

Excellencies, ladies and gentlemen,

NGOs represented at the Copenhagen Anniversary Conference on the occasion of the 20<sup>th</sup> anniversary of the OSCE Copenhagen Document held a roundtable on 10<sup>th</sup> June to discuss the implementation and in particular the monitoring of the implementation of the OSCE Copenhagen Document.

Underlying the discussions was the shared belief that the body of commitments laid down in the Copenhagen document still poses acute challenges to many participating States.

Participants pointed to the lack of application, and are also concerned that the Copenhagen document is not being sufficiently used, referred to, known to many, including in government circles, and that the monitoring of its implementation is more of rhetorical nature than an effective process both at the national and international level.

We believe that more must be done in terms of monitoring. Mechanisms that have been of use in the past must be reinvigorated and new mechanisms ought to be put in place. Monitoring is crucial as what is lacking in many participating states is not the legal framework, but the lack of will for its implementation. The OSCE should continue to provide forums to discuss genuinely issues of implementation, including developing concrete and participatory mechanisms within OSCE to address most serious non implementation of commitments. The dialogue

and interactions between delegations of participating states and NGOs are hallmarks of the OSCE process, and should even be intensified. More access to delegations for NGOs and more opportunities for NGO contributions should be given the serious consideration they deserve and in this way assist in the development of implementation practices.

NGO participants have also pointed out the necessity of strengthening their dialogue with state authorities through consultations when new policies are being developed. This requires a better understanding among governments and parliamentary officials of the importance of such consultations to the improvement of the rule of law in practice.

It might be worth considering various options for making participating States accountable for their records in terms of implementation of human dimension commitments. Human dimensions meetings are not sufficient; participating States could be asked to produce reports on their implementation of the commitments and new mechanisms within the OSCE structure could be set up along the lines of the Universal Periodic review used in the UN and other monitoring practices related to a range of international instruments.

With regard to particular areas addressed in the Copenhagen document that would deserve more attention from participating states, the participants pointed to the following specific challenges:

- Stronger commitments to fundamental freedoms, particularly the freedoms of expression (including freedom of expression on the internet), association and assembly, noting once again the discrepancy between the legislation and its implementation. An election cannot be democratic, however fine it may be from the viewpoint of its adherence of the technical requirements of an orderly electoral process, if before and after elections these freedoms are denied or undermined in various ways;
- Participating States should refrain and protect from acts of violence and intimidation by State and non-State actors against political opponents, critical journalists or human rights activists and defenders, through effective, transparent and impartial investigation into those threats, attacks and deaths.
- Freedom of movement looking both at (1) issues of visa regimes applied by groups of participating states that are perceived as degrading by citizens of countries upon which these regimes are imposed; and (2) at migration policies in countries that were not receiving migrants at the time of Copenhagen and who lack experience in their dealings with migrants and do not treat them in compliance with Copenhagen

and other international instruments applicable to these matters;

- Separation of the executive, legislative and judicial powers: this is a broad matter in respect of which Copenhagen was a pioneer document and that remain a central bone of contention in a wide range of countries where the progress observed in the early years has then been undermined resulting twenty years later in the resurgence of forms of authoritarian regimes in several OSCE countries. One of the key challenges is judicial independence where progress has not exceeded the stage of legal reform, but is still not reflected in the practice of a number of participating States;
- Minority protection elaborated thoroughly for the first time in the OSCE Copenhagen Document, followed by wide range of international and domestic developments, has to be recognized. However, the rise of right-wing extremism, particularly hostile towards minorities and migrants, and Roma in particular, needs to be seriously considered by OSCE and the participating states. It is imperative to protect minorities from acts of violence and integrate them in all the spheres of public life.

It is recommended that discussion be held between OSCE delegations and civil society organizations on what OSCE should be doing on each of the above issues. This can be done, for example, in the format of human dimension meetings or in the format of specially organized meetings between NGOs and OSCE delegations.

Thank you Mister / Madam Moderator