



United States Mission to the OSCE

Session 4: Freedom of Movement

As delivered by Ambassador Ian Kelly
to the OSCE Copenhagen Anniversary Conference
June 10, 2010

Thank you, Mr. Moderator.

As we celebrate the 20th anniversary of the signing of the Copenhagen Document, we also celebrate the fact that the right to freedom of movement is now widely respected throughout the OSCE region. In fact, the participants of this conference are gathered here today because we were able to exercise our right to freedom of movement. While it is a great accomplishment, we should not take it for granted. Only thirty years ago many governments imposed heavy restrictions on this fundamental freedom. Two decades after the fall of the Berlin Wall - the most potent example of citizens demanding and winning the right to freedom of movement - it is time to dismantle the remaining notable problems that persist.

Our political leaders agreed in the Helsinki Final Act and here in Copenhagen in 1990, “to fully respect the right of everyone to freedom of movement and residence within the borders of each State, and to leave any country, including his [or her] own, and to return to his [or her] own.” It is unmistakably about a government’s obligation toward its own people, not the obligations of a state toward the citizens of other states. While we recognize the value of improving visa issuance and border control procedures and indeed have made great progress in these areas, we must not lose sight of the fact that our commitments in this organization focus mostly on the broader principle at hand.

The United States is concerned about the persistence of exit visas in some OSCE participating States which violates OSCE commitments. All citizens must be able to leave their country without prior permission of their government and return to it as they wish. Some participating States use tight controls on citizens wanting to work or study abroad. While some of these measures serve legitimate anti-human trafficking purposes, others serve as tools simply to monitor and restrict legitimate travel. These practices violate OSCE commitments under the 1989 Vienna Document and must end.

Some OSCE countries retain rules severely limiting the right to change permanent residence or requiring special permission to visit or reside in certain cities even within their own national boundaries. Such control devices typically do not increase national security, but instead increase the opportunities for corruption. Citizens changing residence within the country and persons with a legal claim to citizenship often face bureaucratic delays or corruption, or simply are not permitted to register in some cities. In many cases, this disproportionately affects ethnic or racial minorities. The process of mandatory address registration is not merely cumbersome, it also targets internally displaced persons (IDPs) who are prohibited from residing in certain cities. Again, this is contrary to the OSCE commitment that everyone has the right to “freedom of movement and residence within the borders of each State.”

We urge those remaining participating States that retain exit visa regimes or a system of residency registration to eliminate these impediments to ensure the rights of all of its citizens to freedom of movement are granted.

Mr. Moderator, it is gratifying that most OSCE governments have largely ceased controlling whether and when their citizens may exercise the right to freedom of movement. The United States hopes the focus of our discussion will remain on the commitment of each and every participating State to uphold the basic freedom of its own citizens to obtain a passport, freely leave and return to the country, and live free from internal travel restrictions. We believe this is very much a discussion worth having.

Thank you, Mr. Moderator.