

**Opening address of Ambassador, Chairperson of the OSCE
Permanent Council Mr. Ihor Prokopchuk at the Supplementary
Human Dimension Meeting
(25 April 2013)**

Excellencies,
Ladies and Gentlemen,

On behalf of the Ukrainian Chairmanship it is my pleasure to welcome all of you to the Supplementary Human Dimension Meeting (SHDM) on Freedom of Movement and Human Contacts. The topic of this year's first SHDM demonstrates the importance of freedom of movement as a fundamental right in facilitating human contacts between citizens of the OSCE participating States. It is also an indicator of the interest of the participating States to make an overview of the situation related to cross-border mobility in the OSCE region, strengthen the implementation of freedom of movements commitments and promote best practices.

Full implementation of commitments by all participating States on human rights, democracy and the rule of law is placed at the top of the Ukrainian Chairmanship's agenda. Freedom of movement is one of the topics the Chairmanship attaches special attention to.

Freedom of movement encompasses a wide range of pertinent issues that concern not only the free movement of people within and across the borders of their own state but also extend to entry procedures into the territory of states by citizens of other participating States. Moreover, it is important to underline that freedom of movement is often a pre-requisite for exercising many other rights in the human dimension.

Let me recall that **under the 1975 Helsinki Final Act and the 1990 Copenhagen Document** the OSCE participating States have recognized the importance of freer cross-border movement. They also acknowledged the necessity to simplify entry procedures in the context of promoting freer cross border travel and contacts among their citizens, and for the promotion of human rights and fundamental freedoms.

This Supplementary Human Dimension Meeting seeks to address how the right to freedom of movement can be advanced and protected and how further progress could be achieved in facilitating cross-border human contacts. It may help to identify the challenges the OSCE participating States currently face and possible ways of addressing them, in order to ensure the full enjoyment of freedom of movement in the OSCE region.

With this objective in view the meeting will address the subject through the following three sessions:

- *OSCE commitments on freedom of movement and challenges to their implementation.* The aim of this session is to review the implementation of OSCE commitments on freedom of movement and human contacts and to assess the current situation and challenges within the OSCE region.
- *Benefits of cross-border human contacts and strengthening co-operation among the OSCE participating States in this field.* This session will discuss benefits of freer cross border travel and will seek to explore the impact of visa facilitation and liberalization dialogues between the OSCE participating States on cross-border mobility in the OSCE region in the context of the protection and promotion of human rights as well as the good practices developed as a result of these dialogues.
- *Innovative approaches to facilitate cross-border mobility in the OSCE region.* This session will look into ways to improve policies and legislation as well as practical tools which the OSCE participating States can introduce to facilitate cross-border mobility in line with OSCE human contacts commitments.

Dear ladies and gentlemen,

While significant progress had been made in the promotion of freer cross border human contacts, in particular through concluding regional multilateral and bilateral agreements or through unilateral steps, aimed at establishing visa-free cross-border travel or otherwise facilitating travel for their citizens, a number of challenges still remain.

Let me highlight a few aspects.

Limitations to freedom of movement, often in the form of complex administrative requirements or procedures for residence registration have an impact on the ability of citizens to access services, as well as on opportunities to exercise other human rights (education, employment, housing, etc.).

Freedom of movement is a qualified right and is subject to justified and proportionate restrictions, which may be introduced for military, safety, ecological or other legitimate government interests, in accordance with their national laws, consistent with OSCE commitments and international human rights obligations. However, the OSCE participating States have pledged to keep such restrictions to a minimum.

Guaranteeing the fundamental right to freedom of movement also means that the OSCE participating States are obliged to allow their citizens to leave and return to their country. Here, conditions of issuance and possible denial to provide a person with a valid travel document sometimes render the exercise of this right unattainable.

The promotion of cross-border human contacts between citizens of participating States often gains prominence as rightfully reflects our public's expectations and is an important constituent part of the OSCE

commitments in the human dimension. It can be viewed as an essential inter- and intra-State confidence-building measure from social, cultural and economic perspectives. Over the years the significant progress that the OSCE participating States have made in facilitating freer travel across borders has materialized in the establishment of various regional visa-free areas in the OSCE area. Yet, further efforts should be invested to facilitate cross-border human contacts with the aim of strengthening personal, professional, cultural, humanitarian ties between citizens, as they contribute to enhanced cooperation, increased cultural understanding and trust across the OSCE region. I am confident that we have many good practices to share in that respect.

While facilitation of cross-border human contacts would foster positive developments across the OSCE area, it is also obvious that in today's globalized world states are facing substantive issues with regard to undesirable forms of human movements. Negative phenomena such as movement of terrorists and money-launderers, trafficking in persons, migrant exploitation and specious asylum seekers pose considerable challenges to managing cross-border human contacts in full respect of existing international human rights obligations. The complex nature of these phenomena calls for innovative policy solutions that would effectively ban illegal activities while ensuring implementation of international human rights standards.

Dear participants,

While significant efforts have been invested by the OSCE participating States since the Helsinki Final Act to bring their legislation and policies in line with the relevant OSCE commitments, many challenges remain.

I would therefore like to encourage the participating States to use the opportunity offered by this SHDM to discuss issues of concern, share good practices and contribute to promoting co-operation on issues related to freedom of movement and cross-border human contacts.

I wish all participants a constructive and productive discussion on important topics of this meeting. Following the conclusion of the first working session today, the Ukrainian Chairmanship is happy to host a reception to which you are cordially invited.

Thank you very much for your attention!