

**PERMANENT MISSION OF
ROMANIA
to the United Nations**



**MISSION PERMANENTE DE LA
ROUMANIE
auprès des Nations Unies**

Check against delivery

**70th Session of the General Assembly of the United Nations
Sixth Committee**

Agenda item 170

**Observer status for the Community of Democracies in the General
Assembly**

Statement by Romania

Corina Badea

Second Secretary, Permanent Mission of Romania to the UN

New York, 19 October 2015

573-577 3rd Avenue, New York, NY 10016
Phone: (212) 682-3273, (212)682-3274
Fax: (212) 682-9746



E-mail: misiune@romaniaun.org
Homepage: <http://mpnewyork.mae.ro>

Mr. Chairman,

Romania confirms its decision to co-sponsor the draft resolution requesting observer status for the Community of Democracies.

We recall that there are no provisions relating to observer status in the UN Charter or the Rules of Procedure of the General Assembly. The granting of observer status rests on practice that has evolved since 1946 and decisions made by the Assembly on this matter.

In our view, this request is in line with General Assembly Decision 49/426 and with previous GA practice.

We would like to underline that the objectives of the Community of Democracies are fully and clearly consistent with those of the United Nations in many aspects, as all its activities are focused on the central pillars of the United Nations' mandate: peace and security, promoting human rights and development.

The close connection of the Community of Democracies with the United Nations is equally illustrated by the cooperation on a variety of initiatives and projects, as mentioned in the Explanatory Memorandum.

Therefore, from a substantial point of view, the granting by the Assembly of Observer status to the Community would be a natural advancement of the relationship between the United Nations and the Community, and would further foster the mutually beneficial institutional dialogue.

The extended rationale for the request and the detailed description of the Community, including values, objectives, structure, functioning have been presented in the Explanatory Memorandum.

We would equally like to emphasize two aspects relevant for the legal analysis.

First, the Community has an intergovernmental nature. A total of 106 UN Member States signed the founding document - the Warsaw Declaration "Towards a Community of Democracies" of 27th of June 2000, expressing their

common adherence and engagement to uphold 19 core democratic principles and practices.

Its Governing Council consists of 28 states. Participation in the Community's decision-making processes reflects the levels of commitment to those values and practices. For example, participation in the Community's Ministerial Conference entails only observer status, without the right to vote on the Ministerial Declaration, for states that do not fully satisfy commitment criteria.

Participating states widen support to the Community's activities through working groups. Five thematic working groups are currently operational.

Second, the Community has been given specific tasks by participating states and a structure enabling it to carry out these tasks. The core structure of the Community comprises the Ministerial Conferences, the Presidency, the Governing Council and the Secretary General. Its Permanent Secretariat is hosted by Poland, as established through the international agreement concluded between the Republic of Poland and the Presidency of the Community. Operations of the Community are covered by voluntary contributions from the member States of the Governing Council.

Mr. Chairman,

Recalling the reasoning of the International Court of Justice in the *Reparations* case, when assessing nature and status, one needs to bear in mind the needs of the community and the requirements of international life.

The institutional mechanisms by which governments of Member States organize their cooperation are important, but they certainly are not uniform. Increasingly today, consistent with the more fluid and interconnected world in which we live, intergovernmental cooperation is taking organized forms that are less institutionalized and more flexible, and accordingly more economical.

The practice of the Assembly in granting observer status so far has reflected this development and this line of reasoning. Relevant examples include granting

observer status to the *Conference on Security and Cooperation in Europe*¹, the *Global Fund to Fight AIDS, Tuberculosis and Malaria*² and more recently the *Developing Eight Countries for Economic Cooperation*³.

To conclude, we take the view that the application for observer status for the Community of Democracies meets the criteria set out in General Assembly Decision 49/426 and is in line with previous practice. Participation as an observer to the work of the Organization would support the advancement of the United Nations goals.

Thank you.

¹ A/RES/48/5

² A/RES/64/122

³ A/RES/69/129