



# CSCE Digest

The  
Commission  
on  
Security  
and  
Cooperation  
in  
Europe

VOLUME 22  
NUMBER 2

February 1999

## Contents

South-Central  
Europe's prospects  
examined  
by *Bob Hand* 15

Serb student  
leader Karajcic  
beaten after  
testifying before  
Commission  
by *Bob Hand* 16

Smith and Hoyer  
meet with Czech  
Deputy Foreign  
Minister Palous  
by *E. B. Schlager* 17

Kazakstan's  
Presidential  
election deeply  
flawed  
by *Michael Ochs* 18

*Testifying  
before  
the Commission  
(from left) Alexei  
Semyonov,  
interpreting  
for and son of  
Elena Bonner,  
Bonner and  
Ludmilla Alexeyeva.  
Mark Levin, seated  
behind Bonner,  
also testified.*



## Helsinki Commission holds hearing on human rights in Russia; Secretary Albright speaks out in Moscow

by *John Finerty*

On January 15, the Commission held a hearing on the state of human rights in Russia. Testifying at the hearing were Dr. Elena Bonner of the Sakharov Foundation in Moscow; Ludmilla Alexeyeva, chairperson of the Moscow Helsinki Group; David Satter, former Moscow correspondent for the *Financial Times*, and currently senior fellow at the Hudson Institute; Larry Uzzell, Moscow-based Director-designate of the Keston Institute; Micah Naftalin, National Director, Union of Councils for the Soviet Jews; and Mark Levin, Executive Director, National Conference on Soviet Jewry.

While noting that Russia is not some "dark dictatorship" where citizens are jailed arbitrarily, the press muzzled, and elections rigged, Commission Chairman Rep. Christopher H. Smith (R-NJ), noted that the "decline in Russia's recent economic fortunes has been accompanied by disturbing developments in the area of human rights and civil liberties." He especially called attention to the Law on Religious Associations adopted in 1997 and the current trial of the Jehovah's Witness organization in Moscow, the case of en-

vironmental activist Alexandr Nikitin, and the spate of anti-Semitic statements made by Communist Party members of the Russian Duma: "...anti-Semitism, thought to have been exiled since the Soviet period to the pages of rabidly nationalistic newspapers, has moved into the more comfortable seats of the Russian Duma," noted Smith.

Prior to witness testimony, guests viewed a brief video of Communist Party Duma member Albert Makashov at public rallies in Moscow and Samara. Makashov threatened to send a "list of Yids" to the "other world" and threatened "reformers and democrats" with retribution ("we won't only flog them, we'll do worse") for allegedly causing Russia's economic problems. Dr. Bonner acknowledged the current rise in anti-Semitic statements by political figures, but contended that such attitudes are not inbred in Russian society.

Ms. Alexeyeva agreed, viewing anti-Semitism as a reflection of the Communist Party, not the average Russian. She called upon parliamentarians from other Western countries to "say openly

*(Please turn to next page)*

(continued from previous page)

(from left)  
Mark Levin,  
Micah Naftalin,  
Larry Uzzell  
and David Satter



The *CSCE Digest* is published 12 times a year by The Commission on Security and Cooperation in Europe. Opinions and materials in the *CSCE Digest* do not necessarily reflect official views of the Commission or its Commissioners. Any maps used are for the convenience of the readers; the denominations used and the boundaries shown do not imply any judgement by the Commission on the legal status of any territory or any endorsement or acceptance of such boundaries. Material from the *Digest* may be reprinted, with due credit given. The Commission on Security and Cooperation in Europe, by law, monitors and encourages progress in implementing the provisions of the Helsinki Accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives, and one official each from the Departments of State, Defense, and Commerce. For more information, please call (202) 225-1901 or check the web at [www.house.gov/csce/](http://www.house.gov/csce/).

to [Communist Party members of the Duma], we don't want to deal with you because you are an anti-Semitic faction." David Satter described the helplessness of the average Russian citizen in a criminalized state where "... the individual is deprived utterly of the protection of the law in the face of criminal business mafia." Such a condition of helplessness may lead to a "general distaste for democracy and a desire for authoritarian solutions which, in Russia, could have extremely violent consequences," he warned.

Larry Uzzell provided a detailed update on the religious liberty situation in Russia since passage of the 1997 "Law on Religious Associations." He reported that "Russians don't have significantly less religious freedom than they had one-and-a-half years ago, but less than they did five years ago." He suggested that "in the short term, Russia will have less freedom, but in the long term it will be free."

Micah Naftalin asserted that in the fall of 1998 "the components of the previously fringe and grassroots manifestations of anti-Semitism in Russia turned critical...releasing an explosion of anti-Jewish events sanctioned by Russia's parliament and its chief political party. In his testimony, Naftalin listed recent incidents involving threats and/or violence against Jewish citizens in Russia.

Mark Levin stated that "anti-Semitism remains a serious threat in Russia today" and called upon the Russian Government to understand the importance of [its] commitment to human rights and rule of law. "This is the time," he concluded, "to send a strong message to Russia, denouncing the growing anti-Semitism and urge these officials to take concrete action to eradicate anti-Semitism."

In a related development, U.S. Secretary of State Madeleine Albright spoke out on behalf of human rights during her Moscow visit on January 25. Meeting with human rights activists at the State Library of Foreign Literature, Secretary Albright stated, "You are fighting for the essence of civil society when you demand legal structures that ensure justice and due process for everyone from hardened criminals to dedicated activists such as Alexander Nikitin to ordinary citizens."

The Secretary noted the concern of the international community regarding the anti-Semitic statements from prominent political figures as well as restrictions on other groups such as Jehovah's Witnesses. However, she told her audience, "You are courageously promoting a culture of tolerance where bigots are shunned and all are free to worship God in whatever way they choose." □



*Briefing the Commission and public, from left, Paul Rowland, Kent Patton, CSCE's Bob Hand, Eric Jowett, Karen Gainer and Francesca Binda*

## **South-Central Europe's prospects examined**

*by Bob Hand*

The Helsinki Commission held a January 8 briefing that examined the political, economic and electoral outlook for Bosnia-Herzegovina, Croatia, Macedonia and Serbia-Montenegro in the new year. The panel consisted of field representatives from the International Republican Institute (IRI) and the National Democratic Institute (NDI) who have spent considerable time working with political parties, election officials, civic groups and polling organizations in these countries.

Francesca Binda (NDI) noted that Bosnia-Herzegovina has held an election every year since 1996, and that 1999 will be no exception. Citing the debate over whether or not this was good, she concluded that, "every election is providing opposition parties with some momentum." While voting along ethnic lines will likely continue for some time, the upcoming November municipal elections will be an opportunity to focus on "bread and butter" issues. Binda saw international efforts to open the media in Croat-held areas and the merging of like-minded opposition parties as helping to make this possible.

Karen Gainer (NDI) and Eric Jowett (IRI) focused on Croatia. Both agreed that Croatia was in the midst of a transition, as the ruling political party—the Croatian

Democratic Community (HDZ)—was fracturing and the Roman Catholic Church distanced itself from the government. The challenge, concluded Gainer, is for the opposition parties, now more united, to capitalize on public sentiment for change. The potential for electoral reforms will help in this regard. Jowett reported IRI's polling efforts indicated a favorable climate for challengers over incumbents and a high level of interest in parliamentary elections to be held by the end of 1999, despite negative ratings for the majority of major political parties. Economic issues, especially unemployment and value-added taxes, are primary concerns among the population.

Kent Patton (IRI) described the surprising October 1998 electoral victory of an opposition parties coalition over incumbents in Macedonia, which he attributed to the abandonment of nationalist rhetoric and replacing it with economic issues, crime and corruption. Moreover, competing parties within the large Albanian community decided to work together in order to increase their overall representation in parliament. As a result, Patton concluded, Macedonia had become "a leading light in all of the Balkans, in terms of how to build a governing coalition that can resolve

some of these deep-seated ethnic problems," even if this coalition is tenuous at the moment.

Paul Rowland (NDI) focused mostly on the situation in Serbia. He said the situation there was not as optimistic as in the other countries covered at the briefing, "but there is some reason for optimism." The repression in Kosovo coupled with draconian laws affecting the universities and the media indicated that Slobodan Milosevic's power is weakening. Meanwhile, Montenegro has moved toward reform, and a new coalition in Serbia—the Alliance for Change—is growing as it seeks to avoid the organizational mistakes of its predecessors. If the opposition builds unity, focuses on fundamental economic concerns and maintains an effective organization, according to Rowland, "they can become an effective force."

During the questioning that followed the presentations, discussion focused on the specifics of electoral reform, the role of the OSCE in election observation and monitoring and the effect of the United States' efforts at encouraging democratic change throughout the region. It was noted that there will be many developments for Washington to watch in these countries in 1999. □



*Commission Chair Rep. Christopher Smith (R-NJ) meets with Boris Karajcic, Serbian student leader, in December in Washington*

## **Serb student leader Karajcic beaten after testifying before Commission**

*by Bob Hand*

On December 29, Boris Karajcic, one of the leaders of the Serbian student movement OTPOR, was beaten by two assailants armed with bats. Karajcic suffered minor injuries due to blows to his back, sides and head. According to Karajcic's statement in a press conference following the attack, the first blow to his back with a bat knocked him to the ground as he was entering his apartment building and the assailants then kicked him repeatedly. As the assailants ran from the scene, they told Karajcic to say "Hi" to his friends in OTPOR, making it clear that the beating had not been random but instead was a deliberate attempt to intimidate Karajcic. He was also the ninth OTPOR member to be beaten in three months, making the political nature of the beatings clear, according to other sources.

Commission Chairman Rep. Christopher H. Smith (R-NJ) said that Karajcic's beating was "probably related directly to the fact that Mr. Karajcic had come to the United States" and had spoken to several groups, including the Helsinki Commission, "about the Milosevic regime's at-

tempts to control the universities in Serbia." Karajcic testified before the Helsinki Commission on December 10 that Milosevic had succeeded in taking away "the autonomy" of the universities and forced "the dean or vice chancellor of the university...to be totally loyal...to be a member of the regime" through legislation allowing the minister of education to appoint and dismiss faculty as well as to decide faculty policy. With such legislation in place it is impossible to teach subjects such as politics and sociology freely. Karajcic made it clear that the only way to improve the future of Serbia is through open universities with free debate.

His response to the regime's control was "Resistance"—toward any regime whose goal is not in the best interest of the country and "is lying, is stealing, and is murdering." Resistance to support "values like truth, like free market, like democracy."

At the hearing, Smith questioned "the wisdom of reaching any agreement on Kosovo unless it is clear that in doing so the United States is not supporting, even

indirectly or unintentionally, the continuation of an autocratic regime in Belgrade." One witness stated that the international community plays an important role in the Serbian situation and "hopes that democracy in Serbia will not be a item of trade for stability in the region."

After Karajcic's beating, Smith stated that "the international community can learn...that the problems facing the Balkans today have less to do with ethnic tensions than they do with a regime that will use force against anyone that threatens its power." As one of the strongest voices for democracy and against the regime, student protests and university officials are a major target for Milosevic. If democracy is to succeed in Serbia, the United States needs to make a concerted effort to support academic freedom for Serbs. Academic freedom and democratic government go hand in hand and, as Smith has stated, "the people of Serbia deserve the same rights...which now exist throughout Europe." (*Stephanie Childs contributed to this article*) □

**N**ote: Since their appearances before the Commission, in addition to the beating of Mr. Karajcic, Mr. Panic has had his Serbian business subsidiary seized by the authorities and Mr. Curuvija was sentenced to five months in prison for "spreading false reports with an intention to endanger public order."



*(from left)  
Czech Ambassador Alexandr Vondra,  
Ranking Member Steny H. Hoyer,  
Deputy Foreign Minister Martin Palous,  
and  
Commission Chairman Christopher H. Smith*

## **Smith and Hoyer meet with Czech Deputy Foreign Minister Palous**

*by Erika B. Schlager*

On January 20, Co-Chairman Rep. Christopher H. Smith (R-NJ) and Ranking Member Rep. Steny H. Hoyer (D-MD) held the Commission's first high-level meeting with a Czech official since the 1998 elections brought a new government to power in the Czech Republic. In their meeting with Deputy Foreign Minister Martin Palous, Smith and Hoyer praised the Government of the Czech Republic for standing firm against municipal plans in the village of Usti nad Labem to wall off Roma, for plans to resolve long-standing problems of statelessness for Roma and discrimination against Czech Americans in the Czech property restitution/compensation law, and for allowing the Radio Farsi/Radio Free Iraq station to be placed in the Czech Republic. They also discussed regional security issues, including the crisis in Kosovo. At the same time, they underscored the need for Czech leaders to condemn the wave of anti-Roma, anti-Semitic and anti-foreigner violence that plagues the Czech Republic.

Palous was one of the first signatories of the Charter 77 manifesto and served as its spokesman in 1986. He served as a Deputy Foreign Minister in the first post-communist Government (1990-92). Prior to being re-appointed to this post in Octo-

ber 1998, Palous taught at Charles University in Prague and served as the Chairman of the Czech Helsinki Committee, a non-governmental human rights organization. His appointment, along with the elevation of former dissident Petr Uhl to Plenipotentiary for Human Rights, is widely perceived as evidence of the current government's heightened attention to issues that have drawn international criticism.

Following the meeting, Smith welcomed the many positive messages brought to Washington by the Deputy Minister noting, "I was deeply gratified to learn that the Czech Government has announced that it would block the construction of a wall in the village of Usti nad Labem that, if built, would effectively create a Roma ghetto. Such walls have no place in modern Europe. I hope this decision reflects a new and deeper political will on the part of the Czech Government to combat manifestations of xenophobia."

Hoyer emphasized that "the key to this effort is a strong government reaction" when xenophobic attacks occur. "President Havel has, for too long, carried the burden of reacting to such acts. It is time for other Czech leaders, including Prime Minister Zeman, to be equally asser-

tive in condemning hate crimes." The Commissioners provided Mr. Palous with a list of recent xenophobic attacks, including an attack against Bob Joyce, a 61-year-old American teacher who was beaten unconscious in November for defending a Rom against skinhead harassment. Although the attack on Joyce was caught on a gas station's surveillance camera, graphically documenting his severe beating, local police reportedly declined to press charges against the four assailants.

The Commissioners also discussed the citizenship law of the Czech Republic which has left stateless thousands of Czech Roma who previously had Czechoslovak citizenship. "I was deeply heartened by my discussion with Mr. Palous on this issue," said Smith. "Not only does there appear to be a fast-track timetable for moving legislation forward, but Mr. Palous has assured us of his government's commitment to ensure that new citizenship procedures will not entail a lot of bureaucratic red tape." Hoyer added, "the adoption of the new citizenship law, which Minister Palous said will permit dual citizenship, will also be a first step towards resolving the discrimination Czech Americans have faced in making claims for res-

*(please turn to next page)*

(continued from last page)

titution or compensation for property that was wrongly taken from them by the previous communist regime.”

The Commissioners and Mr. Palous also discussed the status of the Lety archives—the only known archives from a Roma concentration camp—and welcomed news that Mr. Palous had brought with him copies of one-third of the archives to deliver to the U.S. Holocaust Memorial Museum. “I am gratified that this moves towards fulfilling a pledge made to me over four years ago, and I hope that the remaining two-thirds of the archive copies will be delivered soon,” said Hoyer.

The Commissioners also urged Mr. Palous to seek the repeal of the Czech Republic’s communist-era criminal defamation law. “Criminalizing people because of their criticism of the government, its offices or its personalities is simply contrary to international norms and contrary to the Helsinki Final Act,” said Hoyer. “Although President Havel pardons everyone who gets convicted under this law, what will happen when someone else becomes president?” asked Smith. “This is an unnecessary legacy of the communist past.” Hungary repealed its communist-era criminal defamation law in 1994, while it held the chairmanship of the OSCE. Poland and the Czech Republic have repealed some of the articles of their respective criminal codes that criminalized speech during the communist period, but both countries’ legislatures let stand other, similar provisions. Polish officials have written to Commissioners indicating that the remaining communist-era provisions criminalizing speech will be repealed during future planned reviews of the criminal code. □

The  
official  
seal  
of  
Kazakhstan



## Kazakhstan’s Presidential Election Deeply Flawed

by *Michael Ochs*

On January 10, Kazakhstan held presidential elections, almost two years ahead of schedule. Incumbent President Nursultan Nazarbaev ran against three contenders, in the country’s first nominally contested election. According to official results, Nazarbaev retained his office, garnering 81.7 percent of the vote. Communist Party leader Serokbolsyn Abdildin won 12 percent, Gani Kasymov 4.7 percent and Engels Gabbasov 0.7 percent. The Central Election Commission reported that over 86 percent of eligible voters turned out to cast ballots.

Nazarbaev’s victory was no surprise: the entire election was carefully orchestrated and the only real issue was whether his official vote tally would be in the 90s—typical for post-Soviet Central Asian dictatorships—or the 80s, which would have signaled some sensitivity to Western and OSCE sensibilities. Any suspense the election might have offered vanished when the Supreme Court upheld a lower court ruling barring the candidacy of Nazarbaev’s sole plausible challenger, former Prime Minister Akezhan Kazhegeldin, on whom many opposition activists have focused their hopes. The formal reason for his exclusion was both trivial and symptomatic: in October, Kazhegeldin spoke at a meeting of an unregistered organization called “For Free Elections.” Addressing an unregistered organization is illegal in Kazakhstan, and a presidential decree of May 1998 stipulated that individuals convicted of any crime or fined for administrative transgressions could not run for office for a year.

Of course, the snap election deprived any real or would-be challengers of the opportunity to organize a campaign. More important, most observers saw the decision as an indication of Nazarbaev’s concerns about Kazakhstan’s economic decline and fears of running for reelection in 2000, when the situation will presumably be even much worse. Another reason to hold elections now was anxiety about the uncertainties in Russia, where a new president, with whom Nazarbaev does not have long-established relations, will be elected in 2000 and may adopt a more aggressive attitude towards Kazakhstan than has Boris Yeltsin.

The exclusion of would-be candidates, along with the snap nature of the election, intimidation of voters, the ongoing attack on independent media and restrictions on freedom of assembly, moved the OSCE’s Office for Democratic Institutions and Hu-



man Rights (ODIHR) to call in December for the election's postponement, as conditions for holding free and fair elections did not exist. Ultimately, ODIHR refused to send a full-fledged observer delegation, as it generally does to monitor an election. Instead, ODIHR dispatched to Kazakhstan a small mission to follow and report on the process. The mission's assessment concluded that Kazakhstan's elections fell *far* short of international standards, an unusually strong statement by ODIHR.

Until the mid-1990s, even though President Nazarbaev dissolved two parliaments and was singlemindedly accumulating power, Kazakhstan seemed a relatively reformist country, where various political parties could function and the media enjoyed some freedom. Moreover, considering the even more authoritarian regimes of Uzbekistan and Turkmenistan and the war and chaos in Tajikistan, Kazakhstan benefitted by comparison.

In the last few years, however, the nature of Nazarbaev's regime has become ever more apparent. He has concentrated all power in his hands, subordinating to

himself all other branches and institutions of government. His apparent determination to remain in office indefinitely, which could have been inferred by his actions, became explicit during the campaign, when he told a crowd, "I would like to remain your president for the rest of my life." A constitutional amendment passed in early October conveniently removed the age limit for president of 65 years. Moreover, since 1996-97, Kazakhstan's authorities have co-opted, bought or crushed any independent media, effectively restoring censorship in the country. A crackdown on political parties and movements has accompanied the assault on the media, bringing Kazakhstan's overall level of repression closer to that of Uzbekistan and severely damaging Nazarbaev's reputation.

Despite significant U.S. strategic and economic interests in Kazakhstan, especially oil and pipeline issues, the State Department has issued a series of critical statements since last October's announcement of pre-term elections. On November 23, Vice President Gore called President Nazarbaev to voice U.S. concerns

about the election. Nazarbaev responded the next day, when the Supreme Court, which he controls, definitively excluded Kazhegeldin. On January 12, the State Department echoed the ODIHR's assessment of the election, adding that it had "cast a shadow on bilateral relations."

Parliamentary elections are slated for October 1999, although indications are emerging that they, too, may be held before schedule or put off another year. A new political party, Otan, is emerging, which presumably will be President Nazarbaev's vehicle for controlling the legislature and monopolizing the political process. The Ministry of Justice on February 3 effectively turned down the request for registration by the Republican People's Party, headed by Akezhan Kazhegeldin, signaling Nazarbaev's resolve to bar his rival from legal political activity in Kazakhstan. Other opposition parties which have applied for registration have not received any response from the Ministry. Under these circumstances, ODIHR will have to decide whether it is worth sending a mission to observe the election, whenever it takes place. □

# Commission on Security and Cooperation in Europe

234 Ford House Office Building  
Washington, DC 20515-6460  
E-mail address: [csce@mail.house.gov](mailto:csce@mail.house.gov)  
Internet Web Site: <http://www.house.gov/csce/>

## Commissioners

Rep. Christopher H. Smith, *New Jersey*, Chairman

Sen. Ben Nighthorse Campbell, *Colorado*, Co-Chairman

### U.S. House of Representatives

Frank R. Wolf, *Virginia*  
Matt Salmon, *Arizona*  
Michael P. Forbes, *New York*  
James C. Greenwood, *Pennsylvania*  
Steny H. Hoyer, *Maryland*  
Edward J. Markey, *Massachusetts*  
Benjamin L. Cardin, *Maryland*  
Louise McIntosh Slaughter, *New York*

### U.S. Senate

Spencer Abraham, *Michigan*  
Kay Bailey Hutchison, *Texas*  
Sam Brownback, *Kansas*  
*Vacant*  
Frank R. Lautenberg, *New Jersey*  
Harry Reid, *Nevada*  
Bob Graham, *Florida*  
Russell D. Feingold, *Wisconsin*

### Executive Branch

Harold H. Koh, Department of State  
*Vacant*, Department of Defense  
*Vacant*, Department of Commerce

### Professional Staff

Dorothy Douglas Taft, *Chief of Staff*  
Michael R. Hathaway, *Deputy Chief of Staff*  
*Vacant*, *Senior Advisor*

Elizabeth M. Campbell, *Staff Assistant/Systems Administrator*  
Maria V. Coll, *Office Administrator*  
Orest Deychakiwsky, *Staff Advisor*  
John F. Finerty, *Staff Advisor*  
Chadwick R. Gore, *Communications Director, Digest Editor*  
Robert Hand, *Staff Advisor*  
Janice Helwig, *Staff Advisor (Vienna)*  
Marlene Kaufmann, *Counsel for International Trade*  
Michael Koby, *Special Counsel*  
Sandy List, *GPO Liaison*  
Karen S. Lord, *Counsel for Freedom of Religion*  
Ronald McNamara, *Staff Advisor*  
Michael Ochs, *Staff Advisor*  
Erika B. Schlager, *Counsel for International Law*  
Maureen T. Walsh, *Counsel for Property Rights*

---

COMMISSION ON  
SECURITY AND COOPERATION IN EUROPE  
WASHINGTON, DC 20515-6460

OFFICIAL BUSINESS



M.C.

