

# U.S. POLICY TOWARD THE OSCE

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## HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDRED SEVENTH CONGRESS SECOND SESSION

OCTOBER 10, 2002

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TUESDAY, OCTOBER 10, 2002

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TUESDAY, OCTOBER 10, 2002

### COMMISSION ON SECURITY AND COOPERATION IN EUROPE WASHINGTON, DC

The Commission met in Room 334, Cannon House Office Building, Washington, DC, at 10:00 a.m., Hon. Ben Nighthorse Campbell, Chairman, presiding.

*Commissioners present:* Hon. Ben Nighthorse Campbell, Chairman, Hon. Christopher H. Smith, Co-Chairman; Hon. Steny H. Hoyer, Ranking Member; Hon. George V. Voinovich, Commissioner; Hon. Robert B. Aderholt, Commissioner; Hon. Alcee L. Hastings, Commissioner; and Hon. Lorne W. Craner, Commissioner.

*Witnesses present:* A. Elizabeth Jones, Assistant Secretary of State for European And Eurasian Affairs, U.S. Department of State; Lorne W. Craner, Assistant Secretary of State, Bureau of Democracy, Human Rights and Labor, U.S. Department of State; Catherine A. Fitzpatrick, CIS Program Director, International League for Human Rights; Elizabeth Andersen, Executive Director (DC), Europe and Central Asia Division, Human Rights Watch; and Robert Templer, Asia Program Director, International Crisis Group.

#### HON. BEN NIGHTHORSE CAMPBELL, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Sen. CAMPBELL. The Helsinki Commission hearing will be in session. This morning, we have a series of votes on the Senate side as they do on the House side, too, so I would tell the witnesses that we, Co-Chairman Smith and I may be spelling each other off as we have to go vote.

The Helsinki Commission has convened this hearing to review U.S. policy toward the 55-nation Organization for Security and Cooperation in Europe. I would like to start by stressing how much we appreciate the close working relationship that has developed between the Commission and the Department of State over the past years. This hearing is an opportunity to build on that partnership. We look forward to it.

The Commission is keenly interested in how the Administration is using the OSCE to promote U.S. interests in the expansive OSCE region, in particular as a tool for advancing democracy, human rights, and the rule of law. They are core values of the Helsinki process, recognized as integral to peace and security both within and among States. The United States should not shy away from the difficult subjects because they might be unpleasant to another government.

As human rights defender Andrei Sakharov once observed, “the whole point of the Helsinki Accords is mutual monitoring, not mutual evasion of difficult problems.” One strength of the OSCE is that our countries, on the basis of consensus, have developed a body of shared commitments. In this regard, I welcome the leadership of Ambassador Minikes who has demonstrated since taking up his post as Head of the U.S. Mission to the OSCE in Vienna.

To be effective, however, the various components of the U.S. foreign policy apparatus—the State Department, U.S. embassies in the field, and the U.S. Mission to OSCE— must be mutually reinforcing. It is also imperative that senior U.S. officials visiting participating States be consistent in the message they deliver.

This is especially true when it comes to the countries of Central Asia. The events of the past year since we last met to take stock of our common work confirm that the values and commitments reflected in the Helsinki Final Act are more important than ever, and that the OSCE can be an invaluable tool in strengthening and implementing these commitments and thereby our shared security.

The OSCE’s definition of security encompasses not only the human dimension, but the economic and security dimensions as well. The Commission is paying increasing attention to the multi-dimensional aspect of the OSCE’s work. Often, issues cannot be pegged in a single dimension. For example, independent, effective judicial systems are crucial to redress for human rights violations; they are also crucial to the development of the strong market economy. Police forces are instrumental in ensuring security, but sometimes themselves can be the perpetrators of human rights violations.

Corruption threatens the development of democratic institutions in many countries, and organized crime is a major source of funding for terrorist organizations. The OSCE is well-positioned to address many of these cross-dimensional issues. Corruption and organized crime remain major roadblocks to progress of democratization and development of the rule of law in many transition countries.

I am concerned that if corruption is not addressed, OSCE efforts to develop democratic institutions will falter. I urge the Department to explore ways to promote practical cooperation among the OSCE countries in combating corruption and international crime and how this critical topic can be reflected in the Porto Ministerial document.

I would also like to touch briefly on three of the OSCE’s participating States: Georgia, Belarus and Ukraine.

Developments in the Republic of Georgia appear almost on a daily basis in our newspapers and the Commission recently convened a hearing to assess the grave situation in that country. Given the involvement of scores of Coloradans—my own state—in the U.S.-sponsored train and equip program, I am particularly concerned over threats to the sovereignty and independence of Georgia that could impact U.S. forces deployed in that country. The United States must remain actively engaged diplomatically to avert possible aggression from Russia.

In Belarus, the regime remains determined to pursue a reckless course of self-isolation as the human rights and economic conditions in the country deteriorate year by year. The lack of legitimate executive and parliamentary leadership can only be remedied through holding free and fair elections in a manner consistent with OSCE principles. Mean-

while, the United States must remain steadfast in support of Belarusian democracy in recognition that the people of Belarus deserve a better future.

Finally turning to Ukraine, the gravity of President Kuchma's personal approval of the sale of sophisticated radars to Iraq requires a decisive and unequivocal response from the United States. A cosmetic approach will not suffice and those who would promote a measured response are shortsighted.

The issues at stake are too high to conduct business as usual with him. Priority should be given to investigating any financial links between the Ukrainian leader and his associates and sales to rogue states, including Iraq. Devoid of credibility, Mr. Kuchma deserves to be treated as the pariah he has become. With that, I will welcome the Co-Chairman, Mr. Smith. Do you have an opening statement?

**HON. CHRISTOPHER H. SMITH, CO-CHAIRMAN,  
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. SMITH. Thank you very much. I appreciate that, Mr. Chairman.

Sen. CAMPBELL. By the way, I will tell my colleague that I have told them you have some ongoing votes and I do, too, so we may be trading this off.

Mr. SMITH. Back and forth. I apologize to our witnesses for that. The lead amendment was supposed to be right at 10:00. Now it looks like a 10:15 vote on the Iraqi situation.

Nevertheless, thank you, Mr. Chairman. Thank you for your extraordinarily good work over these many years. We have traveled together and worked on human rights issues for years and it is so good to have you over on the House side again to visit. You are, as you know, in the Veterans' Affairs room. It is just one little historical note. The Volstead Act was voted out of this room by the Judiciary Committee.

Mr. Chairman, roughly one year ago, we held a similar hearing on U.S. foreign policy and the OSCE, and while we knew then that our world had changed, we had not yet come to terms with the enormity of that change. When I first became involved in these issues as a member of the Commission in the early 1980s, the focus was on the repression in certain societies and the imprisonment of innocent men and women in the former Soviet Union and East Europe because of their beliefs or because of their writings.

Today, we are all focused on fighting global terrorism. U.S. policy in general has had to be reexamined in light of this changed world, including how we use the OSCE. Without a doubt the events of this past year have only underscored the importance of protecting human rights, and developing democratic institutions and the rule of law. This is the only way to ensure security and stability in the world.

The events of the past year have shown that no country is isolated from the violence fed by intolerance and repression. Repressive regimes only feed the unrest, alienation, and frustration that are often used by terrorists to garner support for their depraved aims. Freedom of expression and independent media are crucial to preventing the rise of extremism.

Since September 11, we have made significant progress in fighting terrorism, particularly in Afghanistan. Nevertheless, clearly much work remains to be done. Terrorists and extremist groups are still active, even as they are on the run. As they are being driven from Afghani-

stan, they will inevitably seek other places to try to garner safe haven and support. Countries neighboring Afghanistan such as those in Central Asia—are understandably concerned. However, several of them wrongly believe that cracking down on what they view as “religious extremism” is the way to prevent terrorist organizations from taking hold in their countries.

It is just the opposite. Preventing citizens from expressing their religious views, their political views, or their ethnicity only disillusiones and disenfranchises individuals and turns them against the government. In such cases, extremists or even terrorist organizations may seem to think that terrorist actions are the only way to express their anti-government sentiments. Officials in this region also often resort to widespread arrests and even to torture to extract so-called confessions from those accused of belonging to alleged terrorist organizations.

Again, this only exacerbates and creates a climate of disaffection and hatred which real terrorists can exploit to garner support. Post September 11, the United States is providing a large amount of bilateral assistance to Central Asian states. Much of this is technical equipment aimed at combating drug trafficking and other manifestations of organized crime that fund terrorist organizations. Nevertheless, we should examine how the OSCE could be used more fully to develop NGOs and civil society, democratic institutions, the rule of law, and respect for human rights in Central Asia. These issues are even more critical to ensuring that these countries are stable, secure, and continue to be partners in the global fight against terrorism.

Mr. Chairman, terrorists and organized crime rings increasingly also traffic human beings as a source for their income. This modern-day form of slavery is one of the most egregious violations of human rights in the world today. Virtually all OSCE States are either source, transit, or destination countries. The OSCE is working to address these issues; I look forward to discussing how we can develop it even further and create more tools to fight this vicious crime.

Finally, Mr. Chairman, in this new changed world in which we find ourselves, I believe it is imperative that human rights remain prominent on the OSCE agenda. The United States must demonstrate in word and deed that this country has not abandoned human rights for the sake of the fight against global terrorism. We need to reassure the world that it is just the opposite: human rights are more important than ever. I believe the OSCE can serve as an important tool in reinforcing this message with long-standing, as well as new-found allies. I yield back the balance of my time.

Sen. CAMPBELL. In order of appearance . . .

Mr. ADERHOLT. I do not have any opening comments this morning. Thank you.

Sen. CAMPBELL. Congressman Hoyer?

**HON. STENY H. HOYER, RANKING MEMBER,  
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. HOYER. Thank you very much, Mr. Chairman. Unfortunately, I think we are going to have a vote in the House in a few minutes and I will have to leave. Unfortunately, I am not sure that I could get back

because of business that we have to do on the floor with respect to Iraq. Let me say, though, Mr. Chairman, I think this is an important hearing and I thank all of our witnesses for being here.

I have been involved with the OSCE process now for about 17, 18 years. As you know, Spencer Oliver, former Counsel to the House's Foreign Affairs Committee, along with Chairman Dante Fascell and Senator Bob Dole, were here at the inception of the OSCE. Much has changed, indeed, with the fall of the Soviet Union and the termination of the bipolar foreign policy in which the United States was involved for almost half a century. In many ways our politics internationally have become much more complicated, much more, frankly, confused in some senses.

One strength of the Helsinki process has been its focus on human rights. One of the strengths of the OSCE is that it has extricated human rights issues, frankly, from the normal State Department nation-to-nation relationships, which, in my opinion, has engendered through centuries the temporizing of human rights issues, the rationalization of human rights issues.

Our war on terrorism, frankly, threatens to do that even more so. Some of the most egregious human rights violations in the OSCE at this point in time, occur in Central Asia. The Central Asian States are now providing us with substantial logistical and strategic assistance.

I fear, therefore, Mr. Chairman, that the raising of human rights issues may be more difficult in some respects. Human rights violations occur throughout central Europe, indeed, in our own country. Mr. Chairman, let me say that I think this Commission needs to be very cognizant of the United States' obligations under the Helsinki Final Act, particularly as it deals with U.S. citizens and their rights, however difficult those rights may be to protect because of the unpopularity of it.

I think, frankly, Mr. Chairman, this Commission needs to look at and to ensure that the United States is meeting its obligations to extend civil liberties to even the most unpopular of our citizens who do the most awful of things. This is an important hearing because it addresses the issue of where we are and how we are dealing with OSCE. OSCE's organizational structure has become more complex, more bureaucratic in some ways and more involved in operational as opposed to conference discussions and raising of issues. To that extent, it is playing a bigger and more decisive role. Nevertheless, if the price that we pay for that involvement is the diminishing of focus on what has been central to the OSCE, then we need to reassess and refocus our efforts. We have made some significant strides with respect to the first basket, we have the security dimension of the OSCE.

In fact, it was in Stockholm that we had the first breakthroughs on verification processes and of overflights. Clearly, we have made some strides as it relates to the second basket, the economic sphere. But it has been the hallmark of the Helsinki Process that the third basket has been our primary focus. If you ask Vaclav Havel—or Sakharov or any of those who were leaders behind the Iron Curtain—they will tell you it was the third basket and the focus on the civil and political rights of people that made a difference in their countries and made a difference in the degree of freedom.



I agree with Ronald Reagan, it was not only our determination from the military standpoint to stand up to the Soviet growth with our own growth in military strength, but it was also the focus on principle that made an extraordinary difference.

Mr. Chairman, it is my hope that OSCE will continue to be focused on principle. Organization and structure are important. The relationships between nations are important. But at the basis of our success in the 15 years from 1975 to 1990 was our focus, first led by Ambassador Goldberg in Belgrade at the 1977 Review Conference, mentioning names, calling to account nations for their failure to meet their commitments under the Helsinki Final Act, that has made such a dramatic difference.

Mr. Smith and I in particular have traveled extensively behind the Iron Curtain. Havel, in fact, was arrested on his way to have breakfast with the Chairman and me. It is that focus that I hope we continue to keep strong in our own State Department, in our own country. Raising issues with friends, with allies, with those who are assisting us in this war on terrorism is difficult, but it is absolutely essential if we are to keep the faith for the Helsinki Final Act.

Thank you, Mr. Chairman.

Sen. CAMPBELL. I thank you.

Some Members will be coming and going, but we are going to proceed right along with our first panel. That will be ...

Mr. HOYER. Mr. Chairman, I would like to include, if I can, my whole statement for the record.

Sen. CAMPBELL. Without objection, your complete statement will be included in the record as other members' statements also will be.

Our first panel will be Elizabeth Jones who is the Assistant Secretary of State for European and Eurasian Affairs and Mr. Lorne Craner who is the Assistant Secretary of State for Democracy, Human Rights and Labor and a Helsinki Commissioner.

If you would like to go ahead, Ms. Jones, we will be pleased to hear your testimony.

**HON. A. ELIZABETH JONES, ASSISTANT SECRETARY OF STATE  
FOR EUROPEAN AND EURASIAN AFFAIRS,  
U.S. DEPARTMENT OF STATE**

Sec. JONES. Thank you, Mr. Chairman. Thank you, Co-Chairman Smith.

Thank you very much for the opportunity to appear here before you. I will summarize my longer testimony. With your permission, I will ask that it be put into the record.

Sen. CAMPBELL. That will be fine. Your complete written testimony will be included in the record, both of you.

Sec. JONES. I am very pleased to appear here today with my colleague, Lorne Craner, to talk about the importance that we attach to OSCE and to the kind of work that the OSCE does and the United States can accomplish with the help and cooperation of the OSCE. I was last here, Mr. Chairman, just after September 11 and told the Commission that we were determined to make the OSCE an important player in the struggle against terrorism. What I would like to do in my brief statement now is talk about the kinds of things that we have been able to focus on since then, particularly in the human dimension that we continue to believe is the core of the OSCE's work.

Last December in Bucharest, ministers of the OSCE approved an ambitious action plan committing member States to take a number of steps to combat terrorism, including signing the U.N. anti-terrorist conventions. In Bishkek later the same month, the group produced a program aimed specifically at helping the Central Asian states, particularly in stopping terrorist financing. We have been seeing progress on all fronts.

A majority of the members have now signed quite a number of the U.N. conventions. Some members have signed all of them. Thirty-four members have completed self assessments on terrorist financing. Money laundering seminars are being conducted in Central Asia. The OSCE Chairman-in-Office has appointed a special representative on terrorism. The OSCE Secretary General has established an anti-terrorism unit.

To ensure continued OSCE attention to combating terrorism, we have proposed establishing an annual security review conference to assess progress and to review OSCE activities in the security dimension. We have also taken the lead in drafting a charter on terrorism that will guide OSCE work. Meanwhile, the OSCE continues to perform a valuable security role in Macedonia through the monitoring mission there, and it promotes security and stability elsewhere in the Balkans, in Georgia and the south Caucasus.

A significant result of this work has been increasing consultation and cooperation with the Russian Federation in this and other areas of mutual interest. I would like to add here the great sorrows that many of us at the State Department and elsewhere in the diplomatic service feel over the very sudden death Monday night of Deputy Foreign Minister Gusarov who was a good colleague and associate in the OSCE from the Russian federation. We have already jointly introduced a proposal for creating an OSCE database for posting requests for counterterrorism assistance and we think that this new spirit of cooperation parallels other positive developments in U.S.-Russian relations, including the new NATO-Russia Council.

The human dimension remains the heart of the OSCE and the OSCE is therefore, a central focus of our human rights policy. We raise our concerns, including over developments in Chechnya and all appropriate OSCE fora. The annual human dimension implementation meeting in Warsaw and the various OSCE field missions play an important role in highlighting human rights abuses and in supporting the development of democratic economies governed by the rule of law. We can talk further in detail on some ways that we think that the war on terrorism has actually enhanced our ability to talk about specific human rights cases and democracy issues in this region.

We have significantly increased our cooperation with Central Asia on terrorism, but we have not let this issue—counterterrorism—be the sole focus in terms of U.S. attention. Our long-term goal remains to draw them closer to Euro-Atlantic institutions and to promote there the respect for democracy and human rights. We have a plan of action for increased OSCE involvement that covers all three dimensions, including terrorist financing, police training, and rule of law and judicial reform and trafficking in persons. Ultimately our focus on human rights and democracy must continue to be the most important pillar of our OSCE strategy. Unless respect for fundamental rights and freedoms strengthens Central Asia states, we can look forward to a bleak future.

Belarus, as you mentioned, remains a particular concern. It has adopted a policy of gutting the OSCE mission there by refusing to renew visas. At the same time, the Lukashenko regime has continued to perpetrate massive human rights abuses. There can be no normalization of relations between Belarus and other members of the Euro-Atlantic community until Belarus permits the OSCE mission to resume its activities. At the same time, we are working with other OSCE partners on additional measures to address the unacceptable situation in Belarus, including invoking the Moscow mechanism.

On other regional issues, the OSCE has carried out important activities. In the Balkans, the OSCE, through its field missions, continues to play an active role in promoting the emergence of democratic institutions, including municipal elections in Kosovo later this month. In Moldova, Ambassador David Schwartz, the American head of the Moldova OSCE mission, has played a key role in recent negotiating efforts to the raised hopes that a resolution to the longstanding Transdnestrian impasse may finally be within reach. In Georgia, the OSCE mission is similarly active in promoting political development, and with the UN, undertaking humanitarian projects.

Mr. Chairman, the OSCE has produced an impressive record of accomplishments over the past year. In expanding its activities to include the struggle against terrorism, it is playing a frontline role in combating this threat. That it has accomplished this so quickly so well testifies to its ability to evolve and transform to meet the new challenges to security and cooperation in Europe.

At the same time, it has remained faithful to its roots in the Helsinki Final Act as the greatest force for promoting human rights and democracy in the Euro-Atlantic community. We in the Europe Euro-Asia bureau and Ambassador Minikes and his team in Vienna continue to look forward to working with you and your staff in making sure that the OSCE continues its vital work. Thank you, Mr. Chairman.

**HON. LORNE W. CRANER, ASSISTANT SECRETARY OF STATE  
FOR DEMOCRACY, HUMAN RIGHTS AND LABOR,  
U.S. DEPARTMENT OF STATE**

Sec. CRANER. I have come to know firsthand that many Members who serve on this Commission are true leaders in the human rights field. I want to thank you for the time and energy you have put into human rights work. I also want to thank the Commission staff for working tirelessly and closely with me and with my staff.

It is almost exactly one year since Beth and I last spoke before the Commission on this topic. At that last hearing shortly after September 11, I gave you my firm assurance that this administration would not abandon human rights to fight the war on terrorism.

I vowed that we would continue to use the range of tools available to us to advocate for human rights and democracy, that we would continue to monitor and report accurately on human rights situations around the world, and that we would continue programming work to assist other countries in improving human rights infrastructure and policies, and in building democratic institutions. We are working hard to keep those promises.

The President's National Security Strategy explicitly commits the U.S. to work actively in this field. We have been applying these beliefs and objectives to the OSCE region. Since we last met I have traveled twice to OSCE countries. I plan to travel again to Central Asia this fall.

One of my deputies has also been to the region 3 times and my principle deputy will be in Azerbaijan in a few days. Our goal in all these trips is to fully engage the countries of the region on important human rights issues and to make sure that the message is heard that the United States Government is holding firm in its commitment to promoting democracy and human rights.

Regarding my pledge to ensure that U.S. funding continues to be programmed to improve human rights and democracy we have obligated a substantial portion of Human Rights and Democracy Fund [HRDF], which I control, for hard-hitting democracy and human rights programs in numerous OSCE countries to supplement other funding being spent. I stated in my testimony last year that the countries of the former Soviet Union continue to present some greatest challenges to the OSCE.

This is equally true today. Though we have seen some positive steps over the last year, the state of human rights has been mixed at best in these countries, and in many cases, it is downright poor. I would like to focus my remarks a little bit later on Central Asia to get into that.

Let me first mention Russia where the government continues to justify its military action in Chechnya as part of the international war against terrorism. However, on the ground, reports of serious human rights violations and even atrocities emerge frequently after Russian security sweeps.

Thus far, there has been no meaningful accountability. In Belarus, civil society increasingly is under attack by the Lukashenko regime. Journalists have been imprisoned and newspapers shut down. The government has sought basically to crush all legitimate opposition. Members of NGOs have been assaulted, fined and imprisoned. Opponents of the regime have disappeared.

Meanwhile, the presidential election held there last year failed by a wide margin to meet international standards. Besides these countries' specific concerns, there continue to be worrisome developments regarding religious freedom and treatment of ethnic minorities across the Soviet Union. Mr. Chairman, the countries of Central Asia continue to be a particular focus of our attention and activities and they have become more so over the past year. Here again, we have a very mixed picture. Tajikistan typifies this.

It has made some notable gains this year in the area of media freedom and right of association, yet harassment of journalists and media outlets continue. The Government of Tajikistan deserves praise for sanctioning political pluralism by allowing the only Islamic opposition political party in the region. Yet in order for pluralism to flourish, the government must reform election and party legislation to enable more parties to register and campaign freely during elections.

Mr. HOYER. Mr. Chairman, could I interrupt? I apologize for the interruption. I think Mr. Smith and Mr. Aderholt and I are going to have to go make this vote.

Sen. CAMPBELL. Yes. I heard the bell.

Mr. HOYER. I cannot come back, but if I could, I would like to mention that Ambassador Minikes, in my opinion, is doing an outstanding job. He is working with all the members of the Commission, has been very responsive and focused, and I think is representing us well. You mentioned Ambassador Minikes. I wanted to make that point before we left. Thank you very much.

Sec. CRANER. Meanwhile, in the region, there is little good news regarding Turkmenistan where people remain without any of the fundamental rights, including freedom of assembly and speech. In Kazakhstan, the year started on a positive note—I was there in January—with the formation of a new democratic opposition movement and appearance of much critical reporting in independent media outlets. By late summer, the situation had changed dramatically.

Leading opposition leaders have been sentenced to long prison terms and trials that appear to have been politically motivated. Newly enacted political party legislation will severely limit the ability of smaller opposition parties to survive. The independent media has been the victim of a pattern of intimidation. Likewise, in events of the past year have raised concerns. A draconian presidential decree severely restricted media freedom and a leading member of Parliament was jailed on what appeared to be again, politically motivated charges.

A low point was reached in March when police shot and killed five unarmed demonstrators. However, since then the government has taken steps to redress citizen grievances, including the formation of a Constitutional Conference that includes some members of the opposition. During the first half of the year we were heartened to see some small but, I think, significant steps forward to increase respect for human rights in Uzbekistan.

The Government granted the International Committee of the Red Cross (ICRC) access to all detention facilities, the first-ever human rights organization was registered, and law enforcement officials were convicted and received long prison sentences after being found guilty of torturing prisoners to death. However, a second human rights group was recently denied registration. Even more disheartening were the brutal deaths of two prisoners due to torture. While the challenges remain daunting, we are certain that the OSCE can play a decisive role in promoting democracy and human rights in Central Asia. My bureau is prepared to work closely with the OSCE on this issue. In November, I plan to travel to Vienna to participate in consultations with key donors about priorities for democratic assistance in Central Asia.

While there I understand I will be a keynote speaker for a Special Meeting of the Permanent Council to discuss the deteriorating political situation in Central Asia and what the OSCE can do to address it, concentrating on concrete ways that the OSCE can feed a Central Asian focus into the Porto Ministerial in December. I will also be traveling for my third trip to the region this year to kick off two important OSCE-sponsored initiatives.

In Tashkent, I hope to attend the opening session of a roundtable with NGO and Uzbek Government participants to discuss the recent recommendations of the U.N. Committee on Torture. In Bishkek, I will be visiting the newly opened Media Support Center that will house the first independent printing press in Kyrgyzstan. In closing, let me stress that attaining goals that embrace human rights can be accomplished only with an unrelenting will and the necessary resources to carry on. While our goals remain visionary, our approach must be steadfast and adaptable.

Mr. Chairman, I take this opportunity to state once again my recognition of the Helsinki Commission as an integral part of our government's commitment to the cause of human rights. Your commitment and the

commitment of other members and your staff stand as strong evidence of our will to further the respect and guarantee of these basic freedoms. Let me again thank you for conducting this hearing today.

Sen. CAMPBELL. Thank you both for your very complete testimony. I have a few questions and I will be submitting some in writing, too, if you could answer those when you get them.

Before I ask them, however, I would like to ask if Senator Voinovich has any opening comments?

**HON. GEORGE V. VOINOVICH, COMMISSIONER,  
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Sen. VOINOVICH. Thank you for holding this hearing today on policy toward the OSCE. I continue to believe that the OSCE does crucial work to promote human rights and democracy in Europe and Eurasia. I have been pleased to participate, during the last four years, in the OSCE Parliamentary Assembly meetings. I believe those Assembly meetings are a vital forum for the United States, giving us an opportunity to come together with our 54 other OSCE participating States.

At the meeting this year in Berlin, we examined the role that the OSCE could play in the global war on terrorism. We also discussed items that have been on the OSCE's agenda for many years, such as organized crime, corruption, money laundering, trafficking in arms, drugs and human beings. The significance and urgent need to pay attention to these growing problems has been heightened in the aftermath of the terrorist attacks on September 11. Also on the agenda in Berlin was a separate session to highlight an alarming increase in anti-Semitic violence in Europe.

At the meeting co-chaired by Germany and the United States, members of the international community came together to call attention to the growing problem and to call on OSCE participating States to take action. In addition, the Parliamentary Assembly adopted a resolution on anti-Semitic violence in the OSCE region, which condemned the escalation of anti-Semitism, recognized the danger of anti-Semitic violence to European security, and urged participating States to bolster the importance of combating anti-Semitism by taking action to direct law enforcement to complete thorough investigations of anti-Semitic criminal acts, hold follow-up seminars to explore effective measures to prevent anti-Semitism and condemn anti-Semitism in their countries and in their regional and international forums.

Many of us believe that this issue must stay on the front burner. I encourage the OSCE to devote one of their three supplementary human dimension meetings next year to the subject of anti-Semitism in the OSCE region. I would hope that the ministers that get together in December of this year would put this very high on their agenda. I am also hopeful that at next year's session of the Parliamentary Assembly we can report back on what the respective countries have done in dealing with the problem of anti-Semitism.

Additionally, I have continued to pay close attention to the work that the OSCE is doing in southeast Europe, where I have spent very much of my time during the last several years. In Berlin, we passed a resolution that I sponsored that recognized continued challenges in the region and urged the international community to remain engaged to promote peace and stability in southeast Europe. They expressed support for ongoing democratic reforms and recognized the progress that has been

made in countries in the region, including Macedonia, the Federal Republic of Yugoslavia, and called for the Federal Republic of Yugoslavia to cooperate fully and unreservedly with the war crimes tribunal.

I think that the recent admission of guilt before The Hague of one of the participants is a welcome sign that some progress is being made. I am also pleased that the OSCE remains active in efforts to promote stability in the region. In May I had the opportunity to visit with our head of the mission in Kosovo, Ambassador Pascal Fieschi, during a trip to Pristina. We talked about the benchmark goals released by the U.N. mission in Kosovo which call for continued efforts to promote respect for human rights in Kosovo.

I encouraged Ambassador Fieschi to monitor progress on the implementation of these goals and to use them as a guide for assessing where we should redouble our efforts. I really think it is important that the Commission pay attention to what is happening in Kosovo. During my meeting in Kosovo, we also discussed the vital work that his team is doing to promote democratic reform and respect for human rights. They were encouraged with voter participation in the parliamentary elections last November.

Right now, the OSCE team in Kosovo is focused on the October 26 municipal elections. They have been working hard to, again, encourage all eligible voters to exercise the right to vote. They are also engaged in efforts to promote respect for human rights and to improve the situation for all Kosovo citizens, including minority groups. I made that very clear when I met with President Rugova and Prime Minister Rexhepi that their concern about some future independence for Kosovo substantially would be based on whether or not they treated minority groups in Kosovo the way they would want to be treated, not as they were by the Serbs when the Serbs occupied Kosovo.

I also spent time in Macedonia where OSCE staff members are monitoring the implementation of the Ohrid Framework [Agreement] which was signed by the Macedonian Government and ethnic Albanian political parties. The OSCE was also present for the parliamentary elections that took place on the 15th, resulting in the peaceful—this is something that I think is significant—peaceful transfer of power from Prime Minister Georgievski to Branko Crvenkovski. I think that this is a major accomplishment, and it is important to the stability of Macedonia—and this is really important—that the OSCE continue to monitor progress on efforts to uphold the Framework Agreement.

These initiatives are just a sampling of the OSCE's involvement around the world, but I believe they make crucial contributions to efforts to promote human rights and the merits of democracy. I will continue to stay on top of the OSCE's work in southeast Europe, as well as efforts to combat the perils of organized crime, corruption, and anti-Semitism in the OSCE region.

I am also pleased that one of our former Ohio state troopers, who spent time working with the U.N. police force in Kosovo, has joined the OSCE Special Police Matters Unit in Vienna. His team is working to coordinate police missions in Bosnia, Kosovo, and other places in the world, and hopes to improve upon them. I think it is a good sign, Mr. Chairman, that the same individual is going to be heading up the stability pact efforts there and also the SECI efforts there in Kosovo.

At the Parliamentary Assembly meeting in Berlin, we passed a resolution that urged the OSCE, working with the international community and regional—the name of the individual is Busek. But in the past, the SECI effort was headed by one individual and the stability pact was being headed by another. Now, they are combined so that we will have a little bit more coordination in dealing with organized crime there.

In Berlin, we passed a resolution that urged the OSCE, working with the international community and regional initiatives such as the South-eastern European Cooperative Initiative (SECI) and the Stability Pact to prioritize the problems of organized crime, corruption and trafficking in human beings, arms and drugs, and to increase coordination to more fight these realities. I believe the work of the OSCE and this special unit is crucial to this effort. Sharing information and building upon best practices will go a long way in the world, and I believe it is crucial to the OSCE.

I sincerely believe, Mr. Chairman, that unless we have a very aggressive effort there to combat organized crime, which is rampant, that organized crime will undermine all of the things that we have tried to accomplish in southeast Europe. The cancer is starting to spread to some other European countries. Hopefully, they are going to understand how important it is that we deal with this problem. As a member of the Senate, I will continue to remain engaged with the Organization for Security and Cooperation in Europe.

I, too, share Steny Hoyer's feeling about our ambassador, Mr. Minikes. We had a chance to meet with him in Berlin. He really, I think, is the most engaged ambassador we have had. I hope that you support his efforts there in Vienna. Thank you, Mr. Chairman.

Sen. CAMPBELL. I would like to yield to one of the most respected members of this body, Alcee Hastings.

**HON. ALCEE L. HASTINGS, COMMISSIONER,  
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. HASTINGS. Thank you very much, Mr. Chairman. I will be very brief. Thank you first, Mr. Chairman, for holding this hearing.

I would also like to add my thanks to all of the witnesses and apologies for our having to bounce in and out of the room. I know you are familiar with the voting schedule. This is a particularly important day for us. So, obviously, we will be coming and going.

Mr. Chairman, I wanted more than to put questions to the witness, to say to you and Senator Voinovich that I am just back from Madrid and the meeting of the Standing Committee of the Parliamentary Assembly. At that meeting, there was a considerable amount of attention given to the Mediterranean region and the pulse of OSCE undertakings in that regard. As a matter of fact, there was an effort to form a regional group on the Mediterranean. It has been passed over until another time.

Significantly, I think, or just for our purposes, I was appointed by the President of the Parliamentary Assembly, Bruce George, to chair a five-member working group to review the budget of the OSCE. I would like any input that I could receive from all of the members of the Commission. It would be very helpful as we proceed apace, not in any aggressive manner. But more importantly, in a manner to better understand the financial workings of the organization and to try to provide as much cooperation with the parliamentary body as we possibly can.



I thank you, Mr. Chairman.

I thank the witnesses.

Sen. CAMPBELL. I thank you. I know that one of Bruce George's comments has been that the budget of the OSCE is pretty much out of control. Hopefully, that'll be addressed. Well, let me ...

Mr. HASTINGS. He did not appoint a policy wonk or a tax person. I do not know how I got this. That is why I need help.

Sen. CAMPBELL. I am sure you'll do a fine job.

Let me ask a few questions. As I said, I will probably submit some in writing, too.

Let me start with Assistant Secretary Jones. In your prepared statement, you stress that the ensuring that the OSCE as a vital organization remains relevant and responsive. I happen to think so, too. I agree. It is relevant, responsive. It is an important organization. Nevertheless, I note that the recently released National Security Strategy does not even include a passing reference to the OSCE. I might also say that I am on the Commerce, State, Justice Subcommittee of Appropriations on the Senate side and several times when we have had people come in from the State Department to testify for their budget requests, I have asked them some questions about the OSCE and very frankly, most of them seemed quite unaware of what we are doing. Is there a lack of communication there or something we have not been able to stress the strengths and importance to other people within the Department?

Sec. JONES. Mr. Chairman, I take responsibility, Lorne and I both do, for not proselytizing well enough within our own Department on the good work that the OSCE does. We firmly believe that it is a very flexible, very effective organization. We call on it to do some extraordinary work. We call on it, in some cases, almost on a daily basis to help us verify what is going on in a particular region in a particular instance.

I would like to point in particular to the really fantastic work that the OSCE has been able to do in Macedonia in support of the Framework Agreement, as Senator Voinovich mentioned. I think one measure, only one measure of the excellent work that the OSCE has done in Macedonia is the really very good conduct of the elections in Macedonia very recently. Sec. JONES. With the result, just as you mentioned, Senator, that there are negotiations going on to form a government coalition. There is a transfer of government going on in Macedonia in a straightforward, calm way. All of us give the OSCE great plaudits for the role it played in coordination with NATO, in coordination with the European Union, in coordination with the U.S. It is one of our best stories.

I would also point to the work that the OSCE does in Georgia, for instance. Whenever there is some kind of incident, we can always count on the OSCE monitors to help us figure out what really happened. That is terribly important as we pursue issues with Russia, with the Russian Federation, with the Georgian Government to sort out what is part of the very difficult Chechnya problem, what is a part of the terrorist issue, what is a part of simply supporting Georgia's efforts to take control of its own territory, partly through the training equip program.

Sen. CAMPBELL. Yes. Well, let me tell you that I travel a great deal, as Senator Voinovich and Congressman Hastings do, too. When we have meetings with NATO representatives, they all know what the OSCE does. When we meet with individuals from the EU countries, they know what the OSCE does. In the Balkans, in Kosovo and other countries we have been to, they know what the OSCE does. I am just rather sur-

prised that some people in our own country and particularly, within the State Department, higher echelon, do not know what it does, peripherally know what it does.

So, may I suggest that you not be shy in the State Department about telling them what you do and what we do because I think it is extremely important that they know. OK. Now, you also stress that the OSCE has become one of the most effective tools in promoting democratic values. Have we engaged the EU in efforts to promote more democracy in the OSCE regions?

Sec. JONES. We have indeed, Mr. Chairman. It is one of the subjects that I address regularly. I am sure Lorne does as well. We ask our ambassadors to address this regularly in the EU member State capitals. We work, for instance, very cooperatively with the EU as an organization in countries like Belarus, in Ukraine and in the Central Asian Caucasus region. It is one way that we multiply the United States effort and OSCE efforts in these regions on these issues.

Sen. CAMPBELL. Yes. I am jotting a few notes as you talk. You also mentioned the new police adviser and proposals for the OSCE police training in Central Asia. I think that is extremely important, as Senator Voinovich does. I visited the academy in Kosovo and saw that the training that they do there is not only important from a police standpoint, but they have Albanians and Serbs rooming together, eating together, talking together for the first time in years. When they graduate from that academy, they assign them on patrol, the normal police things that they do, together. I think that the social interaction between the people that are in those academies is maybe a by-product, but a very important by-product, for expanded peace in the future.

Given the very serious human rights violations in countries of that region and sometimes at the hands of the police, as I mentioned before, how would you respond to skeptics that such training will only strengthen the instrument of repressive regimes as police have been in some countries? Either Mr. Craner, if you would rather answer that.

Sec. CRANER. I will take that one, Senator.

Sen. CAMPBELL. Yes.

Sec. CRANER. I used to run across this issue before I was at State Department while I was at an NGO. There can be cases where that does happen. It is important when you are trying to reform a judicial sector or a police sector that you approach it as part of a package of reforms. You can spend a lot of money trying to reform a judicial sector and if the government does not wish it to be independent, it will not become independent. It is only if you can persuade the government that the police should be functioning in any particular manner or that the judiciary, for example, should be functioning in any particular manner, that those kind of assistance programs will actually bear fruit.

That is, indeed, what Beth and I and the Secretary of State and the President and others have been doing in Central Asia. We go to these leaders, to the presidents, to the foreign ministers, to make very clear to them that the relationship can either be short-term and based purely on security issues, or it can be long-term and have an economic dimension and have a much wider breadth of relationship. It essentially is up to them.

If they want to undertake the kind of reforms that are necessary to be a fully functioning state in the 21st century, then our relationship can be long-term and durable and have a wider applicability. At that point,

the more people become persuaded of that, the more useful these kind of programs are. I do want to put in a plug for what you said, to take those models and move them east into Central Asia.

Sen. CAMPBELL. Yes. Well, clearly, for police to enforce the rule of law, there has to be an effective and strong judiciary, too. I understand that. So, they work hand in hand. As long as you have the microphone, Mr. Craner, the Commission has been particularly active in documenting human rights violations against the Roma. I am particularly interested in them, coming from a native people myself. I am particularly mindful that the plight of the Roma, given certain parallels in the historic experience of my own ancestors in this country, how is the department addressing the pattern of violations, abuse, and discrimination against them in a number of countries?

Sec. CRANER. I would say in two ways. First is to try to work this issue through the OSCE as a human rights organization to change the consciousness of governments as a group. But also we are going to individual governments in countries where this is an issue to bring it up and to try to get them to undertake programs and methods that will bring people, Roma, away from the kind of discrimination that has been applied to them.

Sen. CAMPBELL. Have you noticed any progress being made about their being included in the government or universities or the job picture?

Sec. CRANER. It is tougher in Central Europe. In other countries, it has become easier. But in ways, this is a social consciousness issue and we have to keep pressing the governments to press their own people to not have societal discrimination against the Roma. But I think there has been some progress in central Europe. There has been greater progress in areas further afield.

Sen. CAMPBELL. Yes. Let me move on to Belarus. You have mentioned that the role of independent trade unions as instruments for a democratic change. We have seen that repeatedly in Poland and many other countries in past history. But, Mr. Lukashenka has recently come down very hard on the trade unions. Is there anything that we can or should be doing that we haven't been doing to lend support to those unions?

Sec. CRANER. No. We are lending support to them to the extent we can.

Sen. CAMPBELL. In what form?

Sec. CRANER. Yes. In monetary support. Actually, as a matter of fact, my bureau is helping with that. But we are also trying to—again, through mechanisms such as the OSCE—bring a wider group of support for unions and a wider group of condemnation regarding Belarus. This is an area where we have been engaging the EU, for example, especially lately to much greater effect. This is also an area where we try to go to individual countries, including some of those surrounding Belarus, to obtain their assistance, both in terms of advice and funding for groups like labor unions.

Sen. CAMPBELL. In Belarus, in some of our past hearings, we have had people who had the courage to come here and testify in front of this committee. One of them was a young man by the name of Anatoly Lebedko. I do not know if you are familiar with that name. He was a person who had been put in prison, beaten in the streets, all kinds of things. Several of his friends disappeared in prison and never even heard

from again, several people that were in the Parliament with him, in fact. I often wonder if he suffered the same fate. Are you familiar with that name at all?

Sec. CRANER. I believe I met him on that trip. I do not think he has yet suffered the same fate.

Sen. CAMPBELL. I just mention that because I hope he is well and still trying to carry on with his efforts to make a free and democratic society in Belarus. There have been many disturbing reports that the Russians may be pressuring displaced civilians from Chechnya to return to that war zone despite the lack of an infrastructure to support the population. Is that a matter of concern for the OSCE from a humanitarian implication? Have you raised that issue with the Russian officials?

Sec. JONES. Yes, we have raised it with Russian officials. It is a matter of concern to us. We have a regional refugee officer based in Tbilisi who pursues this question as much as she can. But it is part of our very vigorous, shall we say, conversation with the most senior levels of the Russian Government in terms of one element of our concerns about Chechnya.

Sen. CAMPBELL. Yes. Earlier, Mr. Craner, in your statement or perhaps Ms. Jones, you mentioned the tragic passing of one person that suffered and died of torture at the hands of the authorities in one of the countries. The OSCE has had a panel of experts on the prevention of torture for the past several years, although several on the panel have stepped down. Since torture is such a terrible violation of human rights, are we as a country, the United States, prepared to lend support to this group of experts on torture?

Sec. JONES. Yes. Absolutely. We are definitely prepared to lend support to it. Torture and combating torture is a central element of our work in human rights around the world. It is something that is part of the human dimension—has been part of the human dimension meeting in Warsaw. It is an area that we will keep working on within the OSCE.

Sen. CAMPBELL. OK. I commend your efforts and hope you will.

I would like to yield to Senator Voinovich first for a few questions, if you have any.

Sen. VOINOVICH. Yes. I would like first to hear from you on what, if anything, that you are doing to elevate this issue of anti-Semitism today among our colleagues, particularly in Europe. I am very disturbed that some of the very same things that were the prelude to the Holocaust are now going on in some of the countries in Europe today. I think that unless our President and our State Department—in fact, several of us are sending a letter to Secretary Powell urging him to go to the Ministerial meeting in December and raise this as an issue, that unless something is done in regard to it, that this situation is going to continue to spread and get out of hand. I would be interested in knowing what, if anything, the State Department has done to put in place some type of program to try to deal with this problem.

Sec. JONES. Yes, we are very concerned about it. We have been very concerned about it and have addressed every instance that has come to our attention as immediately as we possibly can. Our embassies are on top of it. Our ambassadors go in every time there is any incident. But most importantly, the presidents in the countries, the prime ministers in the countries involved, President Chirac, Prime Minister Blair, Presi-

dent Putin and Chancellor Schroeder have each one in every case denounced the incidents and has assured that police forces and investigative efforts have been vigorous and have been immediate.

We think this has had a very good effect, but it is one of the items on the agenda that we have with each of these countries. I would like especially to point to the efforts made by President Putin to get after some very nasty anti-Semitic incidents in Russia very recently by bringing one of the people who had encountered that to the stage and applauding her very courageous work in going after some of the anti-Semitic acts in Russia.

Sen. VOINOVICH. One thing that I think we should give attention to is the issue of developing some kind of infrastructure in these respective countries that will deal with this problem on a continuing basis. I think it is important that we bring to their attention incidents and they speak out. But you know and I know that there has got to be some kind of program in place to deal with this on an ongoing basis if something is going to be done. What thoughts, if any, do you have in regard to how the State Department could encourage that kind of thing to take place?

Sec. JONES. We have talked about it among ourselves quite a bit. I have talked about it and the Secretary has. Frankly, the President also has discussed it with his counterparts in several European countries. They have talked in terms of the kind of debate, the kinds of discussions that occurred in the United States in terms of, over the past 20–25 years, on sensitizing to diversity and tolerance. There are programs underway at our embassies run through our public affairs offices. As I say, it is on the political agenda between the United States and these countries. We have seen a very fast, very successful action undertaken by each of these countries whenever these incidents arise.

Sen. VOINOVICH. Mr. Chairman, I would like if you could submit to me in writing what has been done and what is underway so that we continue to put pressure. Again, I would hope that Secretary Powell goes to the Ministerial meeting and raises this as one of the major priority issues that the Ministerial group should be tackling, which I think would then make it easier us over in the parliamentary side of this to deal with this at our next major meeting.

The other thing I would like to know is what is—you know, I think we have talked about this before. But what are we doing—and, as I say, it is nice that Tim DelVecchio has gone over to Vienna to work, I guess, for the person in charge at the OSCE in dealing with crime. But what is going on in terms of bringing together from the various agencies to join forces to deal with this growing problem there in our OSCE countries?

Sec. JONES. I am not sure I understood the question. I am sorry. Various agencies to work on anti-Semitic acts?

Sen. VOINOVICH. No. To deal with the problem of organized crime. OK? The problem of organized crime, I cannot even go into the details. I had a very long briefing by our security agencies on it. It is a very serious problem that is not getting that much attention. It deals with some things that Rep. Smith and I have been concerned about in human trafficking. Many of the other areas have got to do with crime, organized crime. It is growing. Unless we put together a massive effort to counteract it, it will overcome us.

I would like to know what is the State Department doing to provide leadership to get various organizations together. Because it seems that the EU has something. Then you have got the OSCE. And then we have

the FBI is over in some of those countries, has representatives there. What is being done to coordinate the effort there so that it has the organizational impact that it needs to deal with this problem?

Sec. JONES. Senator, you are right. It is a very serious problem. It is one that we take seriously and we work at from a variety of angles. We want very much to keep it organized and coordinated so that we know in each instance who is in charge of which part of the program. We have added this under the economic dimension of the OSCE. It is part of the dialogue between the U.S. The EU. It is part of the bilateral dialogue that we have with quite a number of countries. It is part of our assistance program in Central Asia, the Caucasus and southeast Europe. We put these economic crimes together, in many instances. Organized crime, anti-corruption efforts, trafficking—This last is not an economic crime, but it is related. Sometimes nonproliferation is also related. We work at it through law enforcement, through development of legislation to close down the opportunity for corruption trafficking and organized crime. We go at it at every possible angle that we can using every institutional capability that we have because it is such a difficult problem. We think that the global war on terrorism has, if anything, given us a greater umbrella under which to pull these efforts together and to bring greater focus to FBI efforts, Treasury efforts, law enforcement and rule of law, the rule of law work that we do through and with each of these organizations.

It is an element of the work that I do with EU member States. It is an element of the work that we do in the OSCE and in OSCE missions with OSCE missions wherever they are in this whole area of the OSCE.

Sen. CAMPBELL. If the Senator would yield just a moment, I might interject, too, it is always seemed to me that the profits are so huge that organized crime is always going to be around as long as there are those profits. In some cases, they have more resources than governments have fighting them, at least individual governments. But I am also convinced that an awful lot of it has to do with supply and demand, i.e., if the demand wasn't there, the supply probably wouldn't be there.

That is really obvious with the importation of drugs into America. If we did not want it, it would not come. We want it. So I would hope that the State Department puts some emphasis, not just on the interdiction part of it, but somehow trying to reduce the need and the demand, too, that drives this whole thing.

Sen. VOINOVICH. I would like to maybe spend some time with you privately talking about this. But I would also like to see in writing the organizations that are out there and what effort is being made to make sure that they are coordinating their efforts so the left hand knows what the right hand is doing. We have our efforts. We have SECI now. We have the stability pact. But is someone in charge and kind of organizing this effort so that the left hand does know what the right hand is doing?

Sec. JONES. We would be glad to put that in writing for you. But in the first instance, from our perspective, we think the best way to make sure that it is as coordinated as best as it possibly can be is through our Chief of Mission in every place where there are assistance coordinating groups to make sure that there isn't inappropriate overlap in each of these programs. In addition, there are ways to organize this through the OECD and through the European Union that we work with as well. But we would be glad to put this writing.

Sen. VOINOVICH. Thank you, Mr. Chairman.

Sen. CAMPBELL. Congressman Hastings, did you have some questions?

Mr. HASTINGS. Yes, I do...

Sen. CAMPBELL. You have been sitting here very patiently. I yield to you.

Mr. HASTINGS. No problem. Thank you so very much, Mr. Chairman.

First, while I recognize it is not the portfolio of the witnesses, I would, again, report to the Commission that an informal request is being made to hold a Parliamentary Assembly meeting in the United States in the year 2005. There was serious talk with reference to that. I would only say to any of the witnesses of either panel, while it is not a part of their responsibility, it fits in, Senator, with what you were talking about. If we could arrange for such an assembly to be held in the United States, it would heighten understanding of what the OSCE does and of course, there would have to be the interface with the respective agencies.

So I for one, and I believe Chairman Smith has at least some similar view that we ought to be as aggressive as possible in trying to bring it to the United States in 2005 if we can, if it is financially feasible and all of those things. As a segue to what Senator Voinovich asked of you all concerning anti-Semitism and the upcoming Ministerial in Porto, Portugal in December, just what are the United States' priority issues for inclusion in that December Ministerial?

Sec. JONES. We are focusing on our proposal to establish a security review conference so that we can assess progress and to review OSCE activities in the security dimension. We have also been working to draft a charter on terrorism and hope that can be adopted at the ministerial.

Mr. HASTINGS. You do believe, as I do, that the senator's point should be well taken and that the subject of anti-Semitism should be something that should be highly prioritized by the secretary and others who may attend?

Sec. JONES. Right. Yes. Absolutely.

Mr. HASTINGS. All right. Also the subject of Roma. You know, there occasionally all these hearings, not so much of the Helsinki Commission, but hearings generally do not take into consideration real sensitive feelings with reference to matters ongoing in Europe. I just wish to share with you all that on three separate occasions as a 66-year-old having lived in the halcyon days of segregation in this country sometimes I tried my very level best to not let my antennae go up and remain as objective as I can when I am traveling abroad.

But in Madrid, I had an opportunity to visit several areas just walking. I do not look distinctly like a North African, but I met the kind of feelings and expressions from people that are the kind that is rife in areas where discrimination is. I just offer that as just a personal observation that at least in Seville and Toledo and in Madrid, being black was not fashionable. I was snubbed in a store, never waited on at all in a restaurant and on three different occasions, I met that. I am not talking about what other people met. I can only imagine what it must be like. Remedies to that, I do not have in hand.

Let me turn to just one other question, if I may. That is, how do you think the OSCE could be more active in Central Asia? How do OSCE programs fit in with the United States bilateral? As a part of that, I heard you, Mr. Craner, say that you were going to be in Tashkent.

Believe it or not, I spent a week in Tashkent at my voting peril. I missed 31 votes here in the House of Representatives. But I learned an awful lot and that led me then to travel with two other members to all but one country in Central Asia. So I do have at least working knowledge in that area and I am interested in the answer to the question that I put.

That would be my last question, Mr. Chairman.

Sec. CRANER. In a number of regions of the world, we can have a greater utility and a greater effect if we work with other countries in those regions. It is one thing if the United States is coming in and doing something or pressing issues. It is another if it is the United States and Britain and Germany and Portugal and Spain and whoever else press on some of these issues. So we have been trying to ensure that our programs are coordinated with what the EU is doing. We have been trying to work through the OSCE for programming ideas.

One in particular was the printing press I mentioned where we remain hopeful that the OSCE is going to stay involved in that so that the first independent printing press in Central Asia will not be an American thing. It will be a U.S.-, OSCE- and others- type of operation. If you can do that, I think you can get more countries involved. This is why I am so interested in it. It is more likely that it is going to be allowed to take root in the country and not be torn out.

Mr. SMITH. Thank you, Mr. Hastings.

Just to ask a couple of questions regarding the OSCE Porto Ministerial meeting. At the Berlin OSCE Parliamentary Assembly, our delegation introduced what I feel was a very timely resolution on anti-Semitism that did end up passing, but was also a focus to that meeting. That was to focus on the worsening situation of anti-Semitism in Europe, Canada and to some extent, in the United States. I was wondering if there were any plans to try to raise that issue in a substantive way? There is a rising tide of anti-Semitism throughout the OSCE region.

If parliamentarians, in our case, or if ministers, foreign ministers and representatives of governments do not take this seriously, this cancer might be permitted to fester. At one of our sidebar meetings, as we called it, co-hosted with our German friends from the Bundestag, we heard some very telling statements from academics, from the head of B'nai B'rith, a representative from the Simon Wiesenthal Center.

Using the pretext of a disagreement with Israeli policies, as one of our witnesses pointed out, cannot ever be used as a front or a pretext to mask anti-Semitism. I was wondering if there might be an opportunity, if we have any plans to raise this serious eroding situation vis-à-vis Jewish people in Europe at that ministerial.

Sec. JONES. I appreciate very much the focus that the Parliamentary Session in Berlin has put on this. What I would like to do, with your permission, Mr. Chairman, is to discuss this with Ambassador Minikes to get a clearer understanding from him of the issues, the full range of issues that would be on the agenda and work through with him how best to get it on the agenda at the Porto Ministerial, if that would be agreeable.

Mr. SMITH. I would appreciate that. Know of the strong bicameral, bipartisan support for that because we spoke with one voice in Berlin, as we do here. But I think it needs to be said with special emphasis right now as things in the Middle East continue to careen off the side as



they have been. Because I believe and especially after that testimony, I think Alcee Hastings will back me up on this. It was very clear that is going from bad to worse.

Even in France, the Wiesenthal Center representative was telling us how very often the police misapply what was a hate crime to some other motive. You know, when you get poor statistical work like that, a character is painted as to how deep and how bad the situation really is. I think we need to push the issue of anti-Semitism very aggressively to counter this force.

Mr. SMITH. Let me ask you, on Roma, and again we also had a resolution in Berlin on the Roma, and that remains one of the Roma citizens are the largest minority in Europe. They are the most discriminated against in all of Europe. Are there plans to robustly bring up the plight of Roma at the Porto meeting? There are some examples that we cited in Berlin, we cited here in hearings of countries that are trying, specifically some of the Eastern European countries, to step up to the plate and mitigate and hopefully eradicate their anti-Roma beliefs.

Sec. CRANER. I would say three things. Number one, this is an issue that continues to be a big concern to us. If you look at the latest human rights report, you will see that we continue to report very frankly, especially on some of the Central European countries where it continues to be a big issue. I mentioned before, we continue to go to individual governments within the region where we think it is a problem, and push on this. We think we have had some effect in Romania, where they are passing legislation that would offer greater protection to Roma. Bulgarians, through their school system, are also doing a better job of trying to integrate them.

But this is something they have now committed themselves to at the Istanbul Summit, and we will be pushing them again to continue. Government discrimination exists and we are pressing to overcome that, but also to continue to work as long as it is going to take to overcome discrimination by the societies within the consciousness of people. It is important to try to get past that. I think what the Bulgarians and the Romanians have done is a good start in their own countries on that.

Mr. SMITH. OK. Let me ask a question on trafficking. I know some of my colleagues have touched on that, and obviously it remains a very important issue to the Commission. My hope is that the administration will seek more resources, not less, to combat human trafficking. Unfortunately this round of Foreign Ops appropriations appears to have underfunded the effort. Last year, and I was the one who offered an amendment of \$30 million fully authorizing the Trafficking Victims Protection Act. When the bill got into conference with the Senate, the amount was dropped by a third to a little more than \$20 million.

Part of the explanation was that the programs do not exist. Duh, that is exactly why we created the legislation because many of the centers that we wanted to encourage the creation of, safe havens if you will for women, the effort to get countries to craft their own laws that would truly confront all aspects, providing safe haven for the victims while effectively prosecuting the perpetrators of these heinous crimes. And to hear back that there is not enough out there to fund. We were not looking for an allocation of funds to preexisting programs, we were looking for the creation.

I travel the world, as do my colleagues on human rights trips. Groups like Caritas and others, many others, are doing yeoman's work, always underfunded, always. I mean, we can spend the money times squared or more, very easily and still not meet the existing need. I commend the administration for an excellent report, at the hearing that we had on the TIP Report. I thought India and a few other countries like Vietnam should have been in there, but by and large it was a very good report, and we do appreciate that. Under Secretary of State Paula Dobriansky and her office deserve high marks for their attention.

But we will need to make sure, and Secretary Craner, I especially ask you to be thinking outside the box and say there is no program, why isn't there one, and push the appropriators. I mean they turn to you, the Administration and say, well they have not asked for it, or they do not think it could be spent wisely. I just encourage you, you meet those women, as do I, so many of them fall through the cracks, there is no place for them to go. There is nobody out there to help them find a safe haven.

Sec. CRANER. OK, let me say two things. Number one is to thank you truly for your leadership on this issue. Frankly without this legislation, I do not think there would be as much action on it. It was a very well thought out and structured law. It has definitely gotten people's attention, especially in terms of the categories. The office is just starting up and they are going to be looking for programs out there to fund. I would be surprised if, as they get started and figure out what works and what does not. They get more experience, if they could not use that kind of money to be able to, as you said, actually start programs and not just look for things that are already going on.

Mr. SMITH. Could I just ask you what our response has been to President Kuchma's authorization of sale of the Kolchuga sophisticated aircraft early warning system to Iraq? This not only obviously violates U.N. sanctions, but more ominously, puts our pilots and British pilots at grave risk of death. What we have done? We do, as we all know, have a very significant foreign aid package for Ukraine. This seems to be the most unfriendly of acts imaginable. What is being done on that?

Sec. JONES. Mr. Chairman ...

Mr. SMITH. Yes.

Sec. JONES. I was in Kiev a week ago to address exactly this question with President Kuchma, with his Foreign Minister and his Defense Minister, in the following way: there are really two issues. One is the tape and its authentication. The second is the one that you particularly mentioned, which is the danger, the danger to U.S. and U.K. pilots in the no-fly zone from this radar, should it be there. The fact is although we are completely convinced that President Kuchma ordered, or authorized the sale of the Kolchuga radar to Iraq, we do not actually know whether the radar is there.

To address that question, we have a joint U.S.-U.K. team leaving tomorrow to go to London for coordination. They will arrive in Ukraine on Sunday for to address specifically the technical questions and the questions of the contract, what may or may not have been signed and delivered to Iraq. That was the primary purpose of my visit: to obtain the full unfettered cooperation of President Kuchma and his Cabinet for this team to conduct this review, this investigation.

President Kuchma told me that they would have access to all the Kolchuga sites in Ukraine, to the factory, to all of the technicians working on the system, that there all of our questions would be answered in detail. I had. I gave him the list of questions.

Although the initial response is a good response, it all remains to be seen whether the response is adequate in terms of the answers that the team will get. In connection with the assistance, we want very much to remain engaged in Ukraine with civil society and with continuing the kinds of programs that are in the interest of the United States, such as economic reform, such as anti-crime, anti-corruption, that kind of thing.

What we have done in anticipation of needing a full policy review, depending on the results of the investigation on the Kolchugas themselves, is we have put on hold our assistance program to the government, so that nothing would be allowed to start that we did not want to have started while we are undertaking this policy review.

At the end of this review, and that will happen very shortly, we will make a determination regarding which of those programs should continue because they primarily support goals of the United States, and which of those funds should be moved to civil society kinds of programs, free media support kinds of programs, anti-trafficking kinds of programs, that kind of thing. But we were very direct and very vigorous in our discussion with the Ukrainians on the subject.

Mr. SMITH. Thank you much for that very comprehensive answer, and please apprise us, as I know you will, because obviously there is a tremendous amount of concern both sides of the aisle on that. As we all know, Kyrgyzstan's President Akayev was in Washington recently and as a matter of fact I met with him when Speaker Hastert hosted a meeting for him. I know that he met with President Bush as well as with Secretary of State Colin Powell. Was the case of Felix Kulov brought up specifically? I did, I brought it up and gave him a letter that was jointly signed by several of my fellow Commissioners and myself, but was it brought up in those meetings?

Sec. CRANER. He was brought up with the President in these meetings.

Mr. SMITH. Great.

Sec. CRANER. Yes. It is a matter ...

Mr. SMITH. Great.

Sec. CRANER. ... of great interest to us.

Mr. SMITH. What was the response from the President?

Sec. CRANER. I'll have to get back to you on exactly the response that we had back from him. Because I do not really have ...

Mr. SMITH. Do you have any questions? I already went, but do you want to go again? OK. I want to thank you for your testimony, and look forward to working with you as we always do. Secretary Craner, you are more than welcome to join us if you'd like. I know you probably have a very busy schedule, but you are a member of the Commission from over on this side of the dais. But thank you so much for your work, and we look forward to working with you.

I do want to associate myself with the remarks of Steny Hoyer earlier about the head of our U.S. Mission to the OSCE, Ambassador Minikes. During the Berlin OSCE PA meeting, he was with us in every meeting, he provided some valuable insights about the status of developments in

the OSCE. Mr. Aderholt also mentioned that as we were walking over for that vote. So thank you, I think we are well represented and we very much appreciate it.

Sec. JONES. Thank you very much Mr. Chairman. I will be delighted to pass that on to Ambassador Minikes.

Mr. SMITH. Thank you. I would like to welcome our second panel of witnesses to the witness table. To testify first will be Catherine Fitzpatrick, CIS Program Director at the International League for Human Rights. Ms. Fitzpatrick has been active in the international human rights movement for more than 20 years, specializing in the countries of the former Soviet Union. Her prior positions include Director of the Central East European and FSU program of the Committee to Protect Journalists, and Director of Research at Helsinki Watch.

Elizabeth Andersen, our second expert witness, has held several positions at Human Rights Watch, and now serves as the Executive Director of its Europe and Central Asia division. Before joining Human Rights Watch, she served as a legal assistant to a judge on the International Tribunal for the former Yugoslavia.

Finally Robert Templer is Asia Program Director at the International Crisis Group. He is author of *Shadows in Wind—A View of Modern Vietnam* and has written widely on Asian politics, culture and history. Before joining the ICG, he worked as a columnist for the *Asian Wall Street Journal*, and *Far Eastern Economic Review*.

Ms. Fitzpatrick, if you could begin.

**CATHERINE A. FITZPATRICK, CIS PROGRAM DIRECTOR,  
INTERNATIONAL LEAGUE FOR HUMAN RIGHTS**

Ms. FITZPATRICK. Thank you Mr. Chairman.

Mr. SMITH. Without objection, Ms. Fitzpatrick, your full statement and that of all of our witnesses will be made a part of the ...

Ms. FITZPATRICK. Thank you Mr. Chair. I would certainly agree that OSCE is the “indispensable institution,” as Madeline Albright once called it. Of course it has great operational capacity in places like Macedonia, but, too often OSCE is OBE’d [overtaken by events]. An official of the Council of Europe Parliamentary Assembly said this week that PACE could not allow two members to go to war with each other, having in mind Russia and Georgia. OSCE, with the same two members, remains silent.

Today, it is the European Union, not the OSCE, exercising the greatest pull of reform on former communist countries in transition, by holding out the promise of membership. It is the EU, not the OSCE, wielding the power really to review and change laws to deal with things like the Benes-decrees.

Next, it is the Council of Europe, which has less clout but far more members, which is really the chief international community human rights actor these days, not OSCE. That is because it has the power to decide whether to admit or to expel members, as it has done in dealing with Azerbaijan and its accession, and it has done in threatening Russia and Ukraine for their bad behavior.

There is also NATO, which is exerting a pull. So what is OSCE doing? In fact, at its worst, which is all too frequent, it is presiding over bad elections, legitimizing tyrants with feeble renditions of evaluations such as “an election falls short of international standards.”

It is surveying the wreckage, often involving detentions and beatings of demonstrators and closure of media, and crying with a kind of survivor's guilt, it is then handing out technical assistance grants like so many tissues. We are in an era of a tremendous cynicism now. Recently when the Council of Europe denied Belarus guest status, Belarusian officials said, "we could care less." They said, "Belarus has been doing well without being a member of any European structure for 300 years, and we will continue to do so for another millennium." That bespeaks not only a level of cynicism, it shows you that they do not even view the OSCE as a European institution. It is a Eurasian institution, and it is time that we began to deal with it as such and face the realities of what that means.

Without binding treaties, without troops, without clout in capitals, there are still two very great levers that the OSCE has. First the validation of human rights victims' concerns through publicity of human rights reporting. Second, the withholding of legitimacy and approval through its response to election.

But these levers are not used, and to accomplish the mission, to prevent OSCE from being OBE'd, we need to have this organization speak louder and with a more concerted voice, otherwise the United States and its other western members will be viewed as complicit in tyranny. Human rights victims will bitterly conclude that our liberal notions of democracy and human rights are just so much window dressing.

Maybe we could afford to have this gap between rhetoric and reality before September 11; now we cannot. We have basically allowed dictators to steal and legitimize their power bases, particularly in Central Asia, in the Caucasus and in Belarus.

I feel it is in the last ten years, so it is now time within the next ten years to make a real concerted effort to bring back the old-fashioned Helsinki values of the "free flow of people and information across frontiers." That means U.S. leadership on moving away from pointless election activity in some states that are not willing even to make a basic minimal good faith effort to put on elections. It means moving toward more nuts and bolts human rights monitoring activity.

In that regard I have made a number of proposals, which I will quickly outline today. First OSCE must publicize its reports. It does not do so most of the time. The bi-weekly diplomatic reports read by the 55 members and occasionally leaked to NGOs accidentally really should be put up on websites, because they are validation of the events on the ground. Beth Jones mentioned how much they rely on OSCE for reports, but those reports come in classified cables and these kinds of reports need to be put on web sites so that the victims can see that there is concern for their traumas.

Second, OCSE's missions, again under U.S. prodding, must advocate more forcefully on human rights. They should speak out there on the ground in the countries where the missions are, where the human rights violations are. Human rights violations are best recorded and pronounced upon the scene, not in remote capitals where victims cannot hear them. That means not just speaking in Vienna, but Tashkent, Minsk, or wherever the severe crises occur. What happens is that too often countries and host countries of missions put pressure on the missions to remain silent.

We see that even with some of the extraordinary outspoken statements of Europeans in the mission in Almaty, they then had to back-track under pressure from the Kazakhstan Government. No one pushed back, so that when they spoke out on cases like that of Zhaqiyarov and Abyazov, two ministers imprisoned, they were criticized and pressured and told to be silent. Nothing was done to systematize that right to speak out and to keep it a boilerplate, non-negotiable right in every mission.

Third, I think it is important to have a very concerted campaign on torture, to stop torture. I do not believe OSCE should become consumed with the war on terrorism. The U.N. is already doing that through the Security Council, through the Counter-Terrorism Committee. Of course each country, starting with our own first and foremost, has been dealing with the awful aftermath of September 11. We would rather that OSCE become preoccupied with how to make societies extremism-proof. We find in our research that the roots of actual terrorists in the real world who actually come from the educated or semi-educated middle class are not in poverty as such, although they can exploit the presence of poor people in their homeland in the extremist ideologies to purportedly benefit those disenfranchised.

More often we find the roots of extremism and terrorism are in torture. Many terrorists are people who were themselves once tortured, or the family members, or their colleagues or their fellow religious believers were tortured. So there is little the torture victims can think of other than terror as a response, so we need to find ways to have other responses. That means not just panels and discussions. That means the U.S. should extend support for the U.N.'s draft optional protocol against torture. It is coming up for a vote in the General Assembly now, and that will provide a framework for prison visits.

Another of my proposals—and I would make a special note to the Commissioner who is looking at the budget—involves decreasing the funding on election training and observation, especially in those areas where it proved futile in the last ten years. That is not so much the Balkans or Central Europe, but it is Central Asia. Observation seldom deters fraud, without freedom of media and association, as long as a year before a demonstration without such freedoms, before an election you will not have a good election. You do not need 5,000 monitors with per diems on the ground in Kazakhstan to see that the Presidential election was cooked a year or 2 in advance or more. What is far more important, which costs almost nothing, is to have a concerted effort to negotiate a core set of principals, and that primarily includes opposition presence on electoral Commissions, which does far more to deter fraud than external observation.

After dealing with the missions in particular over many years, and watching the sagas of deploying them and then undeploying them, and the spectacle we saw recently of the OSCE mission in Belarus, I would propose placing missions in every state. This may sound like a budget nightmare, but I think you will save a lot of money on the bad elections, and you can recoup and use it on the deploying of missions. We already have 20, there are 55 members, so I think if we multiply that, and look at the existence of departments in various ministries, there is this Commission. Some missions in the West would be involved with issues like migrant labor, trafficking of course; missions in other countries would be dealing with torture.

If a country does not want to deploy a mission, then I think we have to move very consciously to external missions, external programming as some kind of mission in exile, if you will. That means that you do not just sit by and wring your hands as the OSCE mission staff in Minsk gets picked off like sitting ducks, you set up a department in Warsaw with the same people and they keep the website going and they do at least the minimal monitoring and reporting. We also would need to devise a lot of creative programming for civil society in Belarus, in bringing them abroad, making sure that there is funding for them to attend meetings in the OSCE family of events and so on.

I think a barebones monitoring has to be done, and I think we need to jettison the roundtable effort, which we have seen fail miserably in most of the countries where they've been attempted. I think that also creating structures for dialog among opposition leaders or a government has failed, and it is time to put a cross over it and do more basic bread and butter human rights work directly supporting NGOs' monitoring, going to trial, getting into prisons and so on. The one dialog area that I would leave would be Chechnya, because it has not been taking place. In the first war in Chechnya, it was a Swiss head of mission who played a crucial role in stopping that war. We look to the Dutch Chair-in-Office next year with U.S. support to work on the dialog in that war situation. We also look for much more improved reporting, such as on the issue of the forced return of the internally-displaced from Ingushetia to Chechnya.

Finally I would say regarding the structure of the human dimension meetings of which I have made extensive critiques. I think they need to move from thematics to specifics, and I would say that with a lot of the discussion on the topic of anti-Semitism today, a real strong response would be not just to have bilaterals and multilateral meetings on this topic, but to specifically earmark one of the human dimension meetings in 2003 just to the topic of anti-Semitism. I would rather that it not be put on a very crowded HDIM agenda, where there are thematics, but it has become very compressed and overloaded. I would rather not have the topic be folded into a religious freedom workshop, because it is not an issue that is only about religion, it is also about many attacks that take place out of, outside of religious settings.

I also think, given the response that we have seen to Europeans in raising this issue with NGOs in other settings in the U.N. and in the Council of Europe, I do not think we should be forced to address anti-Semitism only in tandem with another phenomenon that is now being called "Islamophobia."

Whatever our equal concern about hate attacks on Muslims, particularly since September 11, including in our own country, these two types of racism have different dynamics, contexts, histories, remedies even in the continent of Europe and elsewhere, and we do not need to artificially lump them together.

Ultimately I think with the more than 20 field activities that the OSCE represents with more coordination, with less duplication with the other structures, with more advocacy and reporting, and more protection of people, OSCE would continue to serve its original purpose, which inspired people like Yuri Orlov and his colleagues to go to jail for the sake of its principals. Thank you.

Mr. SMITH. Ms. Fitzpatrick, thank you very much for your testimony. Ms. Andersen?

**ELIZABETH ANDERSEN, EXECUTIVE DIRECTOR (DC),  
EUROPE AND CENTRAL ASIA DIVISION, HUMAN RIGHTS  
WATCH**

Ms. ANDERSEN. Thank you. As some of you may know, Human Rights Watch began as Helsinki Watch, and so has long been very much engaged in the Helsinki process and working alongside the OSCE. We are very interested in the topic of your discussion this morning. I would join others who today have concluded that the OSCE remains a vital institution for Eurasia.

I would identify two reasons for that. One, it has a comprehensive membership, unlike the EU, the Council of Europe, NATO, and so many other organizations in the region. It covers all of the countries in Eastern, Western Europe and the former Soviet Union. Significantly for U.S. Government purposes it also includes the United States.

It also has a comprehensive mandate, and I think this is even more important. Unlike all those other European institutions, it has a mandate to address of course security, economic and human rights, human dimension issues. To do so in an integrated and comprehensive way. I think that makes it unique among European institutions, and particularly important in this current time. That approach corresponds nicely to U.S. policy also.

The U.S. Government has embraced the linkage between good governance on the one hand, and economic development. So too does the OSCE take that approach. Similarly in the context of the war against terrorism, as you Congressman Smith outlined, the war against terrorism has to be very much about a war for human rights. It cannot be used as a pretext for violation of human rights. So again, here the OSCE offers the U.S. Government an opportunity to address human rights and security together.

But to realize its potential, the OSCE needs to be strengthened. I would like to talk about two ways in which it needs to be strengthened. One, it needs its human dimension activities generally to be strengthened, in some ways that Cathy has already outlined, and I will add to those.

Second, the integration of the human dimension with the other aspects of the organization's work also needs to be strengthened. Too often, notwithstanding its comprehensive approach, we see human dimension activities in one place, economic discussions in another, and security yet in another. I have some ideas about how the U.S. Government might support that better integration.

First, turning to ideas for strengthening the human dimension. First I would endorse Cathy's suggestions about the importance of the missions. They are the OSCE's front line in its implementation of the human dimension. They need to be strengthened. Unfortunately too often we see wide variation in their performance in the human dimension, particularly in the area of human rights reporting. Some missions set a very high standard for human rights reporting, and I would hold Kosovo up as a very positive example in this respect. Others have been much more shy about public reporting. It has been to the detriment, not only of the human rights situation in those, in those areas, but also to the larger security environment.

Examples there I would identify in Macedonia and Chechnya. Now notwithstanding the positive impact of the mission in Macedonia, it has been quite silent on some very serious persistent human rights prob-



lems there that could threaten the progress we have seen. I think others have mentioned the problems in Chechnya that persist, and I would, I would submit that the assistance group could do more, particularly in public reporting there to address those concerns.

So I would just make a number of recommendations for strengthening those missions. One, that they carry out more public reporting. That they improve their staffing, particularly with people with human rights expertise. This should certainly be a part of the development of the new "REACT" rapid reaction assistance team at the OSCE. The U.S. Government should emphasize the importance of public reporting. When heads of mission come to the permanent council. I would hope that Ambassador Minikes is asking them about the public reporting they are doing on the human rights situation there, and underscoring how important the U.S. Government thinks that is. Also the U.S. Government can send that signal by incorporating in its own policy dialog reference to public reporting that the OSCE is doing.

A second area in which the human dimension needs to be improved is in the implementation of recommendations. I think Cathy mentioned the election monitoring situation, those monitoring teams often yield very good recommendations, but we often see a year, 2, 3 years later we go back for another election and very few of those recommendations have been implemented.

There are very good recommendations coming out of other parts of the OSCE: the High Commissioner on National Minorities, the ODIHR on trafficking, on Roma rights, and so on. But we do not see those recommendations being implemented.

Now the OSCE cannot press for implementation by itself. It does not have sufficient leverage. In order for us to see implementation of OSCE recommendations, those recommendations need to be tied to other bilateral or multilateral assistance programs. I have a number of recommendations for how the U.S. Government can promote that kind of linkage. It can establish, or suggest the establishment of, liaisons between the OSCE and donors. It can promote regular consultation between the OSCE and international financial institutions, when the international financial institutions are developing their country assistance strategies.

The U.S. Government should propose that OSCE promote the regular working contacts between heads of OSCE missions in country and resident representatives of international financial institutions.

The U.S. executive directors at the international financial institutions should arrange for briefings from OSCE heads of mission for relevant staff of the international financial institutions, and they should promote the attendance of international financial institution staff at relevant OSCE meetings.

I was recently at the human dimension meeting in Warsaw, and actually organized an NGO briefing on the European Bank for Reconstruction and Development. It was attended with a fair amount of interest, and one participant asked me, "Why isn't anyone from the EBRD here?" It is a natural that there would be that kind of cross fertilization, and I think the U.S. Government can promote that.

One important opportunity for that kind of cross-fertilization will be the EBRD meeting in Tashkent in May of 2003. The EBRD, of course, has a mandate to promote private sector investment in countries committed to democratization. I think it is obvious that holding a meeting in Tashkent is problematic from a symbolic standpoint.

The EBRD has said that it does not consider that meeting an endorsement of the Government of Uzbekistan's policies, but an incentive for reform. Now, the OSCE has the agenda for that reform, and the EBRD and the U.S. Government, working through both institutions, should try to capitalize on that agenda.

The U.S. Government should put OSCE recommendations to Uzbekistan forward as benchmarks for progress leading up to that meeting. The U.S. Government should look for and promote the idea of a high-level OSCE role at the EBRD meeting in Tashkent. I would suggest that the U.S. delegation to the EBRD meeting include a member of this Commission or Ambassador Minikes or someone from Vienna, again, to underscore the important linkages between the OSCE, its recommendations, its political agenda, and the EBRD's agenda.

Moving then to some suggestions for integrating the human dimension with other aspects of the OSCE's mandate—some of the recommendations I just outlined, about linkages with the international financial institutions, certainly would promote better integration at the OSCE between the economic dimension and the human dimension. I would like to offer just two additional suggestions in that regard.

One is that the U.S. Government should promote better connections between the coordinator on economic and environmental activities and ODIHR and, again, make sure that relevant staff are attending each other's meetings, for the cross fertilization of those agendas.

Second, I would suggest that it be considered that there be a supplementary meeting next year at the OSCE—a human dimension meeting on corruption and human rights. Corruption is, of course, an area where we see this nexus of economic and political issues, and it would be an interesting forum to discuss those issues.

A second important area where the human dimension needs to be integrated is, of course, in the security sphere and in the war against terrorism. I would argue that the Porto Ministerial and other fora should affirm unequivocally that the counter-terrorism effort must comply with international human rights standards. That should also be front and center in an anti-terrorism charter.

Those kinds of commitments and issues, the human dimension issues, need also to be discussed in the context of a security implementation meeting that we heard Assistant Secretary Jones talking about this morning. The U.S. Government should use the OSCE to operationalize its understanding of the importance of the human dimension in the fight against terrorism.

Finally, I would suggest in this context that another important topic for a supplementary meeting for next year would be religious freedom and intolerance, which is a component of the human rights picture in the context of the war against terrorism.

In concluding, I want to comment that I think the U.S. Government's effectiveness in promoting the human dimension at the OSCE and promoting human rights worldwide could be compromised, to the extent the U.S. war against terrorism, the U.S. conduct in that conflict, is considered to fall short of international standards. It is extremely trou-

bling to us when we go to governments in the OSCE region and present them with their record on human rights, and we hear them talk about selective application of the Geneva Conventions by the U.S. Government or allegations of arbitrary detention in the context of the war against terrorism here in the U.S.

It is troubling and quite counterproductive to the U.S. efforts. It also squanders—and we lose an important ally in promoting the human dimension in the OSCE region if the U.S. is discredited in this way.

In response to Congressman Hoyer's comments this morning, I am happy to say at the recent human dimension meeting, the U.S. delegation was one of the few that was naming names and speaking in very strong specifics and has long set the standard in that regard. Nevertheless, its ability to do so could be compromised if its own conduct does not meet those same standards.

Thank you very much, and I look forward to your questions.

Mr. SMITH. Ms. Andersen, thank you very much for your testimony. Mr. Templer?

**ROBERT TEMPLER, ASIA PROGRAM DIRECTOR,  
INTERNATIONAL CRISIS GROUP**

Mr. TEMPLER. Thank you very much, Mr. Chairman and Commissioners, for the opportunity to speak here today on the role and potential role of the OSCE in Central Asia.

International Crisis Group's Central Asia Project, based in the city of Osh in southern Kyrgyzstan, has five analysts who have been working across the region to prepare a number of documents, including a most recent report on the OSCE in Central Asia, which offers ideas for a new strategy for this organization.

The OSCE has been active in the region but has struggled to overcome a number of key obstacles. These include the difficult political environment presented by participating States that have little interest in opening up their political and economic systems.

Uzbekistan, for example, has shown a low regard for the OSCE, which it sees as focusing exclusively on human rights issues and ignoring the security concerns of the government in Tashkent. Senior OSCE staff, such as the High Commissioner for National Minorities, often only get to see low level officials when they visit Tashkent.

There is a very low level of staffing among the OSCE offices in Central Asia. There are just 30 international field staff in five countries out of a total OSCE field presence of 3,500.

The Central Asia mission suffers from a very low budget. They receive less than 5 percent of the total OSCE budget, which is a third of what Croatia alone receives.

The lack of a long-term strategy is also a problem, complicated by annual reviews of mandates and rapid staff turnover. There is also a low level of coordination with other organizations, such as the European Union; the international financial institutions, such as the European Bank for Reconstruction and Development; the World Bank; and the Asian Development Bank.

The OSCE will need to develop more effective relationships with the governments in the region if it is to succeed in many of its tasks. We recognize that this is an extremely difficult task, and in the case of Turkmenistan, almost certainly impossible. But we do believe much

more could be done by establishing projects that balance the various dimensions and work closely with those organizations—for example, the EBRD—that have more resources.

The Central Asian nations see the OSCE as focused almost uniquely on human rights and democracy. By balancing projects that tackle these issues with others that deal with security and economic problems, the OSCE could develop better relations with governments and would be more likely to gain their cooperation.

I'd like to be clear here that we are not advocating in any way a scaling back of OSCE human dimension activities. Indeed, we would like to see them substantially expanded. Nevertheless, we feel that they would have a better chance of success if accompanied by projects that include the other dimensions.

An example of this might be projects relating to border disputes, which is a serious problem in Central Asia that has raised tensions among the Central Asian countries and has seriously disrupted economic and family links in the region. The OSCE might consider a range of linked projects that reinforce the idea of open but secure borders.

Under the political and security dimension, the OSCE might consider providing good offices for border delimitation; political and military confidence building measures; and training to prevent the trafficking of drugs, arms, and people. Alongside these efforts, they need to provide human rights training for border guards and customs officers and development of NGO and advocacy groups involved in border monitoring, refugees, migration, and trade issues.

Under the economic rubric, it could consider developing such organizations as trader and driver associations to monitor the performance of border guards, and also consider the political facilitation of cross-border trade, the standardization of regulations on trade, and the monitoring of corruption among border guards.

By establishing linked projects, the OSCE could reduce the risk, for example, that police training simply reinforces repressive institutions. Establishing civil society groups provides a mechanism to monitor the impact of training and new regulations. Boosting economic activities provides an incentive for cooperation by all parties while tackling the security concerns of Central Asian governments and is more likely to get them on board than those projects that simply stress human rights.

This is just one area in which a broader approach by the OSCE could improve its influence in Central Asia. But there are many others, including expanding work against corruption, boosting the programs on small arms and light weapons trafficking, police training, elections, freedom of religion and media, and the broader development of civil society.

To establish these programs effectively, the OSCE will need to see some reforms to its own structures and methods. Among the recommendations that ICG has made are:

Strengthening the role of the Secretary General to facilitate longer-term planning beyond the annual term of the Chairman-in-Office.

Better monitoring of the implementation of aims set out by the headquarters. Many offices operate with a great degree of autonomy, which often does allow them considerable flexibility. But many good ideas that are developed in Vienna and Warsaw die in the field due to a lack of specific interest among the heads of missions.

Improved quality of recruitment, particularly for heads of missions, and improve pay for OSCE field staff. There should also be greater efforts to bring women into the senior ranks in field offices. Very few women are in senior positions in the OSCE, not just in Central Asia but across the board.

Improved training for all OSCE staff. Currently, field officers get just 2 days of training, and many have very limited abilities to deal with culturally and politically sensitive situations.

ICG has worked closely with the government of the Netherlands, the next Chairman-in-Office in 2003, in the preparation of this report, and it is our hope that the United States will give its support to the government in the Hague as it develops a plan to make Central Asia a key priority for the OSCE in the coming years.

Again, I'd like to thank you for the opportunity to speak today.

Mr. SMITH. Thank you very much, Mr. Templer.

I yield to Commissioner Craner.

Sec. CRANER. Thank you, sir. I appreciate that.

I want to begin by saying how happy I am to be up here with you, and I appreciate the invitation.

I also want to commend the three of you and your organizations.

Cathy, you and I worked together on Belarus, back to the days when I was at IRI. I know you continue to keep that issue in your heart.

I have worked with Human Rights Watch very closely. I do not go to Tashkent without seeing your person there. She is always one of my first meetings and always very informative.

Mr. Templer, I do not know if you wrote the report last August on Central Asia that was put out by ICG. But I had dinner with your New York director—I think it was on Monday night—and told her that when many people were not as familiar as they might have been with the situation in Central Asia, last September, they grabbed for that report as something to read.

So I want to commend all three of you and your organizations.

Mr. Templer answered very extensively one question I had written down to ask, and that was your—both Ms. Andersen and Ms. Fitzpatrick gave very detailed ideas for changing OSCE. You zeroed that in on Central Asia.

I wanted to ask the two of you if anything was said that you thought was particularly interesting, or if any of the recommendations you had for changing OSCE you would emphasize in dealing with Central Asia.

Ms. FITZPATRICK. I think Mr. Templer's remarks about the very poor training and thinness on the ground are very relevant, and this is something we have worked on for a number of years and outlined in our report that we issued in 1999 to continue to make our concerns known. The usual formula is a Soviet-era bureaucrat and a Ph.D. student wet behind the ears, and that is your mission. It is just not sufficient.

We think there really should be an OSCE academy of sorts that has really intensive training for these types of conditions. Our people in the missions should have a greater budget. The reason they do not is because of the host states resisting them, but a lot more pressure can be brought to bear, I think, especially given the windows of opportunity now with a closer military relationship.

The one difference I might have with some remarks made is the idea that you have a kind of carrot on a stick, that you hold out economic projects or security projects as a kind of lure to sneak in some human

rights work. This was tried in the Soviet era all the time, and it is predicated on the idea that the interest in economics and security is somewhat genuine, and they are prepared to deal in these fields more honestly and more quickly than they are in other fields.

Nevertheless, I think you find that the same reasons that make governments sluggish in human rights will make them sluggish on the other issues, and there is a certain ruse involved. I think very basic issues—like recently, when Uzbekistan increased their tariffs, the border tariffs, it really walloped especially humanitarian, NGO shuttle traders, and that was an issue for human rights NGOs and investigative journalists to raise, and they ratcheted it back a little bit.

But I think these issues are very much integrated. Information, freedom of the press, freedom of NGOs, monitoring. I think to form something like an association of drivers, you have to have across-the-board radical reform and creation of the third sector in Uzbekistan. You cannot create these things out of thin air.

Ms. ANDERSEN. I guess I would join Mr. Templer in certainly highlighting Central Asia as a priority for the OSCE. When I spoke at the outset about the comprehensive membership of the OSCE as one of its comparative advantages—well, where that really comes into play is in Central Asia; that is what the OSCE has that the Council of Europe does not have. So I think it makes good sense for Central Asia to be a focus.

As for some of his specific recommendations, I would agree absolutely on the importance of better staffing and training for the missions. Also, another recommendation their report had in it—I do not know that you mentioned it—was related to the tenure for heads of mission which varies from mission to mission. In many places, it is only one year. This is the case, for example, in the Assistance group to Chechnya. I think it is a real problem.

In Chechnya, we see time and again the Russians resisting the appointments 3 or 4 months into the year. Finally, they let the head of mission—they agree on the head of mission who can come in. The person gets there, gets on the ground, gets up to speed 6 months into the year, and has 6 months then to do the work, and then we start all over again. It does not make sense, and it is something that should be looked at and developed across the board at the OSCE missions.

A second point on police training being an emphasis, or training for border guards and the like being an emphasis of OSCE activities in Central Asia—while not opposing that, I think there are two things that need to be kept in mind. One, it does have to have an important human dimension, human rights component, to that training, and, second, there does need to be a vetting process to make sure that there is some way to identify those who may have been involved or for whom there is credible—if you look at the Leahy amendment language—and that credible evidence of their involvement in gross violations of human rights, they are not benefitting from that kind of training.

It may be they are just being more polite with you, for obvious reasons, than they are with us. But I also think you only need to look as far as the recent human dimension meeting in Warsaw to see the kind of concern that was raised there about certain aspects of U.S. policy in the war against terrorism.

And in that context, I do want to say that I think it was extremely valuable and useful to put Mr. Taft on the phone at that meeting to engage in that discussion. Without myself agreeing with his answers, I think it was an important exercise, and I commend you for it.

Sec. CRANER. Thank you.

Mr. SMITH. Ms. Fitzpatrick, in your recommendations—and all of your recommendations are very, helpful, and we thank you for them. It helps us as we work through how to improve the OSCE, which is always in need of improvement and streamlining and finding new areas where we can be more effective.

You made a very strong, impassioned number three point about stopping torture, and perhaps you might want to speak to this further. It seems to me that there are some things that we could be doing more of that we are not doing, and that is helping people who are the victims of torture. Victims relief centers—and I know because I did that bill—are still underfunded domestically as well as internationally.

The estimates are, domestically, we have got 500,000 walking wounded in the United States who are the victims of torture, and yet I cannot get—we cannot get additional monies for those centers here. We get some. I have a bill pending now—I cannot get it out of committee—that would enhance the money for victims of torture.

Domestically and internationally, there are, I think, about 150 centers for victims of torture around the world. There are many places that ought to have centers, but do not. It seems like the OSCE should be doing more in that regard as well to promote that.

Plus traumatic stress disorder is one of the long-term consequences of torture, and then people are walking around as tinder boxes who can act against their own selves—suicide or some other self-mutilation—or against others so that—and you pointed out making these societies extremism proof. I mean, they are fertile ground to be exploited and carrying on this cycle of violence. So perhaps you might want to touch on that.

Also, again, getting back to this idea that both information and confessions are often by police, extracted through torture. To get that signed document or to get information that some police or military organization may feel is useful in their efforts. This is particularly disconcerting now in this war on terrorism, that many police organizations that we are supporting, or working side by side with, may use torture to get information. Some of our new “best friends” in Central Asia could certainly be capable of doing this.

I raise this as a footnote here, I held a series of hearings as chair of the International Operations Subcommittee on Indonesia and, unfortunately, the unholy alliance that we had a few years ago with KOPASSUS [*Kommando Pasukan Khusus*, or Army Special Force Command]. I will never forget the picture in the *Washington Post* of Secretary Cohen there with members of KOPASSUS who were putting scorpions on themselves to show how brave and courageous they were. I think they were stupid nuts. But they were doing it to show how tough they were.

Yet when we had Pius Lustrilanang come and testify, who had been tortured by KOPASSUS—and now General Prabowo is someone that nobody wants to admit any contact with, because as general and head of KOPASSUS, or one of the leaders of it, he was a gross human rights abuser. Yet we had a collaboration in Jakarta with them, providing them IMET [International Military Education and Training] training

that included—I will never forget this—how to deal with domestic disturbances inside of cities—in other words, putting the little red beam on someone who is arguing for democracy—a laser—and shooting them, and they were using that when we went from Suharto to Habibe.

I went to Jakarta and asked questions of the military attaché—how can we have this collaboration? I had the hearings. We tried to get the information. Who did we trade, and what did they ultimately do? Did we keep track of the names? Not only did I get a redacted copy of the information that I was requesting, but they said “We do not keep track of the names of the people we train,” which seemed to me to be untrue and gross incompetence if it were to be true.

My question, really, about torture goes to how do we ensure that an IMET program—just the other day, we had a meeting with the new President of East Timor. It is not an OSCE country, but I think it applies to—especially to the caucuses in Central Asia. He goes, “Yeah, maybe resume the IMET program, but do not go to KOPASSUS or any of these other organizations that have proven to be violators of human rights,” because we have had an unholy alliance in the past.

How do we stop that now to ensure that doesn’t happen again, because new IMET programs, new collaborations, new friends in this war on terrorism are being molded every day.

One last point—I will never forget on my first trip to El Salvador, when the insurgency against the FMLN [Farabundo Marti National Liberation] occurred, I heard stories that—you know, you do not want to go into that meeting, because we went after some of the posts where this was being prosecuted, because maybe we will see interrogation methods not to our liking. I said, “Time out,” there should be no interrogation methods that are not to our liking, because human rights have to be upheld, even for someone that you want information from. Torture is never acceptable.

Perhaps you want to respond to that.

Ms. FITZPATRICK. I think there are many things that can be done, and it is not easy, and it does require a lot of coordination. One is what I have already mentioned about speaking out in the missions and mentioning the names of cases of prisoners that are known, because inquiring about them regularly can sometimes serve as a deterrent.

Currently, the OSCE manual for field missions on the torture issue talks about reporting only at the discretion of the head of mission. That means that a staffer who discovers torture has to rely on having a very sharp and attentive mission head who is also willing to speak to Vienna, and it is too many hurdles. This should be streamlined. There should be more of a protocol for dealing with torture allegations and investigating them and reporting publically on them and having visits to prisons.

Secondly, I mentioned the optional protocol on torture. To a certain extent, it is another kind of inane exercise in norm setting. But, in fact, it is also a negotiation process with some of these same difficult regimes that are known for torture, and it is about creating a network and a schedule of visits. I know that some U.S. bureaucrats and some agencies have a kind of horrified notion that Iranian spies are going to be wandering around the Nevada test site looking for torture victims and snapping many photos of things they should not be snapping.



But we have to think of it more in terms of the deterrent effect in Chechnya, in Turkey, and some of the OSCE members in Uzbekistan, and where even the attempt to schedule visits to raise the issue is going to have some amelioratory effect.

Another thing I think has to be looked at is so much of the training in these OSCE countries, in Central Asia, it is not the military, per se, that is torturing, except for conflict areas like Chechnya. It is the MVD, the interior ministry. It is particularly the organized crime departments, like in Baku, the Gorotdel and others—the Russian organized crime units. The organized crime combatters are organized in torturing, not only for getting confessions, but also to humiliate and keep people broken and keep them dependent, keep them in the circle of informants for their lives.

So the FBI is the entity—and the Department of Justice is dealing with these bodies. While we do not have the legislation, we do have the moral imperative to make the FBI and other policing agencies more conscious of those entities they are dealing with and to raise some of these concerns, especially when we have them well documented, even in the State Department's country reports.

And, finally, I would stress the need for the presence of lawyers in pre-trial detention, access to lawyers—and also note here, very little OSCE activity happens in Russia. Russia is usually left out of most OSCE concerted efforts, because we become very focused on situations like Macedonia or Uzbekistan. I think more exchanges with lawyers and law enforcement agents and more raising of the issue of torture, especially with some of the reforms that are taking place in Russia and the code of criminal procedures, is an opportunity to do more in this area.

Mr. SMITH. I deeply apologize for this, but there is another vote, and I was just informed there are 3 minutes left. I will ask one question, and then turn it over to Secretary Craner and Ron McNamara, if they have any questions.

But I would like to throw a question out, and I will read the answer or get it from my staff when I return at the end of the hearing. It concerns Lukashenka and Belarus. At the OSCE Parliamentary Assembly, I offered a resolution during the first day of the proceedings not to seat the six members of the National Assembly who were coming from Belarus for a couple of reasons, one, the illegitimacy of their Parliament and the unfair and free election, but, secondly, the fact that the Lukashenka had given the boot to the OSCE mission.

It seemed inconceivable for us to be receiving such a group, illegitimate as they are, at the same time that Lukashenka is showing such disdain for the OSCE and all it stands for. We won by one vote. When you added in the abstentions, plus the no votes—even Mr. George, who is now president of the Parliamentary Assembly on behalf of the British, voted against us by abstaining. It was very discouraging to me to see that lack of resolve on the part of the Parliamentary Assembly.

Now, the OSCE, it seems to me, is not dealing very strongly with this continued trashing of the mission, which ought to be up and running, and it is not. Perhaps you might want to speak to that, because I think it shows some of the cracks in the structure itself, in addition to being a problem, vis-à-vis, Lukashenka and Belarus.

I do have to run, and I apologize.

Ms. FITZPATRICK. Mr. Chairman, I commend you for holding the line on that issue of denying a seat to the nominal legislative entity in Belarus and maintaining the contact with the democratically elected remnants of the old Parliament that was disbanded. That is very important, and I think you have to continue to hold the line.

I think your Congressional efforts have to be backed up by efforts at the State Department and other levels in the executive branch to do what was done 2 years ago, which was to *démarche* the capitals—each capital, which was an abstainer or a no-vote—to *démarche* them on this question of the seat. The seat is very symbolic. It is about the destruction of a democratic institution and a sham substitute, and it should remain as a top level issue for European agendas, that, literally, there is a *démarche* in each capital on this issue. I think that is what it will take. I think, also, sustaining the connections to the parliamentarians who are essentially ousted.

Ms. ANDERSEN. The only point I would add to this—and it is a dynamic that I have dealt with more in the context of the seating of the Russian delegation at the Parliamentary Assembly at the Council of Europe, where there was a similar dynamic. I think it is very important that the U.S. delegation put back to those who abstained—they, no doubt, as we found at the Council of Europe, abstained on the grounds of “Well, it is better to have them there. We can talk to them. If we boot them out, then we do not even have that line of communication.”

I think in the end, the appropriate answer needs to be, then, what are you going to get from that, and then there is a real burden on those who want to sustain that dialog, that it actually delivers.

Sec. CRANER. I have one more question...

Ms. FITZPATRICK. Mr. Chair, if I could add just one other follow-up to that, I think really the whole seat issue is about Russia and Putin’s dislike of Lukashenka and his jockeying for different positions around the union and so on. The reality is that Putin passes off his portfolio to Selezynov and to other hard-liners in the Russian parliament, and he left them running the whole—the politics of it, and they are very—Russians are very organized in getting their votes and also invoking procedural issues, and others are much more slow in getting on the ball in that. They get their votes, and I think we have to start a year in advance to get ours.

I think we also have to make it a bilateral issue with President Putin that we view his continued support of the phony Parliament is OSCE—Parliamentary Assembly as unacceptable.

Sec. CRANER. One more question. I was prepared to give a negative answer on the question of the Copenhagen standards for elections on the issue of reopening them. Do you see any merit to that idea at all for improvement, or do you think there is too much danger that they would be watered down to reopen election standards?

Ms. ANDERSEN. I think there is—I’d have to look into it further, and I’d be happy to do that. I think there is a very real danger of them being watered down. It goes to a more generalized problem in the OSCE, in the consensus approach to standard setting and decision making at the OSCE, which certainly has its benefits, but also in standard setting can result in a lowest common denominator approach.

We hear a lot in contemporary discourse now about the importance of multi-lateralism versus unilateralism and multi-lateralism being held up as consistent with international law and international human rights.

I would suggest it is not necessarily the case if the multi-lateralism occurs on a consensus basis, and there, you really do have very much a problem of this watering down. I think what is important in a multi-lateral forum like OSCE is that there be strong leadership, and the U.S. Government has traditionally provided that, and I would hope in this context it would do so.

If there were a way to open it up, but set a baseline on certain important issues, and if it falls below, you revert to the default—old standards. That might be a way to go about it.

Ms. FITZPATRICK. I think you could make arguments on both sides of that issue. If you were to reopen the negotiations, you might be spending 30 years on trying to solve them, especially as you get to the members farther east. But that is why I am proposing two ways of getting around that problem—you do not want to go below what you once achieved. But it was achieved in 1990, and that was before 1991, and it was before 2001.

So I think you have to readdress it, and I think you can do it bureaucratically rather than diplomatically. One action is what I mentioned before about the core set of pre-election standards which are not really so much spelled out in Copenhagen. I mean, the menu of OSCE conditions, including this perennial issue of the presence of opposition in the electoral Commission, which is always an obstacle—that kind of bureaucratic focus that can be made just by having a good ODIHR leader to tell the staff they must do that, that they take the political direction from the permanent council, of course, but you do not need a resolution to shift that bureaucratic focus to Copenhagen pre-election work.

There are other ways in which you can make the bureaucracy focus on the other bug-a-bear of Copenhagen, which is freedom of association and NGO registration. There, I think, first of all, you need a better OSCE manual. The current manual on NGOs and laws and so on—it is uneven and is problematic in places.

I think, also, you have to have a bureaucratic focus that shows up in some entity. We have proposed different things over the years, whether it is a special representative on freedom of association or whether—we know there are budget and other political constraints on that, so we have proposed a working association—working group on association—it doesn't matter the form. It is a focus. It is a focal point, a diplomatic imperative, a bureaucratic imperative. You do not need to reopen Copenhagen to just focus on those two issues.

Sec. CRANER. Thanks. Those are all good ideas.

Do my colleagues have any more questions?

Mr. KURSCH [Senior Advisor, Commission on Security and Cooperation in Europe]. I certainly agree with the notion that the OSCE needs to focus more on Central Asia. In particular, I would very much welcome your thoughts on what it can do to empower the still very weak civil societies and NGO organizations in those countries.

I was just at the Warsaw meeting as well, and, certainly, we have seen the emergence of these organizations in Southeastern Europe. But there is an enormous weakness for Central Asia, and your ideas regarding specific actions that might be taken would be most useful.

Ms. FITZPATRICK. I think you cannot artificially pump up a civil society that does not exist, or if it is so fragile that you overwhelm it with attention and aid, although it could do with more direct aid than it has been getting in some these countries. But I think sometimes what

the missions have to do is assume the functions of civil society itself, and particularly with monitoring and encouraging official agencies to develop grievance procedures.

I think there, the potential pool for civil society involvement in a future better judicial system—lawyers and judges and journalists and other professional teachers—and so you are drawing them in through these efforts that maybe are run by the mission or run as a bilateral or as a multilateral among governments. But it is inclusions of those potential elements that could become civil society, and it is also about protecting those that are brave enough to step out, even when it does not really exist, and have the support.

Ms. ANDERSEN. I think you are absolutely right that that is a critical need in the region. I think if I were to identify maybe two groups of civil society to focus on for assistance in the region, one would be women's organizations, and we have done work, particularly looking at domestic violence as a problem in the region, and there is certainly a need for assistance to groups who can support women and give them some escape from abusive situations.

Second would be lawyers, and assistance to existing organizations for legal assistance. They are—human rights defenders, in particular, are embattled in all of the countries of Central Asia, and there is a need for legal assistance.

We often have cases of people detained in situations, facing torture or life-threatening situations, and not having a lawyer to help them, to represent them, and that would be an important check and worth investing in.

Mr. TEMPLER. I think the key role for the OSCE in this is the monitoring of the treatment of civil society organizations and publicizing the information that they do collect on that. It has been important in Kyrgyzstan, for example, that the OSCE officer has been reasonably good about speaking out in terms of protection of civil society organizations when they've been threatened by government action. I think it is a key area for the organization.

Sec. CRANER. Thank you all again for being here today, and let me commend you all again. I told a couple of people when I went into government that I would be getting about half of my information from cables and the other half from my old friends in the NGO community. So I want to thank you for contributing to that today.

We will conclude the hearing. Thanks.

[Whereupon, at 12:15 p.m., the hearing was adjourned.]

**PREPARED STATEMENT OF  
HON. BEN NIGHTHORSE CAMPBELL, CHAIRMAN,  
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

This hearing has been convened by the Helsinki Commission to review U.S. policy toward the 55-nation Organization for Security and Cooperation in Europe (OSCE). I would like to start out by stressing how much we appreciate the close working relationship that has developed between the Commission and the Department of State over the past years. This hearing is an opportunity to build on that partnership as we look ahead.

The Commission is keenly interested in how the Administration is making use of the OSCE to promote U.S. interests in the expansive OSCE region, in particular as a tool for advancing democracy, human rights, and the rule of law. These are core values of the Helsinki process, recognized as integral to peace and security both within and among States.

The United States should not shy away from difficult subjects because they might be unpleasant to another government. As human rights defender Andrei Sakharov once observed, "the whole point of the Helsinki Accords is mutual monitoring, not mutual evasion of difficult problems." One of the strengths of the OSCE is that our countries, on the basis of consensus, have developed a body of shared commitments. In this regard, I welcome the leadership Ambassador Minikes has demonstrated since taking up his post as Head of the U.S. Mission to the OSCE in Vienna.

To be truly effective, however, the various components of the U.S. foreign policy apparatus—the State Department, U.S. embassies in the field, and the U.S. Mission to OSCE—must be mutually reinforcing. It is also imperative that senior U.S. officials visiting participating States be consistent in the message they deliver. This is especially true when it comes to the countries of Central Asia.

The events of the past year since we last met to take stock of our common work confirm that the values and commitments reflected in the Helsinki Final Act are more important than ever, and that the OSCE can be an invaluable tool in strengthening the implementation of these commitments and thereby our security.

The OSCE's definition of security encompasses not only the human dimension, but the economic and security dimensions as well. The Commission is paying increasing attention to the multi-dimensional aspect of the OSCE's work. Often, issues cannot be pegged to a single dimension. For example, independent, effective judicial systems are crucial to redress for human rights violations; they are also crucial to the development of strong market economies. Police forces are instrumental in ensuring security, but sometimes can be themselves perpetrator of human rights violations. Corruption threatens the development of democratic institutions in many countries, and organized crime is a major source of funding for terrorist organizations. The OSCE is well-positioned to address many of these cross-dimensional issues.

Corruption and organized crime remain major roadblocks to progress in democratization and development of rule of law in many transition countries. I am concerned that if corruption is not addressed, OSCE efforts to develop democratic institutions will falter. I urge the Department to explore ways to promote practical cooperation among the

55 OSCE countries in combating corruption and international crime and how this critical topic might be reflected in the Porto Ministerial document.

I would like to touch briefly to specific concerns in three OSCE participating States: Georgia, Belarus and Ukraine.

Developments in the Republic of Georgia appear almost on a daily basis in our newspapers and the Commission recently convened a hearing to assess the grave situation in that country. Given the involvement of scores of Coloradans in the U.S.-sponsored train and equip program, I am particularly concerned over threats to the sovereignty and independence of Georgia that could impact U.S. forces deployed in that country. The United States must remain actively engaged diplomatically to avert possible aggression from Russia.

In Belarus, the regime remains determined to pursue a reckless course of self-isolation as the human rights and economic conditions in the country deteriorate even further. The lack of legitimate executive and parliamentary leadership can only be remedied through the holding of free and fair elections in a manner consistent with OSCE commitments. Meanwhile, the U.S. must remain steadfast in support of Belarusian democracy in recognition that the people of Belarus deserve a better future.

Finally turning to Ukraine, the gravity of President Kuchma's personal approval of the sale of sophisticated radars to Iraq requires a decisive and unequivocal response from the United States. A cosmetic approach will not suffice and those who would promote a measured response are shortsighted. The issues at stake are too high to conduct business as usual with him. Priority should be given to investigating any financial links between the Ukrainian leader and his associates and sales to rouge states, including Iraq. Devoid of credibility, Mr. Kuchma deserves to be treated as the pariah he has become.

**PREPARED STATEMENT OF  
HON. CHRISTOPHER H. SMITH, CO-CHAIRMAN,  
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. Chairman, roughly one year ago we held a similar hearing on U.S. policy and the OSCE, and while we knew then that our world had changed, we had not yet come to terms with the scope of that change. When I first became involved in these issues as a member of the Commission in the early 1980s, the focus was on the repression of certain entire societies and the imprisonment of innocent men and women in the former Soviet Union and East Europe because of their beliefs or their writings. Today, we are all focused on fighting global terrorism. U.S. policy in general has had to be reexamined in light of this changed world, including how we use the OSCE.

Without a doubt the events of this past year have only underscored the importance of protecting human rights, and developing democratic institutions and the rule of law. This is the only way to ensure security and stability in the world. The events of the past year have shown that no country is isolated from the violence that is fed by intolerance and repression. Repressive regimes only feed the unrest, alienation, and frustration that are often used by terrorists to garner support for their depraved aims. Freedom of expression and independent media are crucial to preventing the rise of extremism.

Since September 11, 2001 we have made significant progress in fighting terrorism, particularly in Afghanistan. But clearly much work remains to be done. Terrorists and extremist groups are still active, even if they are on the run. As they are being driven from Afghanistan, they will inevitably seek other places to try to garner safe haven and support. Countries neighboring Afghanistan—such as those in Central Asia—are understandably concerned. However, several of them wrongly believe that cracking down on what they view as “religious extremists” is the way to prevent terrorist organizations from taking hold in their countries. It is just the opposite. Preventing citizens from expressing their religious views, their political views, or their ethnicity only disillusion them and turns them against the government. In such cases, extremist—or even terrorist—organizations may seem to think that terrorist actions are the only way to express their anti-government sentiments.

Officials in this region also often resort to widespread arrests and even to torture to extract so-called confessions from those accused of belonging to alleged terrorist organizations. Again, this only creates a climate of disaffection and hatred which real terrorists can exploit to garner support. Post September 11, the United States is providing a large amount of bilateral assistance to Central Asian States. Much of this is technical equipment aimed at combating drug trafficking and other manifestations of organized crime that fund terrorist organizations. But we should examine how the OSCE could be used more fully to develop NGOs and civil society, democratic institutions, rule of law, and respect for human rights in Central Asia. These issues are even more critical to ensuring that these countries are stable, secure, and continue to be partners in the global fight against terrorism.

Terrorists and organized crime rings increasingly also traffic human beings as a source for their income. This modern-day form of slavery is one of the most egregious violations of human rights in the world today. Virtually all OSCE States are either source, transit, or

destination countries. The OSCE is working to address these issues; I look forward to discussing how we can develop it even further the tools to fight this vicious crime.

Mr. Chairman, in this new changed world in which we find ourselves, I believe it is imperative that human rights remain prominent on the OSCE agenda. The United States must demonstrate in word and deed that this country has not abandoned human rights for the sake of the global fight against terrorism. We need to reassure the world that it is just the opposite: human rights are more important than ever. I believe the OSCE can serve as an important tool in reinforcing this message with longstanding, as well as new-found allies.



**PREPARED STATEMENT OF  
HON. GEORGE V. VOINOVICH, COMMISSIONER,  
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

I would like to thank the chairmen for scheduling this hearing today to examine U.S. policy toward the Organization for Security and Cooperation in Europe (OSCE). I am glad to have the chance to be here, and I look forward to hearing the testimony of our witnesses.

I continue to believe that the OSCE does crucial work to promote human rights and democracy in Europe and Eurasia. I have been pleased to participate in the annual meeting of the OSCE Parliamentary Assembly during the last 4 years.

While the Parliamentary Assembly meetings are just one part of the OSCE's overall agenda, I believe they serve as a vital forum where we, as United States lawmakers, are able to come together with our counterparts in 54 other OSCE Participating States to discuss pressing human rights issues facing the international community.

At the meeting this year in Berlin, we examined the role that the OSCE can play in the global war on terrorism. We also discussed items that have been on the OSCE's agenda for many years—such as organized crime, corruption, money laundering and the trafficking of arms, drugs, and human beings. The significance and urgent need to pay attention to these growing problems has been heightened in the aftermath of the terrorist attacks against the United States on September 11, 2001.

Also on the agenda in Berlin was a separate session to highlight an alarming increase in anti-Semitic violence in Europe. At the meeting, co-chaired by Germany and the United States, members of the international community came together to call attention to the growing problem, and to call on OSCE Participating States to take action. In addition, the Parliamentary Assembly adopted a resolution on anti-Semitic violence in the OSCE region, which condemned the escalation of anti-Semitism, recognized the danger of anti-Semitic violence to European security, and urged participating states to bolster the importance of combating anti-Semitism—by taking action to direct law enforcement to complete thorough investigations of anti-Semitic criminal acts, holding follow-up seminars to explore effective measures to prevent anti-Semitism, and condemning anti-Semitism in their countries and in regional and international forums.

Many of us believe this issue must stay on the front burner. I encourage the OSCE to devote one of the three supplementary Human Dimension meetings next year to the subject of anti-Semitism in the OSCE region. I am also hopeful that at next year's session of the Parliamentary Assembly, delegates can report back on the action they have taken to combat anti-Semitism in their respective countries.

Additionally, I have continued to pay close attention to the work that the OSCE is doing in southeast Europe. In Berlin, the Parliamentary Assembly passed a resolution, which I sponsored, that recognized continued challenges in the region and urged the international community to remain engaged to promote peace and stability in southeast Europe. It expressed support for ongoing democratic reforms, and recognized progress that has been made in countries in the region, including Macedonia, the Federal Republic of Yugoslavia, and others. It also called on the Federal Republic of Yugoslavia to cooperate fully and unreservedly with the War Crimes Tribunal.

I am pleased that the OSCE remains active in efforts to promote stability in the region. In May, I had the opportunity to visit with the Head of the OSCE Mission in Kosovo, Ambassador Pascal Fieschi, during a trip to Pristina. We talked about the "benchmark goals" released by the U.N. Mission in Kosovo, which call for continued efforts to promote respect for human rights in Kosovo. I encouraged Ambassador Fieschi to monitor progress on the implementation of these goals, and to use them as a guide for assessing where we should redouble our efforts.

During my meeting with Ambassador Fieschi, we also discussed the vital work that his team is doing to promote democratic reform and respect for human rights in Kosovo. They were encouraged with voter participation in parliamentary elections last November, when members of Kosovo's minority communities came to the polls to cast their ballots. Right now, the OSCE team in Kosovo is focused on the October 26th municipal elections, and they have been working hard to again encourage all eligible voters to exercise their right to vote. They are also engaged in efforts to promote respect for human rights and to improve the situation for all of Kosovo's citizens, including minority groups. I believe their work is a crucial component of the international community's efforts to promote security and democracy in Kosovo.

I also spent time in Macedonia this spring, where OSCE staff members are monitoring the implementation of the Ohrid Framework Agreement, which was signed by the Macedonian Government and ethnic Albanian political parties in August 2001. The OSCE was also present for the parliamentary elections that took place on September 15, 2002, resulting in the peaceful transfer of power from Prime Minister Georgievski to Branko Crvenkovski. This is a major accomplishment, and it is important to the stability of Macedonia that the OSCE continue to monitor progress on efforts to uphold the Framework Agreement.

These initiatives are just a sampling of the OSCE's involvement around the world, but I believe they make crucial contributions to efforts to promote human rights and the merits of democracy. I will continue to stay on top of the OSCE's work in southeast Europe, as well as efforts to combat the perils of organized crime, corruption, and anti-Semitism in the OSCE region.

I am pleased that one of our former Ohio state troopers, who spent time working with the U.N. police force in Kosovo, has just joined the OSCE Special Police Matters Unit. His team is working to coordinate police missions in Bosnia, Kosovo, and other places in the world, and hopes to improve upon them.

At the Parliamentary Assembly meeting in Berlin, we passed a resolution which urged the OSCE, working with the international community and regional initiatives such as the Southeastern European Cooperative Initiative (SECI) and the Stability Pact to prioritize the problems of organized crime, corruption and trafficking in human beings, arms and drugs, and to increase coordination to more fight these realities. I believe the work of the OSCE and this special unit is crucial in this effort. Sharing information and building upon best practices will go a long way in the world, and I believe it is crucial that the

OSCE, working with the United States and the European Union, as well as groups like SECI and the Stability Pact, continue these important endeavors.

As a member of the Senate, I will continue to remain engaged with the Organization for Security and Cooperation in Europe. I am thrilled that our Ambassador to the OSCE, Stephan Minikes, has been very involved and active, and I look forward to working with our colleagues at the State Department and in the international community to promote respect for human rights at home and abroad.

Thank you, Mr. Chairman.

**PREPARED STATEMENT OF  
HON. A. ELIZABETH JONES, ASSISTANT SECRETARY OF STATE  
FOR EUROPEAN AND EURASIAN AFFAIRS,  
U.S. DEPARTMENT OF STATE**

Chairman Campbell and Co-Chairman Smith, thank you for this opportunity to appear, along with Assistant Secretary Craner of the Bureau for Democracy, Human Rights, and Labor, before the Helsinki Commission. We in the European Bureau—and Ambassador Minikes and his fine staff in Vienna—would like to thank the Helsinki Commission for the close cooperation we have enjoyed during the past year.

I would note that the OSCE has become one of the most effective tools for promoting democratic values, serving as a reliable instrument for conducting and monitoring elections, promoting free media, and ensuring the democratic rights of ethnic minorities. The OSCE supplements the work of NATO and the European Union without competing with them. The last time I appeared before the Commission, less than a month had passed since the tragic events of September 11. I spoke then of the Administration's determination to make the Organization for Security and Cooperation in Europe (OSCE) an important actor in the gathering struggle against terrorism. I am happy to report that significant progress has been made. I would like to review these developments with you and outline the efforts we have made across the three OSCE dimensions—the human, the economic, and the security—to ensure that this vital organization remains relevant and responsive to the world in which we now live.

**COUNTERTERRORISM EFFORTS**

In the run-up to the December 3-4 OSCE Ministerial in Bucharest last year, the 55 participating states of the OSCE worked hard to develop an appropriate response to September 11. This effort paid off with agreement on a comprehensive Action Plan on Combating Terrorism. The Plan committed all OSCE members to become parties to the 12 U.N. terrorism conventions and protocols by December 31, 2002. Members also pledged to take steps to prevent terrorist groups from operating on their territory, to share information on such groups with other participating states, and to take action to prevent and suppress the financing of terrorist organizations. The Action Plan tasked all OSCE institutions and bodies to prepare roadmaps with timetables and resource requirements for implementing their portions of the Action Plan.

Two weeks after Bucharest, the OSCE met in Bishkek, Kyrgyzstan and endorsed an additional Program of Action at the Conference on Enhancing Security and Stability in Central Asia. The Bishkek Programme echoed many of the Bucharest recommendations. It added a pledge to take further action on the financial aspects of combating terrorism. Specifically, states will consider implementing the standards of financial accountability and transparency embodied in the recommendations of the Financial Action Task Force (FATF) on money laundering and terrorist financing (which is housed within the OECD), and to take immediate steps to block the assets of individuals and entities linked to terrorist financing.

In the months since the Bucharest and Bishkek meetings the OSCE has been working diligently to follow through on the above commitments. A majority of OSCE states have now signed or become parties to nine out of 12 of the conventions. We continue to work with participating states for further progress in this area. In February, the OSCE Chairman in Office appointed former Danish Defense Minister and current MP Jan Troejborg as the Personal Representative for Preventing and Combating Terrorism. The OSCE has created an Anti-Terror Unit in the OSCE Secretariat, staffed by experienced diplomats, to work with Mr. Troejborg to bring focus to day-to-day work on implementing the Bucharest and Bishkek plans. OSCE Police Advisor Richard Monk, meanwhile, has been working with Central Asian states to assess how the OSCE can best help them in resisting the spread of terrorism.

In addition, the OSCE has made notable progress on terrorist finance issues. The annual OSCE Economic Forum Meeting in Prague in late May discussed the Financial Action Task Force (FATF) recommendations on terrorist financing. Following this conference, OSCE participating states adopted a U.S. proposal committing each state to complete a self assessment by September 1 on efforts their compliance with the FATF recommendations. This initiative committed 34 states, not otherwise obligated to do so, to complete the self-assessments on their compliance with the FATF recommendations on terrorist financing.

In addition, the OSCE, in cooperation with the U.N. Office of Drug Control and Crime Prevention, is conducting training seminars in Central Asia on money laundering and terrorist financing issues. This program will strengthen the ability of these states to implement the commitments they have undertaken and to prevent terrorist organizations from obtaining access to funds that could support their activities. The U.S. was the major financial contributor to this project.

The U.S. and Russia jointly proposed the creation of a database where OSCE states can post requests for assistance or OSCE institutions can post funding requests for counterterrorism-related programs, and other states can post offers for assistance. This proposal was itself part of a broader effort we have launched to work with Russia at OSCE in areas of mutual interest, beginning with counterterrorism.

We have also been working with the Portuguese Chair, the Russians and the EU to develop an OSCE Charter on Terrorism to be adopted at the December Ministerial in Porto. This will be a short statement of core principles to serve as a guide and spur to future work of the OSCE on this fundamental issue

### **SECURITY DIMENSION**

As part of its counterterrorism efforts, the U.S. has proposed establishing an annual OSCE security review conference. This would provide an enduring forum for evaluating the work of the OSCE in promoting progress on counterterrorism. It will also serve as a forum for reviewing other OSCE activities in the security dimension, including those of its regional and field offices. By establishing such a conference we could ensure that the OSCE remains focused on implementing its counterterrorism agenda and providing necessary assistance in the years to come.

The review conference would take its mandate from the proposed Terrorism Charter and, particularly during its first years, focus on evaluating and reviewing implementation of the Bucharest Action Plan, Bishkek Document and relevant elements of UNSCR 1373 on counter-terrorism.

Improved coordination between the OSCE, the EU, and NATO also is important to broadening the work of the OSCE in the security dimension and in achieving U.S. priorities. Such cooperation is becoming more important as all institutions are taking on new responsibilities, especially regarding challenges to regional security, including terrorism, border security and trafficking.

### **ECONOMIC AND ENVIRONMENTAL ISSUES**

The OSCE recognizes that economic and environmental issues can be the basis for security concerns, and if not addressed may threaten stability. Its economic dimension seeks to bring states together to address common problems such as water resources, development issues, and corruption.

The United States seeks a broadening of the OSCE's economic efforts, which can provide significant support to both the human and security dimensions. For example, in the coming year the OSCE's Economic Dimension will focus greater attention on the economic aspects of all forms of trafficking in persons. One area of new activity under discussion is developing legitimate business opportunities—especially for women—to mitigate the economic desperation that can compel people to fall into trafficking.

We believe the OSCE can function best as a provider of economic expertise. Particularly in re-integrating societies that have experienced ethnic conflict, the OSCE is well suited to provide training in crucial areas such as policing and customs collection and management, and in helping societies making the transition from a command economy to develop the legal framework necessary to build respect for the rule of law.

In addition, we support and promote anti-corruption and good governance activities in the OSCE area, noting that corruption and lack of transparency are important obstacles to business development, outside investment and adequate legal redress.

### **ENGAGEMENT WITH RUSSIA**

The OSCE is an important forum for engaging cooperatively with the Russian Federation. Since the terrorist attacks of September 11, 2001, the organization has proven to be a significant arena for the development of the new Russian-U.S. relationship. Broadening the work of the OSCE—to include additional activities in the economic and security dimensions as noted above—addresses many Russian concerns, while also advancing U.S. objectives. This effort has already borne fruit on cooperation in the counterterrorism field and other areas. We expect this cooperation to continue to lead to greater operational effectiveness within the OSCE.

In our view, this must also include cooperation across the full range of OSCE activities, including the human dimension. One of our primary goals in this endeavor is to strengthen Russian recognition of the OSCE as a valuable means of fostering democratic development in Russia and in enhancing its ties with neighbors and the West.

With no end in sight to the conflict in Chechnya, we must ensure that the OSCE Assistance Group can exercise its mandate to promote a political solution to that conflict, to protect human rights, and to work toward the economic and social rehabilitation of that area.

#### **ARMS CONTROL AND CFE ISSUES**

The OSCE plays an important role in providing a venue for effective engagement with Russia on a number of arms control issues. Of particular importance right now are questions on the implementation of the CFE Treaty-related commitments made on withdrawal of Russian forces and equipment from Georgia and Moldova at the 1999 OSCE Summit in Istanbul.

While important results have already been achieved on implementation of those commitments, key issues remain to be resolved regarding the duration of the Russian military presence at two bases in Georgia, and the status of the Russian presence at a third, in Abkhazia. In Moldova, withdrawal or disposal of Russian military equipment, including tons of ammunition and thousands of small arms, has been stalemated during 2002 by opposition from Transnistrian separatists. In early October the Russians were able to reach agreement with the Transnistrians permitting the withdrawal of a full train-load of ammunition. We will continue to work for further progress with all parties on this issue.

#### **THE HUMAN DIMENSION**

As Secretary Powell noted on August 1, human rights remains essential as we wage war against terrorism. The OSCE is a critical forum in that effort. In addition to the many field missions that have a substantial human rights focus, the OSCE sponsors an annual Human Dimension Implementation Meeting in Warsaw, Poland. The OSCE Parliamentary Assembly also play an important role in this area, as evidenced by its resolution—passed in July—requiring Belarus to cooperate with the Assistance Monitoring Group as a pre-condition for seating Belarussian parliamentarians. The United States strongly supports such efforts to bolster the commitment of the OSCE to human rights. The fact is that, even as we broaden the range of OSCE activities to encompass issues such as combating terrorism, human rights remains the heart of what the OSCE does.

#### **CENTRAL ASIA**

Central Asia is becoming an increasingly important area of attention for the OSCE. The organization serves as a vital forum for us to discuss human rights issues and to promote democracy in the Central Asian region. Given the need for both economic and political development in the area, the United States needs to address human rights concerns along with efforts to broaden the activities of the OSCE.

We have developed a plan of action for increased OSCE involvement in the Central Asian region that includes:

- *Terrorist Financing.* The Central Asian States could do more regarding the Financial Action Task Force (FATF) recommendations on money laundering and terrorist financing but are limited by a lack of resources. The OSCE can be the catalyst for providing assistance to the Central Asian States about how to implement the FATF recommendations. This effort is already underway and training has been started.
- *Police Training.* As sound policing is critical to any counterterrorism effort, the OSCE could determine how it might apply experience gained in its policing programs to Central Asia. The Bucharest Action Plan specifically targets border security, trafficking in persons, trafficking in drugs, money laundering and arms trafficking. The OSCE could help enhance police training in Central Asia in: concrete policing skills; inter-ethnic policing; and observance of human rights.
- *Rule Of Law/Judicial Reform.* To complement police and other security force training and to strengthen a bedrock element of democracy, OSCE could contribute to strengthening the capabilities of courts and lawyers, both prosecutors and defense attorneys. Emphasis could be on areas such as court administration, the use of evidence resulting from improved policing skills, legislative drafting and/or training in laws relating to trafficking, money laundering, other economic crime, and other crimes related to terrorism or support of terrorism.
- *Trafficking in Persons.* Trafficking in persons is a problem across the OSCE region and will be a focus of the Dutch OSCE Chairmanship in 2003. OSCE should focus programs on public education in source countries, including Central Asia, and assist with drafting legislation making prosecution of traffickers easier and protecting the rights of victims.

Ultimately, our focus on human rights and democracy continues to be the most important pillar of our OSCE strategy in the region. In order to combat terrorism and defeat extremist insurgencies in the region, we need to encourage the development of democratic institutions that respect human rights.

### BELARUS

During the past year, Belarus has been the object of some of our most serious human rights concerns. On September 6, the Belarusian Foreign Ministry denied without credible justification a request for a visa extension for the OSCE's Advisory and Monitoring Group Mission's (AMG) human rights officer in Belarus. Earlier this year, Belarus denied visa extensions to the AMG's Deputy Head of Mission and its Political officer, thereby bringing to a temporary halt the AMG's activities in Belarus.

Belarus argued that it found no grounds for extending the visas. Yet numerous reasons for an extension can be offered. Civil society increasingly is under attack by the Lukashenko regime. Journalists have been imprisoned and newspapers closed down. Minsk has sought to crush all legitimate opposition. Members of NGO's have been assaulted, fined, and imprisoned and opponents of the regime have disappeared. Credible reports indicate that a regime death squad is responsible for these disappearances. Meanwhile, the presidential



election held last year failed to meet international standards and, unless serious electoral reforms are adopted, local elections expected in early 2003 will face the same fate.

The OSCE AMG is tasked to help Belarus address these kinds of issues. Concern over what is happening there will not disappear with the expulsion of another member of the AMG. Belarus will remain a regular issue of concern and discussion by the OSCE. Belarus will not be able to normalize its relations with the United States and other members of the Euro-Atlantic community unless it permits the resumption of the activities of the AMG and makes progress in adhering to the four conditions established by the OSCE.

Additional delay on the part of the Belarus regime will only further its self-isolation from the Euro-Atlantic community and ensure that this issue becomes a topic for the December OSCE Ministerial in Porto. We continue to support the efforts of the Chair to resolve this impasse and secure a return of the AMG to Belarus. At the same time, we are discussing with other delegations additional measures that can be taken to address human rights concerns in Belarus, such as the Moscow Mechanism.

### THE BALKANS

The OSCE plays a leading role in enhancing peace, stability, and democracy throughout Southeastern Europe. OSCE missions in Kosovo, Bosnia, Croatia, the Federal Republic of Yugoslavia, Macedonia, and Albania are key to this effort. The establishment last year of a mission in Belgrade is already paying dividends in helping to support the democratic transition in Yugoslavia. The OSCE has trained some 460 multi-ethnic police in South Serbia, a sensitive area near Kosovo. The training has helped build a police force that reflects local demographics, both gender and ethnic. The portion of ethnic Albanian police in this area is now 60%, whereas at the beginning of 2001 it was close to zero. The OSCE has been actively involved in helping to transform Radio and Television Serbia (RTS), once a mouthpiece of the Milosevic regime, into a public broadcaster. As RTS is still the largest broadcaster in Serbia, its transformation is especially important in spreading the messages of tolerance, objectivity and fairness—important confidence building measures for the entire population.

In 2001, the OSCE responded energetically to the crisis in Macedonia, and continues to assist with post-conflict stabilization and implementation of the August 2001 Framework Agreement. The OSCE provided confidence-building monitors and police advisors to ensure the smooth return of multi-ethnic police to former conflict areas. It is helping to train one thousand new recruits for a multi-ethnic police force and is continuing related efforts to strengthen Macedonian civil society. ODIHR's robust monitoring presence during the recent parliamentary elections helped to ensure that Macedonia took another strong step forward in overcoming last year's crisis.

In Kosovo, OSCE seeks to develop multi-ethnic institutions and assist in the transition of those institutions to autonomous control, support the establishment of provisional self-government for Kosovo's citizenry, and safeguard human rights for all residents of Kosovo, including Serbs and other ethnic minorities. In keeping with this mandate, the OSCE mission in Kosovo will conduct municipal elections in October.

In Bosnia, the OSCE continues to support the objectives of the Dayton Agreement through its work in elections support, human rights, and democratization. As a result of its efforts, many activities have been returned to local control and the mission budget reduced commensurately.

### **SEEKING A POLITICAL SETTLEMENT IN MOLDOVA**

Since the 1994 cease-fire between the Government of Moldova and the authorities of the breakaway region of Transnistria, the OSCE has played a central role in conflict resolution in the region. Along with the Russian Federation and Ukraine, the OSCE is one of the three mediators in the so-called "five-sided talks" involving the two sides to the conflict. The OSCE Mission to Moldova, headed admirably by Ambassador David Swartz, a retired member of the U.S. Foreign Service, has played an active and constructive role in attempting to find a solution to the very difficult "Transnistrian question." In the past several months, following nearly eight years without progress, there have been signs of some progress toward a comprehensive political settlement. Negotiations continue. The United States will make every effort to support this process.

Without the close and cooperative relationship among the OSCE Mission in Moldova, the Governments of Ukraine and Russia, the OSCE in Vienna, and the OSCE participating States, including the United States, none of this would have been possible.

### **MANAGING CONFLICT IN THE SOUTH CAUCASUS**

In Georgia, the OSCE has an important role in monitoring and supervising the cease-fire between the breakaway region of South Ossetia and the central Georgian Government. In addition to funding the Joint Control Commission that oversees the Joint Peacekeeping Force in South Ossetia, the OSCE also maintains an office in the regional capital of Tskhinvali. The OSCE staff in this office undertakes confidence-building measures and political-economic development work.

Efforts to resolve the conflict between the Georgian Government and the breakaway region of Abkhazia are handled under a U.N. mandate by CIS peacekeeping forces and the U.N. Observer Mission in Georgia (UNOMIG). However, the OSCE Mission in Georgia coordinates closely with the U.N. on humanitarian projects in and around Abkhazia, as part of its overall mandate for Georgia.

### **OPERATIONAL EFFECTIVENESS**

It is a U.S. priority to make the OSCE as operationally effective as possible. Political leaders increasingly rely on the OSCE for rapid and effective deployment of human resources to trouble spots in the region, such as occurred in Macedonia. We have worked vigorously to develop the REACT concept (Rapid Expert Assistance and Cooperation Teams). REACT provides a mechanism for the OSCE to recruit and deploy more rapidly experts in human rights, elections, public administration, policing, and rule of law. This program has enabled the OSCE to produce more qualified experts more efficiently to respond to field contingencies.

A related goal is increasing general managerial effectiveness. The OSCE expanded its activities more rapidly than it created systems to manage them. We are committed to ensuring that the OSCE imple-

ments the necessary procedures and systems to ensure effective managerial control of its operations. We believe the appointment of Senior Police Advisor and support unit, a new Economic/Environmental Coordinator, the Special Representative for Combating Terrorism and the Counterterrorism Unit are positive steps in improving the ability of the OSCE to operationalize its commitments. We fully support their activities.

#### LEGAL STATUS

Many participating states have also sought to give the organization a legal status equivalent to that of the United Nations. By contrast, the United States is satisfied with the way the OSCE is currently structured and does not believe fundamental changes to its legal basis are needed. However, most of the support for granting the OSCE a "legal personality" revolves around concerns for the protection of personnel and the need for the organization's missions to function effectively. For this reason, the United States supports development of a convention that would provide privileges and immunities to the OSCE's officials and employees and authorize the OSCE to enter into legal contracts.

#### SCALES OF ASSESSMENT

The United States is committed to the principle of burden sharing in funding OSCE activities. Last year, a number of States blocked adoption of the OSCE budget, insisting they were assessed at excessive rates. Earlier this year, after many months of negotiation, the OSCE adopted a new scale of assessments that will extend until the end of 2004, for the funding of the OSCE Secretariat, institutions and most OSCE Missions. The U.S. share remained at 9 percent. In addition, last year the United States agreed to an increase in our scale of assessment for large missions from 12 percent to 13.57 percent, effective in 2002. Negotiations are underway over development of a methodology for new scales starting in 2005. Ensuring that burden sharing is reflected in the adoption of these scales remains the highest priority for the United States in these negotiations.

#### CONCLUSION

Mr. Chairman, we believe that the OSCE is a growth industry. It has important work to do in all three of its baskets. In the many field missions operated by the OSCE the United States seeks to advance security, to promote economic development, and to increase respect for human rights. Our purpose is to create the conditions that will permit OSCE to continue to grow in all three of these dimensions, so that the organization will continue as a force for progress in the Euro-Atlantic region for the foreseeable future. At the next Ministerial meeting and throughout the coming year, we hope to broaden the efforts of the OSCE to combat counterterrorism, to prevent trafficking, to promote economic development, and to enhance the effectiveness of the organization in improving the standard of respect for human rights among all member states. Our task is to see that it remains relevant and responsive to the world in which we live.

**QUESTIONS SUBMITTED FOR THE RECORD  
BY HON. BEN NIGHTHORSE CAMPBELL  
TO HON. A. ELIZABETH JONES**

**POSSIBLE OSCE SUMMIT**

**Question:** The last OSCE summit was held in Istanbul in 1999. We believe that a summit in 2003 is now timely and could give important political direction for concrete work. Is the Administration prepared to support the convening of an OSCE Summit next year?

**Answer:** We believe an OSCE summit would have to be well-prepared and substantive. We are looking at this issue, but have made no decision.

**ADMINISTRATION STATEMENTS ON CHECHNYA**

**Question:** Recognizing the fact that there are ties between some elements of the Chechen resistance and international terrorism, it is still undoubtedly true that in its conduct in Chechnya, the Russian Government is in violation of the OSCE Code of Conduct in dealing with non-combatants in the context of an external conflict. Administration representatives frequently meet with their Russian counterparts on a variety of issues. What public statements have Administration officials made about Chechnya? What is the Russian response?

**Answer:** Starting with President Bush and Secretary of State Powell, U.S. officials have raised the issue of Chechnya consistently with their Russian counterparts since they took office after the start of the second Chechen war in 1999. Administration officials, including our Ambassador in Moscow and the Deputy Secretary of State have noted our concern with Russian tactics in Chechnya and the apparent Russian Government failure to enforce accountability for human rights violations by Russian armed forces stationed there. While repeating our support for Russia's territorial integrity, we have noted many times that there can be no military solution to this conflict, and that the Russian Government should consider negotiations aimed at a political settlement in Chechnya with those Chechens not associated with international terrorism. We have noted with interest several recent informal proposals by Russian public figures aimed at a political settlement in Chechnya. However, the mass hostage-taking by Chechen fighters in Moscow has cast a long shadow over hopes for a political settlement.

Our response to this week's unprecedented mass hostage taking in Moscow by Chechen fighters has been to condemn it as an act of terrorism and to call for the immediate and unconditional release of the hostages.

**FIGHTING CORRUPTION IN THE OSCE REGION**

**Question:** Should the OSCE develop a comprehensive anti-corruption strategy to be implemented by the participating states with the help of the OSCE field missions? Could the work of the OSCE office in Yerevan serve as a model?

**Answer:** We support and promote anti-corruption and good governance activities in the OSCE area, noting that corruption and lack of transparency are threats to the security and stability of OSCE member states.

We will continue to work with the OSCE's Economic Coordinator to ensure that anti-corruption activities remain an integral part of the OSCE's ongoing activities. We would support the OSCE's development of a comprehensive anti-corruption strategy to be implemented by the participating states with the help of the field missions. The OSCE is well placed to take advantage of both existing expertise in the field and experience accumulated through its active involvement in regions with corruption concerns.

The successful, government-supported initiative launched by the Head of Mission in Yerevan may prove a model for other missions.

### REFORMING THE OSCE

**Question:** There have been suggestions of reforming the OSCE. What reforms are under consideration and are there of any particular interest to the United States?

**Answer:** Discussions are underway with other delegations and the Chairman-in-Office (Portugal) to strengthen the OSCE and reform its institutions and capacities. Topics of discussion include a Handbook for Heads of Missions, the establishment of a Chairmanship Support Unit in the Secretariat to facilitate the transitions between Chairs, and the development of a strategy for adapting the OSCE to combat threats to security and stability in the 21st Century. Any reform must retain the flexibility and decentralization of the OSCE and should not draw resources away from program activities.

### OSCE MISSIONS IN SOUTHEAST EUROPE

**Question:** There appears to continue to be significant improvement in the overall political and economic situation in Southeast Europe. This has been an excellent example of partnership between the United States and the EU and its member states and we are pleased to see the EU playing an increasingly strong leadership role. How do you feel that the OSCE can best facilitate continued progress? Would it be premature to close down OSCE missions in the region, as many are advocating?

**Answer:** The OSCE continues to play a crucial role in maintaining regional stability, preserving multi-ethnic institutions, and strengthening democratic institutions in southeastern Europe. To facilitate continued progress, the OSCE should maintain its focus on those programs in which it has specific expertise, such as strengthening human rights, monitoring elections and training law enforcement. In Croatia, OSCE efforts have strengthened legislation to support refugee returns and ensured the government's continued attention to the issue. OSCE support is critical to implementation of the Dayton peace accords in Bosnia and the Framework Agreement in Macedonia. In Serbia and Kosovo, the OSCE is engaged in combating the growing crime of trafficking in persons. OSCE oversight helped to ensure that recent elections in the region were free and fair and that Kosovars will be given the chance to elect a new provisional municipal govern-

ment with the OSCE's assistance. Although conditions are generally improving and we do not see OSCE missions as permanent fixtures, premature mission closure could send the wrong message to local governments that rule of law, refugee returns and democratic elections are no longer important to the international community.

#### THE ROLE OF THE OSCE SECRETARY GENERAL

**Question:** The position of the OSCE Secretary-General has been viewed as largely administrative in nature. Does the United States continue to view the position in this light? Would the United States support advertising for a pool of qualified administrators as prospective candidates for that position?

**Answer:** The United States supports the work that OSCE Secretary General Kubis has done this year and commends his staff for their efforts.

The United States views the position of the Secretary General as largely administrative in nature but considers this position critical to supporting the Chairman-in-Office in furthering OSCE objectives. We are exploring with other delegations ways in which this office can provide more support to the incoming Chairman-in-Office to facilitate smooth transition between chairmanships.

#### HUMAN RIGHTS IN UZBEKISTAN

**Question:** Can you explain the Department's decision late this summer to continue foreign aid to Uzbekistan given the many infringements of human rights that persist due to the policies of President Karimov. What role can the OSCE play in moving the Uzbeks into compliance with their OSCE commitments?

**Answer:** The U.S. Government reports objectively and as accurately as possible both the human rights abuses and the improvements in Uzbekistan. In making the determination to continue foreign aid, we found that the Government of Uzbekistan had indeed made progress in all five areas of the Framework Declaration: political (including human rights), military, economic, humanitarian and human resources, and legal assistance. We believe that there is a good chance of continuing progress as long as we remain engaged.

Progress on human rights and economic reform is a result of increased U.S. Government influence and engagement in Uzbekistan. The Government of Uzbekistan has registered a human rights NGO, put police on trial, opened prisons to the International Committee of the Red Cross (three visits since August), invited the U.N. Special Rapporteur on Torture to visit (likely to take place at the end of November or the beginning of December), and abolished formal censorship.

While some of the steps taken by the Government of Uzbekistan may appear minor, they indicate that there is positive movement on human rights and that our policy of intensified engagement pays dividends. The Government of Uzbekistan still has far to go and moves slowly, like many Central Asian governments. We will continue to push the Government of Uzbekistan to make changes, however, until a truly open society with a rule of law and respect for human rights is established.

The OSCE can play a positive role in continuing to engage with the Government of Uzbekistan on human rights and in offering training programs, in particular in prison reform.

#### OSCE HIGH-LEVEL MEETING ON ORGANIZED CRIME

**Question:** You acknowledge that corruption is a multi-dimensional problem throughout the OSCE region. Given the scope and threat posed by corruption and international crime, would the Department support the convening of a high-level OSCE meeting to explore practical cooperation in combating this common threat?

**Answer:** The Administration is open to the idea of a high-level conference that would enhance cooperation within the OSCE to combat this threat. Supporting the international fight against corruption is a foreign policy priority for the Bush administration and has been an important part of U.S. foreign policy for some time, as the President has made clear in several speeches.

In February 1999, we hosted the first Global Forum on Fighting Corruption and Safeguarding Integrity Among Justice and Security Officials. A follow-up conference was held in the Netherlands in 2001, and the next forum will be in Korea in May 2003. Our goal has been to use diplomacy to forge government commitments to curb corruption and technical assistance designed to empower communities and assist governments in addressing their corruption problems. We are also negotiating the first Global Anticorruption Convention, a U.N. document expected to be completed over the next 2 years.

We have a law enforcement cooperation office in Brussels at the U.S. Mission to the European Union and are working with the EU to strengthen legal cooperation and simplify the law enforcement cooperation process, while respecting our diverse data protection laws. We are also working closely together to combat terrorism, including coordinated actions to list terrorists and go after their financial networks. We are also partners with the Council of Europe (COE). The United States is a member of the Group of States against Corruption (GRECO) which carries out mutual evaluations of members' capabilities to fight corruption.

The United States has tackled money laundering through the Financial Action Task Force, (FATF) which was organized by the G-7 and now has 29 states and two regional organizations as members.

Shortly after the September 2001 terrorist attacks on the United States, FATF expanded its focus on money laundering to also include terrorist financing. The IMF and World Bank have recently accepted FATF's recommendations against money laundering and terrorist financing as the international standards in these areas and will add them to their set of international standards and codes the Fund and Bank use in their financial sector assessments.

#### HUMAN RIGHTS IN KAZAKHSTAN

**Question:** On October 3, Reuters reported that the United States and Kazakhstan have launched a multimillion-dollar partnership of public and private-sector business interests to boost ties. What can you tell us about this? Considering Kazakhstan's miserable human rights record since September 11, what should President Nazarbayev

conclude about U.S. priorities? Why should Central Asian leaders believe trampling on human rights will negatively affect bilateral relations with the United States?

**Answer:** As we have noted, Kazakhstan's record since September 11, 2001 has been mixed. President Nazarbayev is well aware of U.S. priorities, and we are convinced that the recent registration of the non-governmental organization Ak Zhol and the release from custody of the journalist Gulgeldi Annaniyazov reflect the Government of Kazakhstan's awareness of the U.S. view that Kazakhstan must make progress in the field of human rights.

We believe that economic development plays an important role in improving Kazakhstan's human rights record.

Consequently, on October 3, 2002, Kazakhstan's Minister of Foreign Affairs Kasymzhomart Tokayev and U.S. Ambassador Larry Napper announced the first phase of the Houston Initiative, a new Kazakhstan-American Business Development Partnership. The partnership was the result of a Kazakhstani proposal during President Nazarbayev's December 2001 visit to the United States.

In its first phase, the Houston Initiative will involve a U.S. contribution of more than \$10 million, which, in turn, will mobilize millions of dollars in support from international financial institutions in investment capital and loans to small and medium sized enterprises.

At the announcement ceremony, Ambassador Napper noted that since economic prosperity and democracy go hand-in-hand, future phases of the Houston Initiative will be implemented only if accompanied by enhanced rule of law, free and independent media, and political pluralism in Kazakhstan.

#### MOLDOVA AND ISTANBUL COMMITMENTS

**Question:** One of the successes of the OSCE was the timely and efficient withdrawal of Russian military equipment from Moldova last year in conformity with the 1999 OSCE Istanbul Summit Document. Recently, the Deputy Commander of Russian ground forces was quoted in the media stating that Part II of this agreement—withdrawal of military personnel and remaining ammunition—would be completed by the end of this year. However, he also made reference to a small contingent of peacekeepers that would remain. It is our impression that troop withdrawal and peacekeepers in Moldova are separate issues. Is this the case? Is the Russian troop withdrawal on schedule?

**Answer:** While the Russians have completed the withdrawal of their CFE Treaty limited equipment from Moldova, they are also committed to remove their military forces from the region, including some 40,000 tons of munitions and 40,000 small arms. By any standard this Russian withdrawal is behind schedule. While OSCE states, including the United States and others, have offered to assist with the costs of this withdrawal via an OSCE Voluntary Fund, there has been little progress this calendar year. One trainload of ammunition departed to Russia in early October carrying about 500 tons of ammunition. Another train is scheduled to leave the week of October 28.

The Russians blame this lack of progress on the Transdnestrrian separatists, who have blocked progress. It is certainly the case that the Smirnov regime has been obstructionist.



The United States and NATO Allies continue to make the point to the Russians, however, that this commitment is theirs to fulfill. Russia must take the lead in securing Tiraspol's cooperation and achieving results in withdrawing its forces from Moldova, as it committed to do in Istanbul.

The question of whether or not there will be a peacekeeping or stabilizing presence in Moldova in the wake of a political settlement, as well as questions relating to how such a contingent might be constituted and what its mandate would be is one that would be addressed in the context of the settlement negotiations between Moldova and the Transdnistrian separatists.

The settlement discussions had, until recently, been proceeding on a constructive track, based on an OSCE plan which had the support of all the principal parties. In early September, however, the Transdnistrian side returned to former, maximalist positions and there has been no progress since. Development of plans for a peacekeeping presence would only take place as a result of a political settlement.

#### OSCE EXPENDITURES AND U.S. PRIORITIES

**Question:** Does the distribution of OSCE resources—in its field missions, the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities, and various training programs—match the priorities for the United States for the OSCE?

**Answer:** The OSCE's deployment of resources follows fairly closely the United States priorities as set out in the current European Bureau Program Plan (BPP). Approximately 80 percent of the OSCE's budget deals with security issues, and about 60 percent of this amount is devoted to work in the Balkans—a high U.S. priority area. As indicated in the BPP, our main (non-consular) priorities include counter-terrorism and global issues; regional stability and security; new NATO capabilities, members and relationships; and economic reform. Of these priorities, the OSCE is involved in all but those dealing directly with NATO.

Out of a total annual budget of Euros 187 million (approximately \$180 million), the OSCE spends the following:

#### **Counter-terrorism and Global Issues:**

Counter-terrorism Unit: EU 389,200 (about 0.2 percent of total)  
 Office of Democratic Institutions and Human Rights (ODIHR): EU 8,453,600 (about 5 percent of total)  
 High Commissioner on National Minorities: EU 2,218,900 (about 1 percent of total)  
 Representative on Freedom of the Media: EU 736,400 (about 0.4 percent of total)

#### **Regional Stability and Security:**

Large OSCE Missions: EU 103,243,300 (about 55 percent of total)  
 Other Missions and Field Operations: EU 47,173,900 (about 25 percent of total)  
 Minsk Conference (covering negotiations over Nagorno Karabakh): EU 2,129,300 (about 1 percent of total)

**Economic Reform:**

The Secretariat employs 13 full-time officials in its economics section who deal with economic reform issues (representing about 3 percent of the Secretariat staff)

**Note:** In addition to the preceding budget items, the OSCE budget includes the following:

General Fund (Secretariat and administrative costs) EU 21,030,600 (about 11 percent of total)

In addition, there is an amount of EU 1.9 million retained pending future decisions of the OSCE Permanent Council to approve additional mission activities.

**ECONOMIC DEVELOPMENT**

**Question:** Extreme poverty and the lack of economic development and opportunity destabilize countries, hinder the growth of democracy and can serve as a breeding ground for terrorism. What steps can the OSCE take, in cooperation with other international organizations, to assist participating States in promoting sustained economic growth? Do you think a broad-based effort to promote micro-enterprises would be helpful in this respect?

**Answer:** The Department is concerned with the destabilizing effect of poverty, and as a consequence strongly encourages OSCE efforts to promote economic development. For example, the United States currently partially funds OSCE field missions in Central Asia that are exploring ways to increase economic development. The OSCE may find enterprise promotion a useful tool as it works to ameliorate poverty. A key to a successful effort will be to ensure that the OSCE works closely with the European Union and other organizations as well as with bilateral assistance institutions to find the most appropriate approach to economic assistance.

**QUESTIONS SUBMITTED FOR THE RECORD  
BY HON. GEORGE V. VOINOVICH  
TO HON. A. ELIZABETH JONES**

**Question:** What have the U.S. Government and other governments done and what are they doing to address anti-Semitism in Europe?

**Answer:** The promotion of both religious tolerance and religious freedom is a crucial element of both our domestic and foreign policy. As Secretary Powell has said, "We have no tolerance for intolerance." We strongly condemn anti-Semitic activity and so do the leaders of Europe.

Our embassies and consulates abroad are alert to anti-Semitic incidents and routinely consult with host government counterparts when such incidents occur. Calls or outreach to Jewish leaders usually follow these consultations. We work with European leaders to change the overall attitudes that generate these acts. The following are examples of U.S. Government and European cooperation to combat anti-Semitism and to encourage religious harmony:

- President Chirac has adamantly condemned anti-Semitic acts committed in France. Ambassador Leach has raised this with his interlocutors in the Foreign, Interior, and Justice ministries on numerous occasions, beginning with his first call on FM de Villepin. He has also had numerous meetings with Jewish and Muslim groups. In response to anti-Semitic incidents, the French Government has stationed an additional 1,000 police officers at Jewish religious and cultural sites.
- German leaders consistently condemn anti-Semitic activities. In an editorial in the *Frankfurter Allgemeine Zeitung*, Foreign Minister Fischer wrote, "The answer to our history can only be a positive one: a growing Jewish community in Germany, with Jewish people who can live here in freedom and security as citizens—not second-class citizens—of our republic. The extent to which we succeed in supporting the life and well-being of the Jewish community in Germany is a measure of our ability to create an open, tolerant society. Every anti-Semitic incident that occurs in Germany threatens not only Jews, but our society and democracy as a whole." Similarly, after the March 16, 2002 bombing at the Jewish cemetery in Charlottenburg, Berlin Mayor Wowereit spoke out forcefully, calling the act "shameful." The German Government has also increased security around Jewish community and Israeli Government facilities. National, state and local government officials have spoken out against recent and described threats to the Jewish community as threats to German society.
- The Belgian Government increased security around Jewish religious and cultural buildings. In a strongly worded statement at a Jewish community event, Finance Minister Reynders stressed the importance of respect for all minorities and their beliefs.

- In Russia, President Putin has publicly condemned anti-Semitism and has supported legislation to promote religious and ethnic tolerance. The American Embassy and consulates keep in close contact with the Jewish community and the Russian Government on this issue. At the same time, we remain concerned by the Russian authorities' denials of visas to a number of prominent foreign religious figures this year, including five Roman Catholic priests (one of whom was a Bishop), other foreign missionaries, and the Dalai Lama, who had wanted to visit his Buddhist co-religionists in Russia. These actions raise questions about the Russian Government's overall commitment to religious freedom.

The Department of State also publishes the Annual Report on International Religious Freedom and Country Reports on Human Rights. Both documents deal with anti-Semitism on a country-by-country basis. Intense study of the religious tolerance situation in Europe and Eurasia is an on-going, year-round activity. Preparation of these reports takes into account embassy reporting and host government and NGO input.

**PREPARED STATEMENT OF  
HON. LORNE W. CRANER, ASSISTANT SECRETARY  
OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR,  
U.S. DEPARTMENT OF STATE**

Mr. Chairman and Members of the Commission, it is a pleasure to join you again this year to reflect and consider U.S. policy toward the OSCE. As an Executive Branch appointee to the Commission, I know first-hand that members who serve on the Commission are true leaders in the human rights field. Thank you for the time and energy you put into human rights work. I also want to thank the Commission staff for working closely and tirelessly with my staff.

It is almost exactly one year since I last spoke before the Commission on this topic. At that last hearing, which was held shortly after September 11th, I gave you my firm assurance that this Administration would not abandon human rights to fight the war on terrorism. I vowed that we would continue to use the range of tools available to us to advocate for human rights and democracy, that we would continue to monitor and report accurately and comprehensively on human rights situations around the globe, and that we would continue programming work to assist other countries in improving human rights infrastructure and policies, and in building democratic institutions.

I am honored to come before you today and say that we are working hard to keep our promises. The President's national security strategy explicitly commits the U.S. to work actively to bring the hope of democracy, development, free markets and free trade to every corner of the world. We start from these core beliefs and look outward for possibilities to expand liberty. Our goals are political and economic freedom, peaceful relations with states, and respect for human dignity. America must stand firm for the non-negotiable demands of human dignity: rule of law; limits on the absolute power of the state; free speech; freedom of worship; equal justice; respect for women; religious and ethnic tolerance; and, respect for private property.

We have been applying these same beliefs and objectives to the OSCE region. Since we last met on this subject I have traveled many times to OSCE countries, including twice to Central Asia. I plan one more trip this year, and one of my Deputy Assistant Secretaries has been to the region three times, including two trips to participate in important OSCE meetings. My Principal Deputy Assistant Secretary is going there right now. Our goal there has been to fully engage the countries of the region on important human rights issues and to make sure the message is heard that the U.S. Government holds firm in its commitment to promoting democracy and human rights.

We have also remained vigilant in our monitoring duties. This year we released the *Country Reports on Human Rights Practices for 2001*, which have been recognized as an honest, even-handed, and frank account of country conditions.

Regarding my pledge to ensure that United States funding be programmed to improve human rights and democracy infrastructure, we obligated a substantial portion of Human Rights and Democracy Funds (HRDF) for hard-hitting democracy and human rights programs in numerous OSCE countries. This is in addition to the significant amounts of funding from the SEED funds and Freedom Support Act that have also been programmed to support democracy initiatives.

Throughout these diplomatic and programming efforts, the OSCE has continued to play a key role of influence in promoting democracy and respect for human rights in the Euro-Atlantic region. With 55 members, it is in fact the only Euro-Atlantic institution with such a mandate. Since September 11, we have come to appreciate the role of the OSCE even more, as a forum in which questions of both security and human rights are brought together. No other institution in the world has this comprehensive approach to security. We are committed to support the OSCE and its various mechanisms wherever possible, as a means of strengthening democracy across Europe and the countries of the former Soviet Union. Because of the OSCE's comprehensive approach to security and human rights, I would like to highlight the continued importance of the Human Dimension Implementation Meeting, which took place last month in Warsaw. After the U.N. Commission on Human Rights, the Human Dimension meeting is the most prestigious annual human rights gathering. Importantly, it is also attracting a growing number of active NGOs as participants—a reliable barometer of democratic activity and the growth of civil society. Once again, I would stress the important contribution that your Commission's staff makes as part of the U.S. Delegation to the Human Dimension meeting every year, and my sincere appreciation to you for making that effort.

We have witnessed great improvements in human rights, democracy, and the rule of law in the countries of Southeast Europe in recent years, and the OSCE has played a major role in achieving these results. The successful conduct of the presidential elections in Serbia on September 29, as verified by international observers, stands as strong testimony to the increasing effectiveness of the OSCE influence in that country. In Albania, the OSCE presence, working closely with the EU and the United States, has contributed significantly to increased political stability, regional security, and improved public order. In Macedonia, where ethnic tensions threatened to erupt into wide-scale conflict last year, constructive engagement by the OSCE greatly contributed to implementing the Ohrid Agreements and to the holding of recent peaceful elections. Croatia, a country that resented the OSCE mission presence for several years, has experienced a change of heart and is now working cooperatively with the organization. The OSCE mission in Croatia has made serious progress this past year toward the day the OSCE will be able to draw down and close the mission as it looks to allocate resources more effectively and address more pressing situations in the area. We look forward to the day when conditions in the other countries of Southeast Europe will permit other missions to follow suit.

Of course, challenges remain. I stated in my testimony last year that the countries of the former Soviet Union continue to present some of the greatest challenges to the OSCE. This is equally true today. Although we have seen some positive steps over the past year, human rights observance has been mixed at best, and in many cases downright poor.

For example, the countries of Central Asia present a very mixed picture. Tajikistan has made some notable gains this year; freedom of media was appreciably increased when the government licensed the first independent radio station in Dushanbe and dropped criminal charges against exiled journalist Dododjon Atovulloev. When the Tajik

Government lowered the fee for registering NGOs this spring, the number of such groups increased dramatically. Abolishing exit visas also was an important step forward. Yet harassment of journalists and media outlets continues. We therefore urge the Government of Tajikistan to reform its media laws and especially to continue consultations with OSCE officials in Dushanbe to ensure that these laws conform with international standards. The Government of Tajikistan deserves praise for sanctioning political pluralism by allowing the only Islamic opposition political party in Central Asia to exist. Yet in order for pluralism to flourish, we urge the government to reform election and party legislation to enable more parties to register and campaign freely during elections. Again, we believe the OSCE center in Dushanbe can provide a valuable service in advising the government on acceptable international standards.

Unfortunately, other countries of the region have not fared so well. Turkmenistan remains a country with an extremely poor human rights record. The people of Turkmenistan remain without any of the fundamental rights, including freedom of assembly and speech. While we are pleased that this year the government released Shageldy Atakov, a well-known religious prisoner, and abolished exit visas, we remain very concerned about Turkmenistan's lack of progress in allowing democracy to develop.

In Kazakhstan, the year started off on a positive note with the formation of a new democratic opposition movement and appearance of much critical reporting in independent media outlets. By late summer the situation had changed dramatically. Leading opposition leaders Zakiyanov and Ablyazov have been sentenced to long prison terms in trials for corruption that appear to have been politically motivated. Newly enacted political party legislation will severely limit the ability of smaller opposition parties to survive. And the independent media has been the victim of a consistent and persistent pattern of intimidation, ranging from firebombings of newspaper offices to malicious beatings of journalists. We continue to raise these disturbing issues with the Government of Kazakhstan.

Likewise, in Kyrgyzstan, events of the past year have raised concerns. A draconian presidential decree severely restricted media freedom and a leading member of parliament was jailed on what appeared to be politically motivated charges. The decree was later rescinded and the parliamentarian was cleared. A low point was reached in March when police shot and killed five unarmed demonstrators. Since then the government has taken steps to redress citizen grievances, including the formation of a Constitutional Council which includes some members of the opposition. As the Council proceeds to make its recommendations on constitutional and governmental reform, we hope that it will produce genuine reform that is reflective of the will of all the people.

During the first half of the year we were heartened to see some small but significant steps forward to increase respect for human rights in Uzbekistan. The government granted the International Committee of the Red Cross (ICRC) access to all detention facilities, the first-ever human rights organization was registered, and law enforcement officials were convicted and received long prison sentences after being found guilty of torturing prisoners to death. However, a second human rights group was recently denied registration and has resub-

mitted its application; even more disheartening were the brutal deaths of two prisoners due to torture. While the censorship board was formally abolished, self-censorship remains a serious problem. Political pluralism will remain a distant goal as long as no opposition political parties are registered. However, we note that Birlık has held a series of organizing conferences to prepare for formal registration.

In the Caucasus, we also have a number of concerns. But here I want to highlight a series of important elections that will take place in that area in the next 3 years. We will press for elections that meet OSCE standards. Independent election commissions at all levels, transparent vote counting procedures, political pluralism, and a level playing field for all candidates, are among the elements essential for democratic elections.

In this connection, the U.S. is concerned that the constitutional referendum held in Azerbaijan on August 24 did little to advance that country's democratization. On the positive side, the government and opposition appeared on prime-time TV debating the merits of the proposal. However, we were disappointed by the restrictions on domestic monitoring, lack of election commission reform, limited time for public education, and failure to invite comments on the referendum from the OSCE or Council of Europe. Observations by international observers suggest that voting was marred by widespread irregularities of the kind noted in previous elections. Vote totals in precincts where U.S. and other international monitors were present greatly exceeded the level of participation observed. The substantial irregularities and a lack of transparency have raised questions about the credibility of the referendum results.

In Russia, the government continues to justify its military action in Chechnya as part of the international war against terrorism. However, on the ground, reports of serious human rights violations—and even atrocities—emerge frequently after Russian security sweeps. Such conduct only serves to alienate large parts of the Chechen population from the Russian State and to create support for the Chechen fighters and the international terrorists associated with them. Thus far, there has been no meaningful accountability. Accountability is crucial not only to discourage further human rights violations, but also as a means of diminishing support within the Chechen population for the extremism that can occur in response to human rights abuses. The trial of Colonel Budanov will be an important indicator of the commitment of federal authorities to combat impunity. We also continue to be troubled by the undue influence of Russia's security services in a series of so-called "espionage" cases—such as those of Pasko and Sutyagin—which appear to us to be politically motivated. Media freedom also remains a concern, including the precarious situation of TV-6, although our worst fears of 2 years ago—in the aftermath of the struggle over ownership of NTV—have not materialized. In the "good news" category, Russia's civil society and middle class both continue to grow, and official anti-Semitism hopefully is a thing of the past. President Putin himself has taken the lead to condemn publicly last summer's rash of anti-Semitic bomb threats and attacks. However, the response of lower level officials to these incidents often has left room for improvement.



In Ukraine, we were heartened by the role that non-governmental organizations played in this spring's parliamentary elections. Despite serious obstacles, Ukrainian civil society showed its power and influence in a way previously unknown in Ukrainian politics. This is not to say we do not have concerns about these elections; while the OSCE noted progress over previous elections in some respects, the elections did not fully meet OSCE standards. The abuse of administrative resources, dramatic contrast between the party-list vote and the single-mandate results, the disqualification of a key opposition candidate at the last moment of a by-election, and efforts to silence opposition media show there is much room for improvement.

It has been 2 years since the disappearance and murder of journalist Heorhiy Gongadze. This case has still not been properly investigated. Conducting a transparent, independent investigation resulting in meaningful accountability in this case is crucial not only for the relationship between Ukrainian authorities and civil society, but also for Ukraine's standing in the international community. Such action is also needed in the case of murdered journalist Ihor Aleksandrov, and election monitor Olexander Oliynyk, who disappeared following impressive efforts to promote free and fair parliamentary elections.

In Belarus, Parliament recently passed a law on religion that threatens religious freedom imposing an insurmountable hurdle for many "non-traditional" faiths because it limits registration to those religious groups that have been present in Belarus for twenty years. Civil society increasingly is under attack by the Lukashenko regime. Journalists have been imprisoned and newspapers closed down. The government has sought to crush all legitimate opposition. The United States has condemned the recent conviction for slander of the editor of the publication *Robochii*, Viktor Ivashkevich, as another attempt by the regime to silence its critics. Furthermore, members of NGOs have been assaulted, fined, and imprisoned and opponents of the regime have disappeared. Under Lukashenka's direction, the Presidential Guard—initially created to protect senior officials—continues to act against the political enemies of the Lukashenka regime with no judicial or legislative oversight. Members of the security forces have committed numerous serious human rights abuses. Meanwhile, the presidential election held last year failed to meet international standards and, unless serious electoral reforms are adopted, local elections expected in early 2003 will face the same fate.

Clearly the HDIM and other OSCE mechanisms including field missions and special representatives play important roles in addressing a range of human rights violations. In Belarus, however, the OSCE faces a unique institutional challenge. The OSCE's response to efforts by the Lukashenko regime to shut down the OSCE's field mission will set an important precedent. Other participating states will take note of how the OSCE reacts. We are therefore discussing with other like-minded participating states possible consequences for Belarus' disregard for the OSCE as an institution. These consequences may include bilateral as well as multilateral components. We feel strongly that the organization must respond to this challenge in real time. We have advised Belarus that failure to resolve this matter will likely ensure it will be raised by the Ministers at the end of the year. As we consider what to do about countries that defy OSCE commitments, we must look not only to egregious violations, but also to the more subtle erod-

ing of democracy and human rights that is now taking place with respect to religious freedom. We see governments across the NIS considering and in some cases adopting legislation to make their laws on religion more restrictive. We see new restrictions on registration of religious organizations and visa difficulties increasing for foreign religious workers from minority religions. We hear of increasing reports of pressure on landlords not to rent space to minority religious groups, and shadowy visits reminiscent of the Cold War days from members in the Security Services who intimate that minority religions are the objects of security concerns.

While the challenges remain daunting, we are certain that the OSCE can play a decisive role in promoting democracy and human rights. The State Department is committed to the vision of using the OSCE more productively to reinforce our own strategies for promoting democracy and human rights. We see the OSCE as our natural partner in pursuing hard-hitting policies and supporting innovative projects. There are two areas in particular, where I see a strong leadership role for my Bureau: the annual Human Dimension Implementation Meeting (HDIM) and strategic planning for a new U.S. role in Central Asia.

As noted previously, aside from Geneva, we consider the HDIM to be one of the premier fora for addressing human rights abuses in the world. Last month's HDIM expanded its broad focus on democratic institutions and rule of law to bring renewed attention to anti-Semitism, trafficking in persons, the Roma and Sinti communities, and torture—all issues that our delegation emphasized in intervention statements presented at the meeting. We are working to ensure that the integrity of the HDIM process enhances its impact.

As I mentioned at the outset, in the past year my staff has worked very closely with the staff of the Helsinki Commission, including your staff member at U.S. OSCE mission, to improve the modalities of the HDIM. We were pleased by some of the improvements this year, including the hosting of the Permanent Council meeting as a part of the Closing Plenary Session. And, we were pleased to see many OSCE Ambassadors in attendance.

But we would like to take the HDIM even further. Especially, we would like to take advantage of the fruitful discussions at Warsaw and make them a larger part of the discussions of the Permanent Council. For example, in the context of the leading issue we are facing now—the need to respect human rights while combating terrorism and the importance of democracy and human rights observance for eliminating the conditions that breed terrorism—we would like to see some type of follow-up meeting.

Mr. Chairman, in the year since I last testified to this Commission, we have seen the liberation of Afghanistan, which brought with it a major reduction in terrorist threat in Central Asia. The defeat of the Taliban was also the defeat of the violent extremists threatening the internal security of the Central Asian republics.

In opening remarks to the Afghan Reconstruction Group, Secretary Powell recently emphasized the importance of human rights when he said, "Perhaps most important of all for the long-term stability of the country, we must help to strengthen the country's fledgling institutions; in particular, we must provide resources and expertise to help

the new human rights, judicial and constitution committee lay the groundwork for a vibrant civil society, the rule of law and accountable and transparent government.”

Reduced threats to internal stability mean these authoritarian regimes now have the political space to turn to internal political reform. Indeed, this Administration, from President Bush, to Secretary Powell, on down to each of our Ambassadors, has made it clear that expanding cooperation with the U.S. will depend on expanded political reform. And with the exception of Turkmenistan, the governments of the region seem to understand the importance of this imperative and have taken some encouraging steps toward reform.

This puts the OSCE in the advantageous position to offer the comprehensive array of assistance needed, from economic, to security, to political. The OSCE can fill an important role in conflict prevention by balancing all three of these dimensions.

My Bureau is prepared to work closely with the OSCE on these issues. In November I plan to travel to Vienna to participate in consultations with key donors about priorities for democracy assistance in Central Asia. While there I hope to be a keynote speaker for a Special Meeting of the Permanent Council to discuss the deteriorating political situation in Central Asia and what the OSCE could be doing to address it, concentrating on concrete ways that the OSCE can feed a Central Asian focus into the Porto Ministerial in December.

I will also be traveling for my third trip to the region this year to kick off two important OSCE-sponsored initiatives. In Tashkent, I hope to attend the opening session of a roundtable with NGO and Uzbek Government participants to discuss the recent recommendations of the U.N. Committee on Torture. Their report could form the basis for developing a comprehensive anti-torture strategy, which should include human rights training conducted by the OSCE. In Bishkek, I will be visiting the newly opened Media Support Center that will house the first independent printing press in Kyrgyzstan.

There are other areas where I see synergy between the initiatives of the United States and the OSCE. For example, in Uzbekistan, where we are using our Human Rights and Democracy Fund to establish a series of resource centers for HR NGOs, we are working with the OSCE mission in Tashkent to place lawyers in those centers to provide badly needed legal counsel for Human Rights defenders facing harassment by government authorities.

In other areas we envision supporting OSCE efforts to establish regional training centers that would provide technical training for various security issues, such as counter-narcotics and border services, that would have an explicit human rights component. In closing, let me make clear again that we continue to recognize the OSCE as an increasingly dynamic partner in our efforts in furthering peace, stability, and democratic reform in Europe. Through our OSCE missions abroad, the Permanent Council in Vienna, and, of course, the OSCE's Office for Democratic Institutions and Human Rights in Vienna, we continue to labor to help OSCE's participating states to fulfill the basic human rights mission. That mission—to ensure full respect for human rights and fundamental freedoms, to abide by the rule of law, to promote principles of democracy, and to build, strengthen, and protect democratic institutions, as well as to promote tolerance through-

out society—remains the cornerstone of our firm commitment to the people of the OSCE states. We understand that attaining such lofty goals that embrace basic human rights can be accomplished only through vigorous and spirited actions—with an unrelenting will and the necessary resources to carry on. We have, and will continue, to demonstrate our will, as in the delivery of our intervention statements at the recent HDIM meeting in Warsaw in which we addressed such issues as the increasing need for democratic institutions and the rule of law, eliminating torture, promoting tolerance, and respecting and guaranteeing the basic freedoms of religion, assembly and the media.

While our goals remain visionary, our approach must be steadfast and adaptable; we understand that our initiatives must find fertile ground in areas such as Central Asia that are still struggling for stability with little historical tradition of freedom and human rights awareness to show the path. Through the OSCE we continue to give participating states guidance on constitutional and legislative reforms to nurture democratic political institutions. As a member state we continue to remind our OSCE partners of their commitments and moral obligations to the international community to protect and defend the fundamental human rights of their citizens. Where we see these struggles yielding success, we acknowledge the results and encourage their expansion; where we see patterns of failure or languishing commitment to meet these obligations, we seek intervention. We understand that many countries are capable of doing more and we seek out opportunities to assist them to build the foundation essential to a democratic society.

Mr. Chairman, I take this opportunity to state once again my recognition of the Helsinki Commission as an integral part of our government's commitment to the cause of human rights. Your commitment, and that of your members and staff, stands as strong evidence of our will to further the respect and guarantee of these basic freedoms.

Again, thank you for conducting this timely hearing and for giving me the opportunity to confirm our continuing commitment to the cause of human rights and democracy.

**QUESTIONS SUBMITTED FOR THE RECORD  
BY HON. BEN NIGHTHORSE CAMPBELL TO  
HON. LORNE W. CRANER**

**CENTRAL ASIA: OSCE'S ROLE**

**Question:** Some observers have suggested that the human rights situation in some countries, such as Turkmenistan, which appears more and more to be the North Korea of the OSCE, is so bad that they should be suspended from the OSCE the way Yugoslavia was in 1992. Is there a point where the OSCE no longer plays a constructive role and, on the contrary, inadvertently lends a veneer of legitimacy to a brutal regime?

**Answer:** Turkmenistan's human rights record remains extremely poor. Government repression in Turkmenistan of political opposition and civil society remains a particular concern as does abuse by police and other law enforcement officials. There are severe restrictions on freedom of speech and media. Issues of religious freedom are also a concern. Our human rights and religious freedom reports provide a detailed picture of the situation in Turkmenistan.

The OSCE continues to be an important forum to discuss human rights issues and promote steps toward democracy in Central Asia. We continue to raise human rights issues at the highest levels of these governments and are in the process of expanding programming that promotes the basic elements of democracy and a vibrant civil society. Continued U.S. and OSCE involvement is essential if we are to have hope of change in Turkmenistan.

**CENTRAL ASIA: MECHANISMS TO RAISE HUMAN RIGHTS  
CONCERNS**

**Question:** As I mentioned in my opening remarks, consistency is important when delivering expressions of concern over human rights violations. Are there mechanisms in place to ensure that human rights cases and concerns are being raised by U.S. embassies in the Central Asian countries and other OSCE countries where serious violations are taking place?

**Answer:** Since September 11, our new relationship with Central Asian governments have made it possible to press on human rights issues vigorously. Both bilaterally and through organizations such as the OSCE, we continue to raise concerns regarding human rights and to develop programs that foster democratic development and human rights protection. Our assistance programs are designed to foster political and economic reform, with a particular emphasis on influencing the successor generation.

Given the need for both economic and political development in Central Asia, the United States needs to encourage the development of democratic institutions that respect human rights along with efforts to broaden the role of the OSCE in Central Asia. We have developed a plan of action for increased OSCE involvement in the Central Asian region that includes working to improve rule of law, judicial reform, and police training, and combating terrorist financing as well as to combat trafficking in persons. We are also exploring ways to better use the HDIM to press these issues. At every step of the way, we are working closely with the United States, OSCE and with Embassies to ensure that programs are not duplicated.

## UZBEKISTAN, KYRGYZSTAN: IMPROVEMENT OF HUMAN RIGHTS RECORD QUESTION

**Question:** How would you measure the record of compliance of some of our newfound allies in the war on terrorism—specifically, Uzbekistan and Kyrgyzstan? Have their human rights records improved in the last year?

**Answer:** The Government of Uzbekistan still has very far to go in improving its overall human rights record, which remains poor, and we continue to stress the importance of continuous improvements in human rights to our bilateral relationship. However, in the first 6 months of 2002, the Government of Uzbekistan took small but significant steps to improve its human rights record. It has registered a human rights NGO, put police on trial, opened prisons to ICRC, invited the U.N. Special Rapporteur on Torture to visit (visit likely to take place during the last week of November/first week of December 2002), and abolished formal censorship.

For most of the past year, democracy and human rights in Kyrgyzstan have worsened, symbolized by the jailing of parliamentarian Azimbek Beknazarov and the killing of five unarmed protesters in March. Despite this, Kyrgyzstan's Government has recently taken incremental steps to advance political reforms and human rights in Kyrgyzstan. Mr. Beknazarov was released and law enforcement officials have been indicted in connection with the protesters' deaths. In May, the government proposed four draft laws to Parliament for consideration: creating an ombudsman, freedom of assembly, fighting corruption, and on political extremism. The government also rescinded Decree Number 20, which restricted freedom of the press; however, it also left the door open to the possibility of imposing new measures to control publishing. On June 1, President Akayev raised the status of the Assembly of People of Kyrgyzstan, a pro-presidential group with representatives of each ethnic group, tasking it to form a Council of Democratic Security and to draft a Democratic Code. More recently, President Akayev has reached out to some opposition elements that are calling for: greater efforts to root out corruption, the decentralization of power through constitutional reform, and increased accountability by government officials to the populace. While much is still not clear about the outcome of the events of the last several months, civil society appears to be the victor. Despite Kyrgyz Government attempts to weaken it, independent politicians, journalists, activists, and parliamentarians were able to rally public support for changeover the past few months.

## UKRAINE: GONGADZE CASE

**Question:** More than 2 years have passed without the resolution of the case of murdered independent journalist Georgiy Gongadze. Repeated expressions of concern and efforts about this case directed at Ukrainian authorities by this Commission, the State Department and the OSCE have been met with stonewalling and obfuscation. What can you tell us about how the investigation is proceeding?

**Answer:** From the earliest moments of the disappearance, the U.S. Government—including at the highest levels—has pressed the Government of Ukraine to conduct a prompt, credible and transparent investigation into the abduction and murder of Gongadze. We have repeatedly offered assistance to the investigation.

This investigation has been of such a high priority to the U.S. Government that an FBI team assisted in the identification of the body. At the Government of Ukraine's request, an FBI team traveled to Ukraine to offer assistance earlier this year, but returned after being denied access to key evidence.

We have told Ukrainian authorities and affirmed to the international community that the absence of a prompt, credible and transparent investigation damages Ukraine's reputation and calls into question Ukraine's commitment to democratic principles and the rule of law. We believe that the multilateral decision to invite Ukraine as an observer, not as a full participant, to the Community of Democracies Ministerial Meeting will also reinforce to Ukrainian authorities that other countries share our concerns. We remain displeased in the response of the Government of Ukraine to the disappearance and murder of Gongadze. The U.S. Government will continue to urge that the Government of Ukraine conduct transparent and credible investigations into this and other crimes against journalists and more broadly encourage the Government of Ukraine to take steps to create a climate in which the independent media can pursue its business free of fear of intimidation or threat.

#### **BELARUS: DEATH SQUAD**

**Question:** The Administration, this Commission and others have called on the Belarusian Government to conduct a thorough, impartial investigation of credible allegations that the Lukashenka regime organized a death squad responsible for the murders of opposition members and journalists. Have you seen any kind of a willingness by the Belarusian authorities to make progress on this matter?

**Answer:** The cases of the disappeared remain unresolved. Although a trial was held on the kidnapping of journalist Dmitry Zavadsky, we have seen no evidence of willingness by the Belarusian authorities to make progress on the matter of accountability for giving the order to a death squad to murder 3 opposition members and Zavadsky. We are pleased that both the Russian Duma and the Parliamentary Assembly of the Council of Europe (PACE) have announced their intention to hold independent hearings on these cases. We continue to press the importance of accountability for these cases with Belarusian officials and in OSCE meetings.

#### **RUSSIA: CHECHNYA**

**Question:** Information received from the OSCE Assistance Group to Chechnya, as well as other non-government organizations, indicate that Russian authorities plan to forcibly return internally displaced persons to Chechnya, and Grozny, in particular. The Commission has written to President Putin and urged him to ensure that the internally displaced persons seeking refuge in Ingushetia, and elsewhere in the Russian Federation, are not forcibly returned to any location,

particularly where the security situation is unstable and proper housing unavailable. Has the administration raised this issue with the Russian Government? If so, what has been the response?

**Answer:** The Russian Government, together with local officials in Chechnya and Ingushetia, has announced plans to return the approximately 100,000 Chechen IDPs now in Ingushetia to their homes, in support of its official position that the situation in Chechnya is normalizing. We have seen reports that some of the IDP returns that have occurred inside Chechnya to date have not been fully voluntary. We have not seen any reports of forced returns from Ingushetiya. We are concerned by reports that some of the IDPs who have returned to Grozny were provided inadequate temporary housing with poor sanitation and in areas subject to rebel attacks and Russian military sweeps.

We have received written assurances from the Russian Government that it will strictly adhere to the policy of only voluntary returns by IDPs. Russian Federal officials recently stated to the Russian press that they do not expect all IDPs to be able to return to Chechnya by the end of the year, as initially planned. These officials have said that IDPs remaining in Ingushetia are being moved to more permanent, winterized housing and are expected to remain in Ingushetia for the winter. However, we are concerned that new housing facilities may lack heat, adequate water and sanitation, and other essential services for IDPs.

We and international aid organizations have pressed Russian authorities at the federal and local levels to make any and all returns voluntary, and to provide IDPs with a viable option to stay, including adequate and winterized housing.

#### MACEDONIA: WAR CRIMES

**Question:** Following the signing of the Madrid Framework Agreement, Macedonia's parliament in March 2001 passed an amnesty law which granted amnesty to former KLA fighters accused of committing crimes related to Macedonia's 2001 conflict. War Crimes fall under the jurisdiction of the ICTY. The law has not been fully implemented, however. Ali Ahmeti, leader of the largest ethnic Albanian party in Parliament, is one of the 14 MPs who are former KLA commanders, many of whom have outstanding arrest warrants and fear detainment if they take their seats in Parliament. Many of the warrants related to alleged war crimes, which the Government of Macedonia maintains are exempt from the law. NATO maintains there can be no domestic prosecution of war crimes in Macedonia and yet it is our understanding the ICTY has not ruled out that possibility. It seems that such an ambiguous policy would open the situation to exploitation by nationalists on both sides. A full implementation of the amnesty law is clearly in the interest of maintaining stability in Macedonia. Do OSCE, NATO and ICTY have different approaches? What is the U.S. Government doing to resolve these differences? Why is there not a "rules of the road" approach similar to that which exists in Bosnia?

**Answer:** Macedonia's amnesty law excludes persons who have committed criminal acts related to, and in connection with, the 2001 conflict, which are under the jurisdiction of ICTY and for which ICTY



instigates proceedings. ICTY has opened investigations and asserted its prosecutorial primacy in five cases, some of which cover in part charges brought by the Government of Macedonia against Ali Ahmeti and other former KLA commanders. ICTY will review whether to assert primacy in any additional war crimes cases on a case-by-case basis. An ICTY assertion of primacy in a case requires Macedonian authorities to halt court proceedings in the case.

It is within the purview of Macedonia's courts to interpret and determine applicability of the amnesty law. Since passage of the law, there have been instances where arrests have been made for crimes that may fall under the amnesty, and there may be outstanding arrest warrants for crimes that may fall under the amnesty. Macedonian courts must decide on the applicability of the amnesty law in these instances. Where an alleged crime appears to fall under the ICTY's jurisdiction, the ICTY would review and decide whether to assert primacy and prosecute. If the courts deem that the crime does not fall under ICTY jurisdiction and that the crime is not excluded from amnesty by any other provision of the law, the charges must be dropped and any detainment ended.

It is conceivable that ICTY could vet a case, decide that it concerns a matter that falls under the ICTY's jurisdiction, but then decline to prosecute the case. There has been disagreement between international community representatives and officials of the outgoing Macedonian Government over whether, under the Amnesty Law, Macedonian authorities would then be free to pursue the case. Discussions on a possible "rules of the road" approach are ongoing. From early on, we have engaged with NATO, OSCE, and ICTY representatives on the way forward. (This coordination will continue as we work with our international community partners and with the new incoming Macedonian Government and the Macedonian courts as they apply the amnesty law to ensure its fair and full application and to prevent its exploitation by nationalists.

#### OSCE/ODIHR: NEW ELECTION STANDARDS

**Question:** The OSCE Office for Democratic Institutions and Human Rights (ODIHR) is currently floating a paper that discusses possible new election standards. As I understand it, this is an idea that was put forward by Russia, and the OSCE staff are doing the drafting. Do you believe, as the Russians seemingly do, that new OSCE standards are needed?

**Answer:** Our understanding is that the OSCE ODIHR is developing a paper that takes inventory of existing international standards for democratic elections adopted in international fora including the OSCE, U.N. and COE. The initiative to conduct such an inventory came from the ODIHR, not from Russia. We believe that existing standards are fairly comprehensive and are not convinced that new standards are necessary, but look forward to ODIHR's inventory, which may expose existing gaps. Given ODIHR'S well-established track record promoting elections that meet OSCE standards, we believe that it is unlikely that ODIHR would introduce a document on elections that would undercut its ability to continue this work. We will monitor this closely and work with other delegations in determining the best way to promote adherence to Copenhagen Document principles.

### OSCE/ODIHR: PROPER ELECTION STANDARD

**Question:** Electoral procedures have been a focal point of OSCE activity for roughly a decade. Over time, however, there has been a growing unwillingness to use the phrase “free and fair” and to replace it with more anodyne phrases. Why do you think this is the case? How can the United States contribute to the reestablishment of a genuine commitment to free and fair as the proper standard for elections in the OSCE? Or do you have another standard you believe would be more appropriate?

**Answer:** The OSCE’S Office of Democratic Institutions and Human Rights (ODIHR) has begun using the term “democratic elections” in the sentence of its election reports that provides an overall assessment because this term is more comprehensive and rigorous than the term “free and fair.” As derived from the Copenhagen Document and as the ODIHR Election Observation Handbook explicitly states, democratic elections require 7 criteria: they must be universal, secret, free, fair, equal, accountable, and transparent. In the executive summary and body of ODIHR’S election reports, it continues to evaluate the extent to which elections have met these 7 criteria. For example, the executive summary of ODIHR’S final report on the 2001 presidential election in Belarus stated, “Already during the months leading to 9 September, conditions in Belarus were such that the presidential election could not meet the OSCE commitments for a free, fair, equal, transparent and accountable election.” We will continue to monitor closely ODIHR’s election standards and their application in election assessments. Please let us know if you have additional concerns.

**Question:** H.Con. Res. 422, which was introduced by Co-Chairman Smith earlier this year, among other things, calls on the Government of Kazakhstan to take every necessary step to make possible the return of exiled political leaders, most notably former Prime Minister Akezhan Kazhegeldin. What are you and the State Department doing to help ensure that opposition political activists can operate safely in Kazakhstan?

**Answer:** Despite the obvious harassment of opposition leaders and the independent media, we see the emergence of nascent, fledgling democratic forces that merit support. DRL therefore is increasing its support for political party development work in Kazakhstan through a \$500,000 regional grant to the International Republican Institute. DRL is also funding a project to support an extensive training program for independent journalists in all of Central Asia, including Kazakhstan. This program will train and support journalists to increase coverage of human rights issues, allowing them to monitor human rights abuses and expose corruption in the region, providing the information citizens need to judge those in authority.

The U.S. Government has been a forceful public critic of Kazakhstan’s human rights record in press statements, the Country Report on Human Rights and the Report on International Religious Freedom. We maintain an ongoing dialogue with high governmental officials as well as with opposition and independent journalists and have a vigorous assistance program geared to promote democratic values. Most of our projects in Central Asia are regional, but in FY02, approximately \$390,000 of DRL’s larger regional budget was spent in Kazakhstan for

democracy and human rights projects. AID also provides funding for a number of democracy and governance programs in Kazakhstan: NDI has \$500,000 over 3 years to promote civic advocacy and campaigns through NGOs; ABA/CEELI is implementing a \$400,000 rule of law program; Counterpart, ISAR and Transparency International have been granted a total of \$800,000 for civil society programs; and Internews has \$980,000 for media programs in Kazakhstan. I will be in Kazakhstan in November 2002 for the second time this year to meet with senior government officials and members of the independent media and opposition to discuss these issues.

#### KAZAKHSTAN: PRINTING PRESS

**Question:** The State Department has been looking into the prospect of establishing an independent printing press in Kazakhstan for some time. Where does this issue stand?

**Answer:** While we remain concerned about the state of independent media in Kazakhstan, the State Department does not currently have plans to establish an independent printing press in the country. We have looked into this question carefully. In 2001, the Department commissioned an assessment of the financial, legal, political climate and the journalistic capacity to support independent presses in Kazakhstan and Kyrgyzstan. On the basis of this assessment, the Department's Bureau for Democracy, Human Rights and Labor is launching a pilot project to support an independent press in Kyrgyzstan.

For Kazakhstan, we believe currently that technical support to the independent media is the best use of limited assistance resources. This assistance includes hands-on journalism and management training and equipment and production grants for media professionals and outlets. Because television remains the medium of the masses, the bulk of our technical assistance has been directed at broadcast media.

While some opposition outlets have recently been shut down or sold off, the independent party Ak Zhol has rolled out two nationwide newspapers (Kazakh- and Russian-language), which are being printed and distributed so far without obstacles even as they address topics like corruption, attacks on the media, and the need for democratic reform. These newspapers, with a combined circulation of 25,000, are printed on privately owned press.

**PREPARED SUBMISSION OF  
ROBERT TEMPLER, ASIA PROGRAM DIRECTOR,  
INTERNATIONAL CRISIS GROUP**

***THE OSCE IN CENTRAL ASIA: A NEW STRATEGY***

**ICG ASIA REPORT NO. 38  
11 SEPTEMBER 2002**

**EXECUTIVE SUMMARY AND RECOMMENDATIONS**

The Organisation for Security and Cooperation in Europe (OSCE) emerged in a wave of euphoria surrounding the events of the late 1980s in the former Soviet bloc. Building on the achievements of its predecessor, the Conference on Security and Cooperation in Europe (CSCE), it has played a key role in state-building and democratisation in many areas of Central and Eastern Europe and the former Soviet Union.

The five newly independent Central Asian states that emerged from the collapse of the USSR were original members of the organisation but movement towards democracy and open economies has been much slower than in Europe. As a result, in Central Asia the OSCE is present in five states with non-democratic systems of government that frequently flout the commitments on which the organisation is built.

Many of these states are weak and have not yet developed strong civil societies. Socio-economic disaffection is high. Political exclusion has provoked radicalisation among fringe Islamist and other groups, who have sometimes turned to violence. The consolidation of power by small elites has excluded others from the political process, thereby stirring political tensions.

Despite the region's obvious needs, Central Asia gets only a tiny fraction of OSCE attention. The organisation devotes less than 5 per cent of the total budget to its missions and programs in the five states, and the former have only about 30 international officers, out of a total OSCE field presence of nearly 3,500. This low level of staffing is partly the result of resistance on the part of Central Asian hosts reluctant to see more resources committed to monitoring their behaviour. But it also illustrates a lack of interest among other participating States in a region that until September 2001 seemed often remote and unimportant.

Discussions and reports on the role of the organisation in Central Asia are not new. Until now little has really changed. However, the new global security environment is forcing the OSCE to think hard about its own future. As the European Union (EU) grows and takes on additional foreign policy tasks, and NATO expands and adopts more of the "soft" security issues that were once the OSCE's preserve, the OSCE is increasingly seeking a new purpose for itself.

At the same time, Central Asia is facing considerable change. The increased international presence is undermining some old certainties about the region, and there is a new opportunity for engagement. The OSCE still faces a difficult political environment, and host governments often view it with considerable suspicion. But a window has opened, at least briefly. In many ways, the OSCE, with its unique

mandate and membership, is much better placed than individual states or other international organisations to take advantage of these changes and respond rapidly to events.

This report focuses on three issues:

- establishing a long-term strategic concept of what the OSCE is for and what it can accomplish in Central Asia;
- increasing OSCE influence with and importance to host governments in the region; and
- making changes to structure and staffing to enable OSCE to carry out its tasks.

Given its structural constraints—a one-year chairmanship, annual mandates for missions in some states, and short-term secondments of staff—it is not surprising that the OSCE has failed to develop a long-term strategy in Central Asia. But it is vital that it has a clearer vision of what it is for and what it wants to do. The primary strategic focus should be conflict prevention. The potential for conflict stems from a wide range of sources, but mainly from poor security policies, declining socio-economic opportunities, and authoritarian political cultures and institutions.

A new strategy would strongly emphasise efforts to develop more effective approaches to security in each state; to build up economic development potential at all levels, and to expand political pluralism. This requires activities and projects that cross the three classical OSCE dimensions: politico-security; economic and environment; and the human dimension. It will require more work on the economic dimension (and a much clearer idea of what it is), and in political and military affairs, but brought together with key elements of the human dimension to produce the comprehensive security concept on which the OSCE is based.

To have real impact, however, the OSCE needs to build up its influence with governments in the region. One way, after completing its strategy review, is to make its activities more relevant for their societies. But it also needs to link its activities to those of institutions with greater resources. There is increasing understanding in international financial institutions that government lending or international investment is worse than useless without commensurate changes in political structures and economic policy. Closer coordination with donors and lenders, such as the European Bank for Reconstruction and Development (EBRD), the World Bank, the Asian Development Bank (ADB) and the EU would provide real leverage for the OSCE.

Changing the focus of the OSCE in Central Asia cannot be done without changing its central structures and the way that missions work in the field. The very different demands on missions in Central Asia from those in post-conflict situations in the Balkans should be reflected in more support from central institutions. A more viable secretariat with a real core of regional expertise would enable analysis and planning to feed better into activities and programs. More coordination between disparate institutions would produce better policy. Staff recruitment and training need to be improved.

The OSCE is an organisation whose decisions are reached by consensus among 55 participating States. Understandably, achieving change is a struggle. But if participating States are serious about the

organisation making a difference in Central Asia, political will needs to be mustered for a significant shift in emphasis. The alternative is for the OSCE to fade into irrelevance, as the political paths of Central Asian states take them further away from the ideals on which the organisation was founded.

## RECOMMENDATIONS

### To the OSCE Chairman-in-Office:

1. Make Central Asia a major priority, using high-level as well as regular diplomatic missions to the region to raise the OSCE's credibility and visibility with host governments.
2. Set up an inter-institutional working group to develop priorities for Central Asia, including the Secretariat, field missions, ODIHR and HCNM, and the Conflict Prevention Centre, and where appropriate, outside experts.
3. Use this working group, in consultation with field missions, both to develop long-term strategies and coherent twelve-month work plans with prioritised and interrelated projects that cross the classical OSCE dimensions:
  - (a) the economic dimension should be expanded and its focus shifted towards political aspects of development, including rule of law, governance, and corruption;
  - (b) the politico-military dimension should increase its emphasis on policing issues (with special attention on small arms and light weapons and drugs trafficking), on border procedures and good offices to delimit borders, and on involving civil society involvement in security issues;
  - (c) the human dimension must retain its strong role in monitoring and reporting on human rights issues, while working more closely with the other two dimensions;
4. Focus on a few areas of real significance for conflict prevention that involve follow-up and long-term commitment, including:
  - (a) border projects promoting freedom of movement, effective security and cross-border trade;
  - (b) bringing international experience to bear on corruption as an obstacle to economic growth and political reform;
  - (c) security sector programs that direct attention to the real problems of unreformed law enforcement agencies and provide training on internationally accepted procedures and standards;
  - (d) continued emphasis on human rights and democratisation, with more effort to promote development of effective political institutions, including opposition parties, and real political dialogue;
  - (e) greater emphasis on rule of law in business through programs to support legislation and its implementation/enforcement for small and medium sized businesses, such as judicial enforcement of contracts, and, more generally, on developing the legal expertise of institutions;

- (f) increased attention to Central Asian media in order to foster a more professional, objective and independent press; and
- 5. Create additional leverage for the OSCE by developing much closer relations with donor and lender organisations, in particular with the EU and the EBRD, as well as the ADB.

**To the participating States:**

- 6. Develop a Central Asian Support Fund, administered by the Secretariat that upon application from the field missions will assist projects, in particular those in the first and second dimensions.
- 7. Convert the Forum for Security Cooperation into a real security body for the OSCE that groups policing issues, border issues and other first dimension areas into one coherent group.
- 8. Develop the economic dimension by strengthening its mandate to include rule of law and good governance issues, with commensurate staffing and regional expertise.
- 9. Strengthen the role of the Secretary General as probably the only way to give OSCE the visible leadership it needs.
- 10. Improve the quality of staff at all levels in missions through better recruitment procedures, training, and gender balance.
- 11. Establish a new procedure for appointing heads of missions which emphasises appropriate qualifications over political loyalties.
- 12. Establish an expert group via the “Moscow mechanism” to report on Turkmenistan’s observance of OSCE commitments.
- 13. Propose a partnership agreement with Afghanistan as a means of improving cross-border cooperation.

**To the High Commissioner on National Minorities:**

- 14. Adopt a more proactive stance towards Central Asia, including early visits to Uzbekistan and Turkmenistan.
- 15. Provide legal expertise on draft laws relating to national minorities as they are raised/ discussed in each country.
- 16. Encourage the integration of nationality issues into existing projects and activities of field missions and other OSCE institutions.

For the full report, see <<<http://www.intl-crisis-group.org>>>.

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