophobes from the Baltic countries and Poland, the EU is sliding into the shameful policies of chauvinism and crass discrimination on ethnic grounds.

In February this year, the EU partially suspended, in a unilateral manner, the Russia-EU Agreement of 2006 on the facilitation of the issuance of visas. Guided by their own Russophobic convictions, a number of EU Member States, above all Latvia, Lithuania and Estonia, began to unilaterally introduce visa barriers for Russian citizens. For example, they refused to accept application documents without giving any reason.

However, this still did not prevent the Agreement from fulfilling its main function, namely to enable citizens of Russia and of the EU countries to continue to enjoy a minimum set of visa facilitations for humanitarian, educational, business and other trips.

To inveterate Russophobes it evidently did not seem sufficient. They wanted to punish all Russian citizens indiscriminately for supporting our country's independent foreign policy.

It is precisely this striving that underpinned the unilateral suspension in whole of the application of the Russia-EU Agreement of 2006 on the facilitation of the issuance of visas. The EU countries have been instructed to freeze any relevant bilateral treaties with Russia. The authorities in Brussels expect the Schengen associated countries – Iceland, Liechtenstein, Norway and Switzerland – to do the same.

Moreover, the European Commission's guidelines issued on 9 September this year on the procedure for processing visa applications by Russian citizens enshrine a blatantly discriminatory principle of heightened suspiciousness and prejudice. The EU member countries are recommended there to review multiple-entry Schengen visas that have already been issued so as to establish whether they should be revoked. The guidelines also divide people into categories when it comes to applying visa facilitations. We consider it absolutely unacceptable that such labels as "dangerous", "useful" and "not useful" are being pinned on Russian citizens.

To date, nine out of the 26 countries that are parties to the Schengen Agreement have stopped accepting applications for tourist visas or not resumed the issuance of such visas. They are Belgium, the Netherlands, Denmark, Latvia, Lithuania, Estonia, Slovakia, the Czech Republic and Poland, the holder of the OSCE Chairmanship. As from 19 September, the Polish authorities and those of the three Baltic countries intend to deny entry even to Russian citizens with valid Schengen visas issued by other countries.

Mr. Chairperson,

On 9 September, the European Commissioner for Home Affairs, Ylva Johansson, taking her cue from the Prime Minister of Estonia, said: "To be a tourist in the European Union is not a fundamental right – that is a privilege." We categorically reject such hostile rhetoric. We would remind you that the Russia-EU Agreement is not a "gift" to Russian citizens, a unilateral concession or a form of "preferential treatment", as certain individuals in the European Union are now trying to make out. It is a mutually beneficial mechanism that was developed jointly.

This visa-related "Inquisition" is a gross violation of a primordial EU right and runs counter to basic principles of non-discrimination. In particular, Article 21 of the Charter of Fundamental Rights of the European Union prohibits any discrimination based on nationality or any other ground. Similarly, the

Schengen visa code does not provide for the imposition of a wholesale, indiscriminate prohibition on the issuance of short-stay visas.

Mr. Chairperson,

The claims that the EU sanctions policy is not directed against ordinary Russian citizens do not correspond to reality. The same is true of the repeated assertions by the EU authorities in Brussels that the mission of that association is to “build bridges, not walls”. On the Polish-Belarusian border such barriers have already acquired a tangible shape.

In view of the discriminatory treatment of people who are regarded as “undesirable” by the EU bloc, we urge the OSCE executive structures, notably the Office for Democratic Institutions and Human Rights, to respond to this egregious example of “collective punishment” and massive violation of rights and freedoms in the OSCE area.

Thank you for your attention.