



United States Mission to the OSCE

Response to the President of the Venice Commission, Mr. Gianni Buquicchio

As delivered by Ambassador Daniel B. Baer
to the Permanent Council, Vienna
July 24, 2014

Mr. Buquicchio, we welcome you to the Permanent Council. We are pleased that you can join us today to describe your important work. Your report exemplifies the compatibility of the Venice Commission's efforts to strengthen democracies with the work of the OSCE, particularly ODIHR. We applaud the collaboration between the Venice Commission and ODIHR on Freedom of Association Guidelines, which we understand will be finalized by the end of this year. We urge the Venice Commission to take a hard look at legislation that limits resources for citizens and their civil society organizations. While states may impose regulations to ensure accountability and transparency, such regulations must not be unduly restrictive of freedom of association. We encourage further enhancing the Venice Commission's cooperation with the OSCE to the greatest extent possible.

The United States joined the Venice Commission last year as a full member because we support your mission to promote the rule of law, human rights, and democracy by providing expert advice on legal frameworks and international standards. While we appreciate and endorse the Venice Commission's important work on legal analysis for a number of OSCE participating States, we especially support the Venice Commission's work to provide "emergency constitutional aid" for states in transition, such as Ukraine. Your prompt and flexible engagement to provide a preliminary opinion on the amendments to Ukraine's constitution that President Poroshenko submitted to the Verkhovna Rada on July 2nd will undoubtedly inform Ukraine's consideration of these important constitutional amendments. We would encourage the Venice Commission to continue to provide expert support to Ukraine on its constitutional and legislative framework as Ukraine undertakes significant reforms during this extraordinary and challenging period.

Thank you for your comments today about the Commission's work with regard to Ukraine. We will continue to be interested to hear more about the Venice Commission's engagement and plans in Ukraine. We would appreciate an update on how the Venice Commission intends to engage going forward, particularly if President Poroshenko's draft amendments are revised and/or additional drafts are advanced. We would also be interested in your views on how other international actors can best coordinate with the Venice Commission to provide assistance on these critical matters. We hope you can help us understand this process a bit more fully during your follow-up remarks.

Mr. Buquicchio, we were extremely pleased to see the announcement last month that the Council of Ministers extended an invitation to Kosovo to become the 60th country to join the Venice Commission. We trust that Kosovo will make the fullest use of its membership on the Venice Commission as it continues building a successful, representative democracy. We also look forward to the day when we can welcome Kosovo as the next member of the OSCE.

We have the firm view that the OSCE space should stretch from Vancouver to Vladivostok without skipping over Vushtrri /Vucitrn and Viti /Vitina.

Given our respect for the Venice Commission, the United States is disappointed to see the Russian Federation's Constitutional Court Chairman, Valeriy Zorkin, resign from his post as Russia's representative to the Venice Commission. This resignation in late May followed the Venice Commission's critical opinion of Russia's 'foreign agent' and treason laws. Retaliatory self-imposed isolation will not shield the Russian Federation from its responsibilities to its citizens or its commitments to the community of nations.

Thank you, Mr. Chair.