



United States Mission to the OSCE

Response to UN Assistant Secretary General for Human Rights Ivan Šimonović

As delivered by Ambassador Daniel B. Baer
to the Permanent Council, Vienna
July 7, 2016

Assistant Secretary General Šimonović, the United States warmly welcomes you back to the Permanent Council. Your presence reminds us of the wisdom and significance of the International Covenant on Civil and Political Rights and the Helsinki Final Act, and of the subsequent commitments participating States made in Copenhagen, Paris, Moscow, Istanbul, Astana, and elsewhere. Respect for human rights and fundamental freedoms is an essential component of our comprehensive approach to security. The United States takes this opportunity to reaffirm that all governments are responsible for the protection and advancement of human rights and fundamental freedoms. It is crucial that governments engage with their citizens and civil society in a serious and sustained dialogue about protecting and advancing human rights. Such a dialogue becomes all the more necessary in times of tension, insecurity, and conflict.

It has become all too common for some to speak of a “crisis in European security,” which is really an inadequate way to refer to Russia’s occupation and attempted annexation of Crimea, and Russian aggression in eastern Ukraine, in clear breach of international law and blatant disregard for its OSCE commitments. It is Russian aggression against its neighbor that has undermined European and Eurasian security.

Mr. Assistant Secretary General, as your report on the human rights situation in Ukraine makes clear, Russia’s violation of Ukraine’s sovereignty and territorial integrity has led to conflict that has taken the lives of almost 10,000 people, injured over 20,000, and displaced over a million more. We agree with the statement in the report that “it is essential that human rights ...are addressed to prevent further abuses and to build confidence toward a durable solution to the crisis.” All reports of abuses regardless of where and by whom they may have been committed must be investigated and perpetrators brought to justice. The government of Ukraine should seek to lead in this regard.

We note with alarm your assessment that the self-proclaimed, so-called “Donetsk people’s republic” and “Luhansk people’s republic” have undermined the rights of an estimated 2.7 million people residing under their control. We note that the report states that these de-facto authorities, “have imposed an arbitrary system of rules, established a network of places of deprivation of liberty where detainees are tortured and ill-treated, and cracked down on dissent.” We agree with you that the full implementation of the Minsk agreements is an important step towards creating conditions fostering due respect for human rights. The crisis in and around Ukraine, contrary to the Kremlin’s assertions otherwise, is not an internal affair, but one started, fueled, and sustained by Russia. Russia continues to arm, train, and fight alongside separatists in eastern Ukraine.

In far too many places in the OSCE region, the work of building a Europe that is whole, free, and at peace is not just incomplete, it is being dismantled. The continuing crackdown on civil society and independent media in a number of participating States amounts to a

failure by those states to uphold their OSCE commitments and international obligations on human rights and fundamental freedoms. It also constitutes an early warning sign of grave risk for other security challenges in our region. It is not only right that we should raise our concerns about failures to implement human dimension commitments with each other, it would be irresponsible not to. These failures represent threats to our common security.

While some OSCE participating States are regressing, others are moving in the right direction. We welcome the assistance provided to countries in the OSCE region by the Office of the UN High Commissioner for Human Rights that is facilitating this progress. Your support to the Government of Ukraine, for example, has allowed the development of the National Human Rights Strategy and Action Plan. Mr. Assistant Secretary General, we encourage your continued active involvement to monitor the action plan's implementation, and encourage your office's continuing support to Ukraine on its ambitious reform agenda to strengthen democratic institutions and public trust, and fight corruption. We, like you, see the recent judicial reform as a positive step and obviously, as you said, implementation is where the change actually happens. The recommendations in your report serve as an excellent roadmap of steps which need to be taken by the Government of Ukraine. We encourage Ukraine to make good use of your recommendations and your office's support, and to take seriously and investigate concerns raised in your report.

Mr. Assistant Secretary General, your presence today is a reminder for us to improve the ways in which the OSCE can cooperate with the United Nations. In addition to our activities in Vienna, the OSCE can and should do a better job of coordinating programs and projects in the field. We also believe that the OSCE still has more to learn from UN standards and procedures, particularly the peer review and recommendation processes of the Human Rights Council, as a means of complementing and building upon existing OSCE instruments and procedures. Working together, the OSCE and the UN should identify and analyze any gaps in our approaches and build on our mutual strengths, while avoiding costly and unnecessary duplication.

Assistant Secretary General Šimonović, we thank you again for your commitment to the principles which underpin our rules-based international order, and for your hard work and that of your staff to promote respect for human rights in the OSCE region and around the world.

Thank you, Mr. Chair.