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Panel One

OSCE at 20: Strengths, Weaknesses - Promises and Peril

Ambassador Samuel G. Wise Jr. (moderator)

Ambassador Wise currently serves as the Director for International Policy at the Commission on Security and Cooperation in Europe. He also served as Ambassador and Deputy Head of U.S. Delegation to Vienna, CSCE Review Meeting from 1986-1989. Throughout the 1980s and into the 1990s Ambassador Wise has participated in nearly every major OSCE meeting.

Ambassador Jonathan Dean

Ambassador Dean is currently Arms Control Advisor for the Union of Concerned Scientists. Previously, Ambassador Dean served as the Deputy Director of the Office of United Nations Political Affairs, Department of State, where he worked on peacekeeping and economic sanctions. He also acted as Deputy U.S. negotiator of the 1971 quadripartite agreement on Berlin and served as deputy U.S. Representative and then U.S. Representative to the NATO-Warsaw Pact Mutual Balanced Force Reduction (MBFR) negotiations in Vienna. After leaving the Foreign Service, Ambassador Dean joined the Carnegie Endowment for International Peace as Resident Associate for Arms Control and European Security Issues.

Jean-Claude Joseph

Mr. Joseph is currently Deputy Chief of Mission for the Embassy of Switzerland in Washington, D.C. He previously held positions in the Federal Department for Foreign Affairs and was Swiss delegate to the European Space Agency before taking a position as Swiss delegate to the Conference on Security and Cooperation in Europe in Vienna.

Neil J. Kritz

Mr. Kritz directs the Rule of Law Initiative at the U.S. Institute of Peace. He specializes in advancing peace through the development of democratic legal and governmental systems. He coordinated a review of the draft Russian constitution at the request of the Russian Constitutional Commission and has prepared curricula on international law and the promotion of democracy for the Department of Defense. He also focuses on the advancement of the rule of law through the OSCE and other regional organizations.

Panel Two

ASIA: Market Driven Reform or Repression?

Professor James Clad (moderator)

Dr. Clad is a Professor of Southeast Asian Studies at the Georgetown University School of Foreign Service. He previously served as a Senior Associate at the Carnegie Endowment for International Peace. In the 1980s, Dr. Clad was a Senior Correspondent for the Far Eastern Economic Review.

John T. Kamm

Mr. Kamm is an American citizen who has lived in Hong Kong since 1972. During that time he has served as a correspondent and representative of the National Council for US-China Trade and established his own firm specializing in China trading. He is now Managing Director of Kamm & Associates Ltd. and Chairman of Market Access Ltd., a firm specializing in government affairs and US-China relations. Mr. Kamm also served as President of the American Chamber of Commerce in Hong Kong in 1990 and led AmCham's first delegations to Washington, successfully lobbying to retain China's MFN status and to improve immigration prospects for Hong Kong residents. Mr. Kamm has also worked with the Chinese Government to resolve a number of cases of imprisoned dissidents and is a participant in the dialogue with Beijing on human rights issues.

T. Kumar

Mr. Kumar is an attorney and currently serves as the Asia-Pacific Government Program Officer for Amnesty International. He previously acted as the U.N. Representative for Peace Brigades International and has also served at PRIME - Ecumenical Commitment to Refugees, as Coordinator of the Political Asylum Project. Mr. Kumar was a member of the Board of Directors of Amnesty International and a member of the Board of Trustees of the International Human Rights Fund of the Philadelphia Bar Association. He has interviewed refugees in Bosnia and Croatia, monitored elections in Haiti, coordinated a homeless shelter in Philadelphia, and conducted human rights work in Guatemala, and in numerous African nations. Because activism in his native Sri Lanka, he was earlier imprisoned for five years and adopted as an Amnesty International prisoner of conscience.

Dr. Stanley Byron Weeks

Dr. Weeks has over 25 years of experience in international policy and security issues. His recent work at the Science Applications International Corporation has included support for the Office of the Secretary of Defense in developing Pacific multilateral security cooperation. He is also a member of the Board of Directors of the U.S. Committee of the Council for Security Cooperation in the Asia Pacific. He also spent 20 years in the U.S. Navy dealing with such issues as Strategic Planning, Arms Control, Nuclear Planning, and International Operations. He is the author of many publications, including "Multilateral Security Cooperation and Confidence Building Measures in the Asia-Pacific."

Panel Three

AFRICA: Conflict, Compromise and Managing Chaos

Ambassador Chester Crocker (moderator)

Ambassador Crocker is the Landegger Distinguished Research Professor of International Affairs at the School of Foreign Service at Georgetown University. From 1981 to 1989, he served as Assistant Secretary of State for African Affairs and founded the African Studies program at Georgetown University's Center for Strategic and International Studies. He has lectured and written on a broad range of topics related to international politics, U.S. foreign policy, mediation and conflict resolution, African affairs, and U.S. - Soviet relations. Ambassador Crocker participated in the 1991 Helsinki Commission hearing examining the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA).

Janet Fleischman

Ms. Fleischman is the Washington Director of Human Rights Watch/Africa, and is currently Acting Executive Director. She has written numerous reports on human rights in Africa, based on fact-finding missions. From 1983 through 1989, she worked for Helsinki Watch. In 1990, she became a researcher for the Africa division of Human Rights Watch, focusing on West and Central Africa. In January 1993, she moved to Washington, D.C. and became responsible for advocacy for the Africa division.

Gabriel Negatu

Mr. Negatu is the Director of the Federation of African Voluntary Development Organizations. He brings to this position over 20 years of hands-on experience in the areas of grassroots development, emergency relief operations, refugee assistance, and anti-poverty programs in both the U.S. and Africa.

Ambassador T.A.O. Otunla

Ambassador Otunla currently serves as the Director of the African Leadership Forum. Prior to holding this position, Ambassador Otunla served in the Nigerian Foreign Service, heading the Nigerian missions in Harare and Accra. He also served as a special adviser to the Nigerian Head of State Gen. O. Obasanjo and as special adviser to the Commonwealth Eminent Persons Group, participating in the discussions with the apartheid Government and pro-democracy movements. At different periods he was also Director of International Economic Cooperation at the Foreign Ministry and of International Relations in the National Assembly.

Panel Four

LATIN AMERICA: Trade + Democracy = Security & Human Rights?

Professor Thomas Buergenthal (moderator)

Dr. Buergenthal is currently the Director of the George Washington University Law Center International Rule of Law Center and International Legal Studies Program. He was a judge, Vice President and President of the Inter-American Court of Human Rights and of the Administrative Tribunal of the Inter-American Development Bank. He has also served as a professor at several universities, including the American University School of Law, the University of Texas, Emory University and the State University of New York. He was also the President of the Costa Rica-based Inter-American Institute of Human Rights and now serves as its Honorary President.

The Honorable Sonia Picado

Ambassador Picado is currently Costa Rica's Ambassador to the United States. She also acts as Vice President of the Board of Directors of the Inter-American Institute of Human Rights. Ambassador Picado has had extensive experience in human rights law and multilateral organizations as: Vice President of the Inter-American Court of Human Rights, Organization of American States; Executive Director, Inter-American Institute of Human Rights; Co-Chair of the Executive Committee of the Inter-American Dialogue; and Board Member of the International Foundation for Electoral Systems (IFES). She was Dean of the University of Costa Rica Law School and has taught at many other institutions throughout the Americas. Ambassador Picado has published many works on human rights and Latin America.

General John C. Ellerson

General Ellerson serves as the Chairman of the Inter-American Defense Board and the Director of the Inter-American Defense College. He served with the United States Defense Attache Office in Mexico City, Mexico and then as an advisor with the United States Military Group, Bolivia. He went on to serve as the Military Group Commander in El Salvador and spent two years as the Director of Operations, J-3 United States Southern Command, Quarry Heights, Panama.

Kelly A. McBride

Ms. McBride is the Special Advisor to the Secretary General for Human Rights, Organization of American States.

Viviannna Kristicevic

Ms. Kristicevic is the Director of the Center for Justice and International Law which was established in 1991 as a consortium of ten human rights organizations from North, Central, and South America and the Caribbean. She was also a Legal Fellow at Cambridge and Somerville Legal Services, working on the Women's Refugee Project of the Harvard Human Rights program, and a staff attorney at Gutierrez and Associates. She was also the founder and staff attorney of the Legal Assistance Clinic which provides free legal advice for indigents.

Panel Five
MIDDLE EAST: Resolving Conflict Through Diplomacy

Professor William Zartman (moderator)

Dr. Zartman is the Blaustein Professor of International Organization and Conflict Resolution and Director of African Studies at the Johns Hopkins University School of Advanced International Studies. He has published extensively and lectured worldwide on international mediation, negotiation theory, and conflict resolution in the Middle East. Dr. Zartman has examined the applicability of CSCE-like models in other regions. A member of the Council on Foreign Relations, he is also a consultant to the U.S. State Department and USIA. Professor Zartman participated in the 1993 Helsinki Commission hearing examining the prospects for peace and collective security in the Middle East.

Ambassador Tasheen Basheer

Mr. Basheer is currently a Senior Fellow at the U.S. Institute for Peace. He has over 25 years of senior diplomatic experience, serving as the official spokesman of Egypt under Presidents Sadat and Nasser and as Egyptian Ambassador to Canada. He has also served as the Permanent Representative of Egypt to the League of Arab States and has held high-level positions at the U.N. and other international conferences.

Helena Cobban

*Ms. Cobban is a writer for The Christian Science Monitor and the London-based Arabic-language daily, Al-Hayat. From 1974 through 1981 she worked as a journalist in the Middle East. In 1986 she received an SSRC-MacArthur Fellowship in International Peace and Security. She served on the directing staff of the Initiative for Peace and Cooperation in the Middle East from 1991 to 1993. She is also a member of the Advisory Committee of Human Rights Watch/Middle East, the International Institute for Strategic Studies, and the Editorial Advisory Board of the Middle East Journal. Ms. Cobban, unable to attend the meeting, submitted a written statement included in the Appendix. She was replaced on the panel by **Fatima Ziai**, a researcher at Human Rights Watch\Middle East.*

Alan Makovsky

Mr. Makovsky is a Senior Fellow at the Washington Institute for Near East Policy. He has also served as Special Advisor to the Special Middle East Coordinator, U.S. Department of State; Staff Consultant, Subcommittee on Europe and the Middle East, Foreign Affairs Committee, U.S. House of Representatives; and Special Assistant for the Middle East Peace Process, Bureau of Intelligence and Research, U.S. Department of State. He has also written several works on the Middle East and Turkey, including Building a Middle East Community: The Future of the Multilateral Middle East Peace Process.

Panel Six

OSCE and the Future of Multilateralism

Robert Hand (moderator)

Mr. Hand has been a professional staff advisor at the Commission on Security and Cooperation in Europe since 1983. Originally responsible for East-West trade and environmental issues, his current responsibilities include all of the countries emerging from the former Yugoslavia, including Bosnia-Herzegovina, and Albania. Since the 1983 Madrid Review Meeting, Mr. Hand has participated in nearly every major OSCE meeting.

Professor Thomas Buergenthal

Dr. Buergenthal is currently the Director of the George Washington University Law Center International Rule of Law Center and International Legal Studies Program. He was a judge, Vice President and President of the Inter-American Court of Human Rights and of the Administrative Tribunal of the Inter-American Development Bank. He has also served as a professor at several universities, including the American University School of Law, the University of Texas, Emory University and the State University of New York. He was also the President of the Costa Rica-based Inter-American Institute of Human Rights and now serves as its Honorary President.

Dr. William Korey

Dr. Korey served for many years as Director of International Policy Research for B'nai B'rith. Prior to that, he was Director of B'nai B'rith's U.N. office and of the Washington, DC regional office of the Anti-Defamation League. He has taught at Long Island University, City College of New York, and Columbia University and has been visiting professor at Yeshiva University and at Brooklyn College. He has also authored many published works, including a book on the Helsinki Process entitled The Promises We Keep.

Professor William Zartman

Dr. Zartman is the Blaustein Professor of International Organization and Conflict Resolution and Director of African Studies at the Johns Hopkins University School of Advanced International Studies. He has published extensively and lectured worldwide on international mediation, negotiation theory, and conflict resolution in the Middle East. Dr. Zartman has examined the applicability of CSCE-like models in other regions. A member of the Council on Foreign Relations, he is also a consultant to the U.S. State Department and USIA. Professor Zartman participated in the 1993 Helsinki Commission hearing examining the prospects for peace and collective security in the Middle East.

Speech by Robert H. Frowick
to
**“Pohang International Symposium on Peace,
Development and Cooperation in North East Asia”**
May 15, 1992

CSCE and a New Asia-Pacific Order

Efforts presently under way to shape a New Order of Peace, Development, and Cooperation in North East Asia take place within an emerging New World Order. The current transitional phase of global political change, influenced more than ever before by the United Nations, has been stimulated especially by dramatic transformations of the East-West political landscape in Europe during the past three years. It seems useful, therefore, in considering prospects for North East Asia - and the Asia-Pacific region as a whole - to reflect on regional political forces in Europe which have helped bring an end to the Cold War and are now helping build a New Order in that historically troubled continent.

CSCE Contributions to Change in Europe

Particularly prominent among forces for change in Europe, in my view, have been: 1) in the East, the influence of Mikhail Gorbachev's reforms, glasnost and perestroika, now being refined and carried forward by Boris Yeltsin and others; 2) in the West, the example of success by the Atlantic Alliance in safeguarding democracy and achieving unprecedented prosperity - thereby creating a beacon of a better life attracting attention across Eastern Europe; and, 3) bringing together both East and West, the Conference on Security and Cooperation in Europe (CSCE), a widely underestimated diplomatic process, about which I will speak in some detail.

My paper will focus on the role of the CSCE in overcoming the postwar divisions of Europe in general and of Germany in particular. It will attempt to draw lessons from this experience which might prove helpful in the quest to create a New Order in the Asia-Pacific region and at last overcome the division of Korea on terms acceptable to the Korean people. From the inception of the diplomacy relating to CSCE, the German question has stood at the center of attention until peaceful reunification was achieved in 1990.

Genesis of CSCE

CSCE can trace its roots to an appeal issued over forty years ago in 1953, after the death of Joseph Stalin, by Sir Winston Churchill in the British House of Commons. Churchill called for a meeting of the victorious World War II Allies in Europe - the United States, United Kingdom, France, and the Soviet Union. He thought a renewal of high-level dialogue between the new leaders of the West and the post-Stalin collective leadership could, at the least, enable all concerned to become better acquainted with one another. With luck, he said, the gathering might

set in motion possibilities for a generation of peace. Interestingly, Churchill's appeal simultaneously placed special emphasis on the need for finding a means acceptable to the international community for eventually resolving the German question in Europe and for ending the then still-unresolved Korean conflict in Asia.

With respect to the European dimension of subsequent diplomacy, Churchill's proposal led to an initial meeting in Berlin, in January - February 1954, of the Foreign Ministers of the four powers. There, Soviet Foreign Minister Molotov proposed the convening of a "European Security Conference." Molotov's suggestion was firmly rejected by his Western interlocutors: US Secretary of State John Foster Dulles; UK Foreign Secretary Anthony Eden; and, French Foreign Minister Georges Bidault. They saw his suggestion, rightly in my opinion, as a ploy to gain legitimacy for the Soviets postwar hegemony over Eastern Europe and to counter West German moves then under way to strengthen security ties with the West, ultimately by joining NATO.

Although a Four Power Summit did take place in 1955 at Geneva - engendering a short-lived conciliatory "Spirit of Geneva" among American President Dwight D. Eisenhower, British Prime Minister Sir Anthony Eden, French Premier Edgar Faure, and the Soviet leadership headed by party leader Nikita Khrushchev and Marshal Nikolai Bulganin - the Soviet advocacy of a security conference failed to gain much ground due to implacable differences separating the West from the Soviets on Germany. Khrushchev's subsequent adventurism only further hardened Western attitudes. The crises in Berlin in 1958 and 1961, repression of the Hungarian uprising in 1956, Cuban missile crisis in 1962, *inter alia*, contributed to rendering Molotov's proposal a dead letter - until the mid-1960's.

Era of Detente

If it was Churchill who initiated the postwar dialogue in Europe, it was French President de Gaulle who offered a vision of how to proceed. He proposed a course of "*detente, entente, et cooperation.*" Alarmed by the Cuban missile drama, de Gaulle acted in 1965-66 to strengthen French independence within the Atlantic Alliance and to reach out for better relations with Moscow and Beijing. In the late 1960's, a growing number of European states began to endorse *detente* (an easing of tensions between the East and West) across the backdrop of the deepening conflict in Vietnam. This trend was only temporarily interrupted by the intervention of Warsaw Pact forces in Czechoslovakia in 1968. By 1969, the era of *detente* began when Willy Brandt became Chancellor of the Federal Republic of Germany, turned away from the Hallstein Doctrine designed to deny legitimacy to the communist regime in East Germany, and launched his *Ostpolitik* to improve relations with communist neighbor states to the East. Simultaneously, Richard Nixon became President of the United States and promptly announced a US policy shift from confrontation to negotiation; Georges Pompidou succeeded to build *detente*; and Leonid Brezhnev became increasingly anxious to calm relations with the West after Sino-Soviet armed clashes along the Ussuri River.

At first, this period was characterized by what I call "multiple bilateral detente." Steady progress in the effort, especially in ameliorating the situation in Berlin and in realizing the main

objectives of *Ostpolitik*, gradually induced the Atlantic Alliance to take a more receptive approach to the idea of a Europe-wide security conference. The West insisted, however, that any such event must address barriers to East-West “cooperation” as well as conditions in the East causing chronic instability. Otherwise, European security would be permanently undermined. A better name for the process, it was argued, would be a “Conference on Security and Cooperation in Europe.”

Beginning of CSCE Negotiations

Objective international circumstances have always conditioned prospects for CSCE. In 1972, those circumstances were favorable to a multilateralization of *detente*. Thus, agreement was reached to commence preparatory talks for CSCE negotiations long desired by the East in exchange for starting exploratory talks on Mutual and Balanced Force Reductions (MBFR) wanted by the West. Formal CSCE negotiations began at Geneva in 1973 and labored on until producing the Helsinki Final Act in 1975. The Final Act was approved and signed at the momentous Helsinki Summit by leaders of the 35 participating states - the United States, Canada and all the countries of Europe except Albania, which refused to join the process.

It should be noted that while the United States was a charter member of CSCE, there was never much enthusiasm for the process domestically, mainly because Secretary of State Henry Kissinger was wrong on the issue, though of course I much admire his overall services as Secretary of State.

Helsinki Final Act

The Final Act included four so-called “baskets” of provisions. Basket One included rather modest military confidence-building measures, such steps as prior announcements of large-scale military exercises and inviting observers to attend them. It also set forth ten principles to guide relations among the participating states. They concerned respect for: 1) Sovereign Equality; 2) Non-use of Force; 3) Inviolability of Frontiers; 4) Territorial Integrity; 5) Peaceful Settlement of Disputes; 6) Non-Intervention; 7) Human Rights and Fundamental Freedoms; 8) Self-Determination; 9) Cooperation; and, 10) International Obligations. A concept of special interest to this audience was a West German initiative in gaining agreement that borders could not be altered by force, but could be changed by peaceful means. Basket Two listed numerous provisions for increased cooperation on economic, scientific, and technological issues. The celebrated Third Basket concerned human contacts, information, culture and education. Little noted at the time, but crucially important to the long-term success of the CSCE process was Basket Four on follow-up activities.

A balance had been struck between the Soviet emphasis on security matters and Western insistence on a “freer flow of people, ideas, and information.” All the measures were deemed to be politically but not legally binding. The West did not want the Final Act to be viewed as a surrogate World War II peace treaty. The CSCE process was designed to promote change at a

pace tolerable to all concerned. In his speech at Helsinki, President Gerald Ford summed up the results as “promises,” whose long-term impact would depend decisively on the degree to which they were honored.

From *Detente* to Disillusionment

As fate would have it, the Helsinki Summit actually marked the end of the era of *detente*. Disillusionment set in during the next several years, when the Soviets and their Allies generally ignored their CSCE promises. With the East, however, courageous individuals steadfastly called upon their leaders to honor the Final Act. Most notably, Andrei Sakharov and the Helsinki Monitors in the Soviet Union, Lech Walesa and his solidarity adherents in Poland, Václav Havel and his Charter 77 colleagues in Czechoslovakia, all rallied behind the Final Act and never gave up on it. They became the true heroes of CSCE..

The year 1986 marked the beginning of a new time of hope as a result of the emergence of Mikhail Gorbachev's "new thinking." A major breakthrough occurred that September when the Stockholm Conference on Confidence and Security-Building Measures and Disarmament in Europe (CD) reached agreement on-site, on-demand inspections. This result, which had previously eluded Western negotiators for 40 years, since the collapse of the Baruch Plan, opened the way to a contemporary Golden Age of arms control. Since the Stockholm talks were an integral part of CSCE, this was a significant CSCE achievement.

Advances in Vienna

Success in Stockholm inspired hopes for the Vienna CSCE Follow-Up Meeting, which began at the Ministerial level in November 1986. The Vienna Meeting was the third follow-up meeting after the Helsinki Summit. The first, at Belgrade in 1977-78, produced no headway. The second, at Madrid in 1980-83, generated scant progress beyond agreement to hold the Stockholm Conference and a series of meetings related to human rights.

The Vienna Meeting opened with strong American and Western appeals to the Soviets for significant improvement on human rights, to equate with the Stockholm advances on security. Sharp debates characterized the opening months of the Vienna negotiations, but gradually a momentum of progress picked up steam, leading to remarkable advances on all CSCE questions by the end of the meeting in January 1989. These results effectively set the stage for the explosive political developments shattering the European status quo in 1989.

The Berlin Wall came tumbling down; Eastern Europeans eagerly reclaimed their self-determination, with Walesa and Havel being swept into leadership of their countries; the Baltic States maneuvered to regain independence vis-a-vis the Soviet Union, and so forth. The time had come for overcoming the divisions of Europe, in particular the division of *Germany*.

CSCE was the chosen locus in 1990 for resolving the German question, in the context of

the October 1990 New York CSCE Ministerial Meeting convened to prepare for the historic Paris Summit. The New York session began with the last of the so-called "2 plus 4" negotiations between West and East Germany and the US, UK, France, and USSR, at which the latter relinquished their last remaining four-power rights in Germany. ON October 3, at midnight in Berlin, Germans were celebrating reunification just as the New York meeting was concluding with champagne toasts to the newly united German delegation.

Success at the Paris Summit

The November 1990 Paris Summit was a CSCE event and the high point of CSCE to date. It produced a World War II peace settlement through the blessing of all the leaders of Europe and North America of German reunification and the reclaimed self determination of Eastern Europe. Beyond this, the Summit's *Charter of Paris* set a course to establish a New Order in Europe based on CSCE precepts and sustained by the CSCE process.

To consolidate gains and move the process forward, Summit participants called for the creation of new permanent institutions. These have since taken shape as a Secretariat in Prague, a Conflict Prevention Center in Vienna, and an Office for Democratic Institutions and Human Rights in Warsaw. Agreement was also reached to convene a Summit at each succeeding follow-up meeting, create a Council of Foreign Ministers to meet at least once annually, and establish a Committee of Senior Officials to assist the Ministers.

Now, of course, Europe is encountering many difficulties in its transition to a New Order - as in the former Soviet Union and Yugoslavia, and in Germany's attempts to meet the challenges it faces. But clear CSCE, which is heavily involved in dealing with these difficulties, has come a long way toward meeting the promises referred to by President Ford in 1975. It is the only such broadly-based framework for regional security and cooperation in the world. In my view, it merits closer scrutiny than it has yet received as a model for emulation by the nations of the Asia-Pacific region. In particular, its success in assisting the peaceful reunification of Germany should be carefully studied by those most interested in achieving the peaceful reunification of Korea.

Towards a New Order in the Asia-Pacific Region

In the current transition to a New World Order, significant changes have also become registered in the Asia-Pacific region - not least here in North East Asia, where multiple bilateral initiatives are aimed at overcoming the division of Korea. The current situation here is reminiscent of the period of multiple bilateral *detente* in Europe twenty years ago. Sub-regional initiatives also are making headway on various programs, especially on stimulating more cooperative economic relationships. But there is no overarching framework for security and cooperation in the entire Asia-Pacific region.

Bilateral Initiatives

The *Nordpolitik* of South Korea and reciprocal steps by North Korea have brought important advances toward the goal of eventual reunification. President Tae Woo's special declaration of July 7, 1988, which in many ways parallels the objectives of *Ostpolitik* and CSCE, has already borne considerable fruit. The 1989 "Korean National Community Unification Formula" has given further impetus to the endeavor. High-level talks between the Prime Ministers of South and North Korea, commencing in 1990, have measurably advanced the process. And over the past year, since my first visit to North Korea last June, important milestones have been reached with the September 1991 entry of South and North Korea into the United Nations, and adoption of the "Reconciliation and Nonaggression Agreement" as well as the "Joint Declaration on Denuclearization of the Korean Peninsula." The world has noted these results with approval and growing interest and is hopeful that agreement will soon be reached permitting on-site inspection of nuclear facilities. Positive North Korean action on this pivotally important issue would be most welcome in my country.

Some analysts caution against comparing the Korean and German situations too closely. They point out that the Korean people were united for some 13 centuries in the past while the Germans never achieved unity until 1871, and have been together only 75 of the ensuing 121 years; that Korea was on the winning side of World War II, but Germany lost the war; and that Korea experienced internecine conflict from 1950-53, while Germany avoided such military hostilities. For my part, however, the most compelling fact is that both of these great nations were left divided by the aftermath of World War II into non-communist and communist systems of governance, with all that this implies. Since Germany has found a way to overcome its division, it would seem sensible for South and North Korea to study the German example.

Sub-Regional Activities

Sub-regional groups in the Asia-Pacific region have also been making headway in selected issues and in certain geographic areas. Advances have been registered, for example, in economic relationships through the 15-nation Asia-Pacific Economic Cooperation Process (APEC). Achievements have also characterized the work of the South Asian Association for Regional Cooperation (SAARC), the Association of South East Asian Nations (ASEAN), and the Inchoate South Pacific Forum. The Canadian sub-regional proposal for a North Pacific Cooperative Security Dialogues (NPCSD) also seems to me a worthwhile endeavor. But the cumulative effect of all these activities is to create an even patchwork of "pillars" scattered across the Asia-Pacific region. There is no overall structure covering the region as a whole.

As a newcomer to the Asia-Pacific region, I am struck by the emphasis of many spokesmen, notably in my own country, on differences between the geopolitical situations here and in Europe. It is said that the Pacific is extremely heterogeneous, while Europe is far less so, and that this state of affairs accounts for the success of CSCE, but augurs against convening a similar conference for the Asia-Pacific region. I would like to challenge the view that Europe's relatively homogeneity somehow facilitated the work of CSCE.

Toward a Regional Framework

Why not take advantage of the favorable global trends at present to think boldly of a comprehensive framework for security and cooperation for the Asia-Pacific region? Why not seriously consider the possibility of a Conference on Security and Cooperation in the Asia-Pacific Region (CSCAP)? Some statesmen have already advocated steps in this direction. But others, regrettably including spokesmen for y country, have resisted the idea. I hope Washington's attitude toward an Asia-Pacific Conference will not repeat the mistake of Dr. Kissinger's resistance toward the CSCE in this unique time of hope for a New World Order.

It is said that the vast Asia-Pacific region is more heterogeneous than Europe and hence less propitious for establishing a CSCAP. I challenge the view that Europe was not heterogeneous when the CSCE idea first began to take shape. Europe was not then simply neatly divided between NATO and Warsaw Pact alliances of uniformly like-minded nations. Within these alliances were all kinds of centrifugal political forces that had to be managed - as between Greeks and Turks over the 1974 Cyprus crisis within NATO, or Czechoslovakia and their Warsaw Pact neighbors who had invaded them in 1968. Outside the alliances, Spain was not yet in NATO; Albania had broken with the Warsaw Pact; and 12 diverse Neutral and Non-Aligned states had invariably had difficulty in harmonizing their views. Neither was the region uniformly inspired by Christian tradition, as is sometimes suggested. State-sponsored atheism was strong in the East, where religion was said to be the opiate of the people. Within NATO, Greek Christians were at odds with Muslim Turks. In sum, two decades ago, Europe was contending with a multitude of historical rivalries and diversities. This helps explain why it took so long from Molotov's first suggestion of a European Security Conference to get the CSCE under way and then have to deal with innumerable frustrations until success was finally achieved at the Paris Summit.

Suggestions for a CSCAP

Participation. Participation in a CSCAP, for example, could be open to all states of the region so that all concerned have as take in negotiations and compliance with their results. In my mind, parameters of the region are somewhat unclear. But it would be up to the governments concerned to agree on how far the Asia-Pacific region stretches - for example, to the Southeast and West. Certainly, the Conference would include a large number of states and cover a vast area. The magnitude of the effort might intimidate some. But they should take heart from CSCE's example of reconciling differences among nations across the entire Northern part of the world - from Vancouver across North America and Eurasia all the way to Vladivostok. CSCE has amply demonstrated the advantages of universality.

Preparation. To begin the process, it might be salutary to hold exploratory talks in a neutral setting over a period of perhaps a few months. Six months of CSCE preparatory talks held at Dipoli, near Helsinki, in 1972-73 proved invaluable in drawing the 35 countries involved into the common goal of developing a negotiating framework for strengthening mutual security

and cooperation.

Security. The security content of a SCAP might follow CSCE's example of beginning with confidence-building measures as well as political principles to guide relations among participating states. The 10 OSCE principles might serve as a starting point for drafting precepts appropriate to the Asia-Pacific region. The crucial non-use of force concept that borders may not be forcibly altered but may be changed by peaceful means would be of special interest to Korea, as I have already noted.

Cooperation. Provisions for international cooperation could similarly emulate CSCE by covering a broad scope of multilateral activity involving improvement of economic, scientific, human, informational, cultural and educational ties. Here, too, customs of the Asia-Pacific people must be respected. I note that South Korea has already begun many bilateral initiatives towards the North along these lines. Also, CSCAP discussion should support, and attenuate, ongoing work of existing sub-regional fora. In Europe, sometimes new visions of policy have been introduced in CSCE, stimulating progress in pragmatic operations of sub-regional organization. The same approach might be attempted here.

Follow-Up. Once agreements were reached, preferably at the Summit level, on an agenda for strengthening security and cooperation in the Asia-Pacific region, follow-up meetings would be needed to ensure implementation, develop new proposals, and carry the process forward. Meetings of experts on specific functional issues - for example, on peaceful settlement of disputes, or cooperation on the environment, or on cultural relations - would help deepen the process.

The Asia-Pacific region, encompassing the problems of North east Asia of interest to this symposium, is simply too important to remain indefinitely without a comprehensive framework for security and cooperation. If and when such a policy framework becomes widely desired, I strongly recommend attention to establishing a Conference on Security and Cooperation in the Asia-Pacific Region. It is up to you and the countries you represent here, but I think a Conference of this kind could well facilitate the eventual reunification of Korea and your commendable effort to create a New Order of Peace, Development and Cooperation in North East Asia.

The Role of Business in Promoting Respect for Human Rights

John Kamm

Statement to the Commission on Security and Cooperation in Europe (Helsinki Commission)'s Seminar "OSCE at 20: Relevance to Other Regions"

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As someone who has long advocated the establishment of a Congressional commission modelled on the Commission on Security and Cooperation in Europe (Helsinki Commission) to advance US interests in the Far East, especially China, I am delighted to be here today addressing this important seminar. I would like to congratulate Chairman Chris Smith for his foresight in holding this event, and to acknowledge, as I have so often in testimony before Congressional committees, his leadership on human rights issues in China. I would especially like to thank Congressman Jim Lightfoot. Congressman Lightfoot has worked hard to promote the idea of unilateral and bilateral commissions for advancing the human rights dialog with China. His effort in the Appropriations Committee to insert language in this year's State Department Appropriations Bill calling for the Commission on Security and Cooperation in Europe (hereafter CSCE) to examine its relevance for other regions, especially the Asia-Pacific, is a principal reason for our being here today.

A CSCE-style commission to monitor compliance of states in the Far East with international human rights instruments to which both they and the United States are party would have many benefits. First and foremost, the creation of such a commission would significantly increase the amount of resources which the United States devotes to promoting respect for human rights in the largest, fastest-growing area of the world. In China today, the number of officers doing human rights work at our embassy and in our consulates is ridiculously low, especially when compared to the number of officers doing trade promotion work. I recently interviewed the officer responsible for human rights monitoring at one of our largest consulates in China, a consulate with responsibility for an area with a population well in excess of 100 million people. The officer advised me that he spends no more than 10 percent of his time on human rights work. I have spoken to other officers at other diplomatic posts in the country and, based on those conversations, I would estimate that the State Department, on an aggregate basis, has fewer than three officers in the field monitoring developments in the area of human rights. There are well in excess of twenty officers doing trade and economic work. Promoting American business is now the top priority of American diplomats in China -- it is the glamor job to which officers aspire. By contrast, as one officer in the Hong Kong consulate put it, human rights work is a "ticket to nowhere."

The disparity between the number of State Department officers doing human rights work and the number carrying out tasks associated with business promotion (and I'm quite sure that the situation is mirrored in other countries of the Far East where we have sizable diplomatic establishments) speaks volumes about where the priorities of the Executive Branch lie, regardless of the rhetoric emanating from Foggy Bottom about human rights being "central" to our relationship with China. Congress can and should rectify this situation by creating a commission which, like the CSCE, gives taxpayers value for their money and which delivers a strong message to authoritarian and totalitarian regimes that the United States government will do more than provide lip service to advancing American ideals.

Another important function of a CSCE-style commission for the Far East would be to focus attention on subjects in the field of human rights which the Executive Branch would prefer not to focus on. State Department officials, especially in this administration, seem uncomfortable when it comes to a critical discussion of China's family planning policy, an area in which abuses abound. Chairman Smith has distinguished himself by insisting that the State Department pay closer attention to forced abortion and sterilization. The State Department has also been far too timid in approaching the question of Tibet. I am not here calling for a reversal of US policy which recognizes Tibet as a part of China, but I cannot understand why the State Department does not aggressively explore the establishment of a presence, perhaps a consulate, in this "autonomous region" unless, again, it is because the US has only human rights and no business interests there. A Congressional commission could undertake feasibility studies into the desirability of establishing an official presence in Tibet, and could send delegations to explore the situation on the ground. (Refusal of the Chinese government to allow such a delegation to visit Tibet should be cause for our refusal to allow selling missions from China to visit areas of this country where they have customers.)

Yet another area where a CSCE-type commission on China and the Far East could do much useful work is in the area of promoting human rights activism in the American business community. Whatever happened to the "voluntary principles" released earlier this year, just before China's MFN had to be renewed again, by the Clinton administration? I am not aware of a single major company or -- for that matter -- human rights group which has embraced these principles. Business for Social Responsibility, a San Francisco-based organization doing exemplary work in the field of business and human rights, was supposed to collect examples of corporate codes of conduct and assist companies in formulating their own codes. Has the administration provided the group with any support or guidance for this task? Companies and individual business people who actively promoted respect for human rights were supposed to have been held up as examples for other businesses to follow. Have any been officially recognized? I haven't heard of any. This suggests one or two things: 1) Nobody in this administration really cares about promoting human rights activism in the business community, or 2) no American companies deserve to be recognized for their work promoting respect for human rights.

Business lobbyists are fond of making the argument that trade with countries ruled by authoritarian regimes invariably and inevitably leads to respect for human rights and political reform. I do not deny that trade, in conjunction with other factors, can reinforce positive changes in the human rights environment of such countries (especially in the area of economic rights like the right to change jobs or the right to own private property), but the relationship between business and human rights is far more complicated than what these lobbyists would have us believe. There are plenty of examples of totalitarian and authoritarian regimes which have, in this century, enjoyed impressive rates of economic growth -- some based on expansion of the foreign trade and investment sectors -- and which have also successfully resisted political and legal reform. If we look at China, we notice two other facts as well. (1) The economic boom has brought in its wake a host of new human rights abuses like exploitation of child labor and the proliferation of unsafe sweatshops, and (2) While most US companies do their best not to exploit their workers or cooperate with repressive security forces in harrasing dissidents and their families, it is unfortunately the case that some companies and their executives act in ways that sustain human rights abuses. In one case of which I'm aware, a joint venture hotel partly owned by American interests fired the daughter of a human rights activist on the "suggestion" of the local public security bureau. In another case that received wide publicity last year, a worker at an automobile manufacturing venture partly owned by an American firm was dismissed from his job after being detained by the public security bureau for holding a private religious ceremony honoring the victims of the Tiananmen Square massacre. (I understand that this worker, Gao Feng, who was reinstated after intense international pressure, has recently been rearrested.)

Leaders of business groups have chosen to remain silent even in the face of human rights abuses which directly affect investor confidence and the ability of their members to do business in China. Not a single chamber of commerce in Hong Kong spoke out last year when a Hong Kong journalist, Xi Yang, was jailed in Beijing for 12 years for writing stories on China's plans to raise interest rates and protect its gold holdings. No Hong Kong or for that matter US business group has ever, to my knowledge, intervened with the Chinese government on behalf of businessmen arbitrarily and illegally detained in China on account of business disputes. To the dismay of millions of Americans who watched the spectacle on television, the American Chamber of Commerce in Beijing publicly chastised Secretary of State Christopher for raising human rights issues with China's leadership when he visited Beijing in the spring of 1994.

Most disturbing of all have been statements reportedly made by some senior executives of American companies at meetings with senior Chinese leaders. One has praised "Chinese democracy" while another has effused about how similar the "philosophies" of China's leadership and his company are. I have even heard of executives who have claimed that the Chinese people don't need human rights and democracy, and who have tried to curry favor with the Chinese government by praising the actions of the Chinese army in crushing the pro-democracy demonstrations of June 1989.

I want to repeat that the such actions are not the actions of the majority of American executives doing business in China, but the fact that they have taken and continue to take place seriously undermines the argument that American business is an unblemished force for good in China.

The time has come to recognize a simple truth: While it might not always be the case that trade and business are good for human rights, it most certainly is the case that a good human rights environment is always good for business. Businesses are acting in their own self-interest when they actively promote respect for human rights in the countries where they operate.

I have, in recent months, spoken on why I believe promoting respect for human rights is good for business to audiences in San Francisco and Hong Kong. I have brought copies of these speeches with me today. I will quickly summarize my arguments.

Promoting respect for human rights is good for business for at least five reasons:

1) Respecting human rights enhances worker productivity and management creativity, in short, it raises enterprise profitability.

Workers produce more and higher quality products when they work in enterprises which respect their dignity and their rights. Companies which encourage free and critical thinking and which are able to send their workers and managers abroad to learn from the experiences of their colleagues overseas are companies which innovate the fastest. Businesses which respect rights attract the best job applicants. And firms which operate in countries which have free presses and which permit the free spread of satellite and computer-based technologies enjoy competitive edges over those which operate in countries that don't.

2) Promoting rights opens markets.

Pushing China to respect intellectual property -- the protection of intellectual property is a human right specifically recognized by the Universal Declaration of Human Rights -- is of critical importance to the future success of American business in China. Without respect for patents and copyrights, China's market for some of America's best products and services will remain closed, adding to the ever-spiralling trade deficit.

An examination of the history of China's economic growth since 1979 clearly shows that the Chinese government's acknowledgment of a human right has always preceded the opening of specific markets. It was the Chinese government's decision, for instance, to loosen restrictions on the travel of its citizens that opened the market for aircraft in China. Just as granting permission to Chinese citizens to own their own telephones and television sets -- devices which have aided the development of freer expression and thought -- opened the markets for these consumer goods, so would the granting of permission to own fax machines in their homes open up a potentially huge new market for these devices.

As it stands, citizens are not allowed to own fax machines without first obtaining permission. In fact, many Chinese already own fax machines as well as satellite dishes without first getting government permission, and most get away with it. Unfortunately, those who use these devices to advance human rights and political reform do so at great risk, as the case of Zhou Guoqiang, a dissident jailed for, among other things, illegal ownership of a fax machine, shows.

3) Promoting respect for human rights goes hand in hand with development of rule of law.

More and more businesses are coming to the realization that their investments and even their persons are not safe in a country where there is no rule of law. Contracts mean nothing if they can be cancelled at the whim of local officials, as was McDonald's lease of a prime site in Beijing. Guarantees that investments will be protected mean nothing if the investors are subjected to arbitrary and illegal detention by police forces who have vested interests in enterprises threatened by the investments. Over the past few years, there have been more and more such cases, including those of Zhang Gueisheng, an American green-card holder jailed over a commercial dispute for thirty months without being brought to trial, and the shocking case of Jimmy Peng, an Australian citizen who was kidnapped in Macau and held for two years while the Chinese police concocted a case against him, a case so weak that the Chinese court sent it back to the prosecutors at least a half-dozen times on account of insufficient evidence. Jimmy Peng has just been sentenced to 18 years in prison.

Corruption -- the handmaiden of human rights abuses at the local level in China -- thrives in a country where there is no rule of law, and corruption is without doubt one of the greatest enemies of doing successful business in China. A survey conducted among businesses in Hong Kong in 1994 indicates that Hong Kong businessmen factor 3-5 percent into every business deal as the cost of corruption. Many deals have been lost by American businesses because they didn't pay bribes to corrupt officials, Communist party cadres who extort payments in the morning and arrest and harrass dissidents in the afternoon.

4) Promoting respect for international human rights instruments is essentially the same exercise as promoting respect for international trade agreements. The efforts complement each other.

The biggest obstacle to China's joining the World Trade Organization is the belief by its officials that China deserves separate treatment on account of its size and its history. There should one standard for China, they feel, and another for everyone else. The same mentality characterizes the Chinese government's assessment of its responsibilities under the Universal Declaration of Human Rights. Pushing China to respect international standards in one area -- trade -- is closely bound up with convincing China to respect standards in another -- human rights.

5) Promoting respect for human rights is good for a company's image, both at home and in the host country.

Companies which demonstrate a commitment to respecting human rights in the workplace and to improving human rights in the community at large enjoy better images than those that don't. Indeed, companies which associate with regimes of the most brutal and repressive kind are more and more the targets of shareholder resolutions and investment community boycotts. The silent forces for democracy and human rights in the host countries observe and take careful note of who is helping them and who is not, and when these forces have their day, rewards and punishments will be meted out accordingly. Aung San Suu Kyi, the champion of Burmese democracy and Nobel Peace Prize laureate, has made this abundantly clear in recent interviews when asked about companies who invest in her country without taking into account the interests and feelings of the people.

Not only is promoting respect for human rights good for business, but businesspeople are uniquely qualified to undertake human rights work.

Businessmen and women are seen by government officials of countries like China, Indonesia and Burma to be their natural allies (in fact, the business community is probably China's only real friend in Washington today). The perceived commonality of interest between these governments and their business allies (both oppose sanctions, both support measures designed to increase trade) gives businesspeople an ability to raise human rights issues without being perceived as having ulterior and "unfriendly" motives. Since I began doing human rights work in China six years ago, my own experiences and the accounts of businesspeople in other countries have convinced me that the trust which businesspeople enjoy among government officials of authoritarian regimes is a tremendous asset which can be used to good effect in lobbying for prisoner releases and other improvements in the human rights environment.

Businesspeople are skilled negotiators. They are goal-oriented. They know the value of good preparation, of patience and persistence. Salespeople are especially good at persuading those who don't think they need their goods or services to buy them. All of these traits, when applied to human rights work, bring good results.

What kinds of things can businesses do to promote human rights in the countries where they operate? We can classify initiatives into those which take place in the workplace and those which take place in the host country at large.

In the workplace, companies can enforce codes of conduct which ban the purchase of goods made with child or forced labor, and which put the highest value on safety and the maintenance of health. They can enforce minimum wage and hours of work rules, and provide their workers with health insurance, maternity leave and workmen's compensation. American companies can encourage the establishment of free associations of their workers, if not open and free unions -- which are not yet possible in many Asian countries, including China -- than other types of association which concern themselves

with health, safety, environment and even quality issues. Companies can devise systems to reward creativity and free expression, and can provide their employees with travel opportunities. Libraries and reading rooms can be established where publications not normally read by workers are made available. American companies can and should protect their employees to the maximum extent possible from the arbitrary abuse of power by government and security officials (as when female workers are told by local officials that they must have abortions). They can lay down strict rules against the paying of bribes and empower their local managers to enforce them.

In the larger community where they operate, businesspeople can undertake two types of activities to promote human rights: lobbying and monitoring.

They can lobby for legal reform in the host country, including not only reform in such areas as regulation of commerce and dispute resolution but also in such areas as the decriminalization of political activity. They can impress upon governments the importance of behaving in accordance with international standards, whether the behavior concerns trade or human rights. An example of the latter would be lobbying China and Burma to allow Red Cross access to their prisons, standard practice in more than 100 countries around the world. And they can support efforts by their own governments to promote protection of intellectual property -- in the words of the Universal Declaration, "artistic and scientific creations."

In cases where egregious violations of individual rights have taken place, businesspeople can explain to the government of the host country the deleterious consequences for attracting trade and investment. My own experience shows that it is possible to lobby for the release of people wrongfully jailed -- be they fellow businesspeople who run afoul of local powers or prisoners of conscience imprisoned for the nonviolent expression of their political and religious beliefs -- without incurring the wrath of the host government.

To carry out this lobbying and to better inform their members about human rights conditions in the countries where they are thinking about doing business, chambers of commerce and other trade association can establish human rights committees. These committees can interface with the human rights community, thereby bridging what is today an immense and terribly counterproductive gap.

I have increasingly come to the conclusion that it is in the area of human rights monitoring that American businesses operating in China can make their most valuable contributions. There are now thousands of ventures involving US business all over China, at least several in each province. These ventures can be monitoring posts, places which collect information on local conditions, rules and regulations governing such things as religion and ownership of satellite dishes and, most important from a humanitarian perspective, the sentencing of political and religious prisoners. Every court has notice boards on which they post the results of trials; for a brief moment, the names of prisoners of conscience are made public. Today in China there has been an explosion of publications at all levels of the country -- newspapers, magazines, legal journals (every province has its own legal

HUMAN RIGHTS AND NGO'S IN THE MIDDLE EAST,
AND THE FAILURE OF THE PRESENT ARAB-ISRAELI PEACE PROCESS
TO INCLUDE A HUMAN-RIGHTS DIMENSION

Remarks prepared by Helena Cobban
for the Helsinki Commission seminar:
"OSCE AT 20: RELEVANCE TO OTHER REGIONS?"

Dirksen Senate Office Building,
November 14, 1995

I would like to thank Chairman Hoyer for his efforts here today, and over the past years. I know that he has been one of the pioneers of the idea of a CSCME, and I would like to applaud his steadfastness in advocating this concept, and particularly the importance of including a human-rights dimension in any such effort, even when this crucial dimension received short shrift from many people in the United States. I would also like to recognize Dr. Zartman's important work in this regard.

The Middle East is a vast region, encompassing many countries and different types of government, and a number of distinct cultures and religions. The region has also, regrettably, been home to too many lengthy and violent inter-communal conflicts, of which the dispute between Arab parties and Israel is only one.

The question has frequently been asked, whether there is anything intrinsic about the cultures of (mainly) the Muslim countries of the region that makes it counter-productive or even impossible to think of including a human-rights basket in any OSCE-type multilateral process in the region. Dr. Abba Eban, Israel's former Foreign Minister, opined here two years ago that, "it is not possible to impose upon cultures, especially upon religious cultures, the ideas that are common to all." (Hearing of 10/14/93, p.16.)

I have not, of course, had anything like the decades of responsibility that Dr. Eban has had in conducting the affairs of a Middle Eastern country. But I have studied Middle East affairs closely for more than two decades now, including a number of years of close attention to human-rights affairs in the region. I am extremely proud that in spring 1992, I was among a small group that convened the first-ever gathering of human-rights activists from throughout the region. In that meeting, and a follow-up session the following year, Israelis, Palestinians, and nationals of a number of Arab states, as well as Turkey, came together to discuss common concerns. All were working to publicize, remediate and end human-rights abuses committed in their countries, and in lands under control of their governments -- and they found that many of them faced similar situations.

One issue common to members of the human-rights community in all the region's countries is the question of the relationship between the 'universal' principles of basic human rights and the fundamentals of their own society's religions. This issue is of concern to those living in a proclaimedly Jewish state, where important questions of civil status are still totally controlled by the rabbinate, as well as to citizens of countries with predominantly Muslim cultures, and, often, extremely strong and state-backed religious institutions. Most of the activists themselves are vociferous in arguing that the essential values of their community's own religions are not in contradiction with the principles of universal human rights. Often, they are sophisticated in being able to 'prove' that this is the case, using what one may characterize as a theologically liberal interpretation of their religion's basic texts.

At the official level, however, there are far too few examples of political leaders who have sought to seek, use, or promote such liberal interpretations of religious texts in order to counter religious fundamentalism at home and promote a human-rights agenda. The Kingdom of Jordan is one country where this has happened, and where the human-rights situation, the status of NGOs, and the real texture of institutional and public democracy have made great strides over the past 15 years. In most other Middle Eastern countries, including in Israel, the response of governments has too frequently been to appease the obscurantist, religious right.

I consider it deeply regrettable that the major attempt one does see in today's Middle East to build a multi-country, multi-'basket' approach to building a common future has notably abstained from including human rights concerns anywhere within its purview. This is of course, the Arab-Israeli peace process that was launched at the Madrid Peace Conference in October 1991, and which has made significant diplomatic progress in the years since then. The Madrid Process has, from the beginning, helpfully sought to expand the dimensions of regional peace-building to include the important topics of economic development, arms control, and refugees. But the design of the negotiation has always omitted any mention of the human-rights concerns, and issues related to the encouragement and protection of democratic norms, that have always been such a fundamental part of the Helsinki process.

Bush administration officials who worked on the design of the Madrid Process have said that inclusion of human rights and democratic protections was considered only briefly, if at all, by the administration. Certainly, from the beginning, opposition to this idea was evident on the part of the Kingdom of Saudi Arabia, which remains the only state in the region which has withheld even pro-forma approval to the Universal Declaration on Human Rights, but which has nevertheless remained a strong regional ally of successive U.S. administrations. But other key participants in the Bush administration's planning, like the governments of Israel and Egypt, also failed to push for human-rights concerns to be included in the Madrid negotiation.

The change of government in Israel in 1992 brought into power a government that has made important advances on key issues in regional peacemaking. But the Labor government there has placed no more emphasis than its Likud predecessor on the human-rights and democracy-protection dimension of peace-building in the region. And though there was also a change of administration here in Washington in early 1993, it is noticeable that the Clinton administration has also, like the Rabin government, kept in place its predecessor's failure to include this dimension of regional peace-building.

The argument is frequently heard from officials in both Washington and Israel that the imperative of resolving the state-security-level issues in the Middle East is so great that all other considerations, including concerns for fundamental human rights, need to be subordinated to it. When human-rights issues have been addressed by these officials at all, they have tended to argue that resolution of the war-and-peace issues is a necessary precursor to making any progress in the human-rights field, and will help bring about such progress.

However, these arguments run counter to the whole experience of the CSCE/OSCE process, which always saw a stress on human rights as a necessary concomitant to, rather than a possible afterthought of, the 'traditional' agenda of diplomacy. Nor is the Middle East somehow an 'exception' to the experience of the rest of the world. Indeed, the atmosphere within every one of the region's countries except Saddam Hussein's Iraq is considerably more fertile to the growth of NGOs, including in many instances human-rights organizations, than were the countries of Soviet-dominated Eastern Europe at the time of the CSCE negotiation.

Within the Middle East, moreover, there is some strong evidence that Arab-Israeli peacemaking and a concern for human rights can run successfully hand-in-hand, rather than always being antithetical to each other.

In May 1983, for example, Secretary of State Shultz succeeded in brokering a traditional style of diplomatic agreement between Israel and Lebanon that fell just short of being a formal peace treaty. But this agreement totally failed to take into account both the sentiments of a large proportion of Lebanese, and the evident regional reality of Syrian influence. Lebanese President Amin Gemayyel attempted to force endorsement of the 'May 17' agreement by his Parliament and people, using the pressures of state repression, and the violence of sectarian militia groups with which he was allied, to do so. It was little surprise to those of who knew Lebanon when Gemayyel finally discovered that this attempt to flout both the sensitivities of most of his own people and the influence of the Syrians was futile. In February 1984, he bowed to the inevitable, abandoning the agreement he had concluded the previous May, and making a belated peace both with his own people and with Damascus.

Peacemaking between Israel and Jordan has, by contrast, followed a very different course. For in Jordan, King Hussein had pursued a sustained and impressive policy of improving the human rights of his people, and their freedoms to participate actively in Jordanian political life, for many years before he entered the Madrid Process in 1991. Then, in October 1994, he concluded a formal peace treaty with Israel which has won support from his parliament and broad (though not unanimous) support from his people.

The success of King Hussein, and the failure of Amin Gemayyel, give the lie to the view (which has seemed to inform the American and Israeli approach to peacemaking) that it is necessary to overlook human-rights and democracy-protection concerns in order to ram through the peace treaties that all the region's peoples need. Indeed, if peace treaties can only be concluded if the contracting parties force them down the throats of their own peoples, then what hope can there be for their success over the longer term? The disastrous precedent of the effects for Europe (and the world) of the Treaty of Versailles springs to mind... In the Middle East, as is evident, no peace treaty can be successful unless it is broadly acceptable to the people of Israel. But it is too often forgotten in this country that such treaties can only succeed in the longer term if they are also acceptable to the Arab peoples most directly concerned.

Encouraging respectful, democratic dialogue within each of the countries of the region, and across national borders, can play an important role in building the atmosphere of compromise, of mutual acceptance, and shared concern for the region's future that a successful peace process should engender. Instead, the Bush and Clinton administrations have been far too forgiving of gross human-rights violations by parties to the peace process like the governments of Egypt and Israel, and the Palestinian Authority. And in the case of the Palestinian Authority, Vice-President Gore even expressed open support of Chairman Arafat's creation of State Security Courts designed to strip defendants of the basic protections of the rule of law.

The failure to include a human-rights basket in the Madrid Process is only one aspect of a broader approach by successive U.S. administrations to the Middle East, in which concern for human rights and fundamental freedoms has too often been subordinated to the special pleading of regional allies like Saudi Arabia or Israel, or to an over-stated, frequently irrational fear of Islamic popular movements. I submit that the goal of building and sustaining a broad regional peace absolutely demands that all the governments of the region pay close attention to human-rights concerns; and that our own government should, ideally, show leadership on this crucial but sadly neglected issue.

There are, of course, many difficult issues to be addressed if one wants to think of pursuing an activist policy of encouraging respect for human rights, and the growth of human-rights

organizations and democratic institutions in a country like the Middle East. The position of our government is particularly difficult, since it is not perceived by most of the peoples of the region as defending the application across the region of the norms of international human-rights law or the linked body of international humanitarian law. The erosion of the American position on the need to uphold the provisions of the 1949 Geneva Conventions in the West Bank and Gaza has badly dented our country's ability to be seen by most Middle Easterners as a disinterested advocate of international human-rights and humanitarian standards. Our government is also seen as closely allied with numerous other regimes in the region, in addition to Israel, which commit serious human-rights abuses. These include Egypt, Saudi Arabia, Turkey, and Bahrain. The politics of including or excluding the human-rights issue in Middle Eastern diplomacy is thus considerably more complicated, let me say more murky, than it was in the CSCE negotiations, when nearly all of our allies in the negotiation were more clearly on the side of the human-rights angels...

Notwithstanding these difficulties, I still consider that inclusion of a strong human-rights component in the American diplomacy toward the region, and in the diplomacy within the region, to be essential if efforts at building a lasting, hopeful peace are to succeed. Thank you.