



## United States Mission to the OSCE

### **Session 5: Rule of Law II Point of Order: NGO Access to the Review Conference**

As delivered by Ambassador Michael Guest  
OSCE Review Conference  
October 5, 2010

My government would like to join the European Union and Canada in raising the point of order under section VI, paragraph 2(e) of the OSCE Rules of Procedure (MC.DOC/1/06).

We are concerned that the OSCE rule on NGO participation is not being implemented properly for this Review Conference. According to the provisions of Chapter IV, paragraphs 15 and 16 of the Helsinki Document 1992, participation of NGOs can only be denied to “persons or organizations which resort to the use of violence or publicly condone terrorism or the use of violence.” This rule is clearly referred to in PC.DEC/952, which lays out the modalities for this Review Conference.

Two NGO representatives have not yet been allowed to register this year, apparently on the basis of an objection by the Government of Turkmenistan. While these individuals have been the subject of proceedings in Turkmenistan, both reside legally in EU countries, and the charges against them have not been recognized outside of Turkmenistan. We also note that our host, the Government of Poland, clearly had no reason for the exclusion of either from entry into this country, or they would not be standing in this hotel, separated from these discussions only by not having been registered for this meeting.

Turkmenistan objected to these same two NGO representatives in previous years, and each time its objections were denied. Indeed, one of the two individuals has attended six previous OSCE meetings; the other has attended seven previous OSCE meetings. No new information has been presented to suggest any reason to reconsider Turkmenistan’s request. Indeed, Turkmenistan is not even here to press its own claims.

Mr. Chairman, the United States believes, in the strongest possible terms, that it is unacceptable that one government have the ability to unilaterally deny NGO representation on any basis other than that which we as an organization have previously agreed. Such action is injurious to the OSCE as an organization and as a community of values. We request that, before moving to the next agenda item, representatives of both the Secretary General and of the Chairmanship-in-Office explain to this working session why the NGOs in question have not yet been seated. We further request that, if a decision to seat these NGOs has not been reached by noon, that we be provided a written statement by both the OSCE Secretary General’s office and by the Kazakhstani Chairmanship-in-Office for their effective exclusion.

Finally, we note that failure to resolve this issue will cast a shadow on the Astana Summit. All of us want the Astana summit to be a success.

We ask that this statement be attached to the journal of the day. Thank you, Mr. Moderator.