

United States Mission to the OSCE

Session 1: Rule of Law I

Legislative transparency;

Independence of the judiciary;

Right to a fair trial;

Follow-up to the 2009 Human Dimension Seminar on

Strengthening the Rule of Law in the OSCE Area,

With a Specific Focus on the Effective Administration of Justice

Statement in the Exercise of the Right of Reply to the Russian Federation

at the OSCE Human Dimension Implementation Meeting
September 29, 2009

Mr. Moderator,

I would like to respond to a statement that the Russian Federation delegation delivered orally during Working Session 1. The assertion by the distinguished representative of the Russian Federation that allegations of misbehavior by my government somehow disqualify the United States from pointing out shortcomings of others reveals a fundamental misunderstanding of the HDIM.

Not only does every participating State have the right to comment on any other State's implementation of its OSCE commitments, but, I would submit, has the moral obligation to do so. That's why we are here in Warsaw.

So much for process. Now to substance. President Obama has been clear from the beginning. In his second day in office as one of his first official acts, he ordered all secret detention sites closed immediately. Second, he limited interrogation tactics to those in the Army Field Manual, which is recognized to be fully consistent with Common Article Three of the Geneva Conventions and the Convention Against Torture. Third, he ordered the closure of Guantanamo.

As we said on Monday, we acknowledge that we are not perfect and have made mistakes, but in contrast to some other participating States, however, we welcome open debate on even the most contentious issues. We have a vibrant NGO and media community, of which we are immensely proud and which we vigorously protect. We encourage other participating States, including our Russian counterparts, to be equally open to such debate.