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Experts Confirm Use of Torture by Turkish Police Common

The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) issued a statement in December concluding “that resort to torture and other forms of severe ill-treatment remains a common occurrence in police establishments in Turkey. To attempt to characterize this problem as one of isolated act... is to fly in the face of the facts.” The CPT found that despite a multitude of government instructions and circulars on the subject, “the translation of words into deeds is proving to be a highly protracted process.”

A team of forensic doctors that visited police facilities in Adana, Turkey, continued on page 4



Frank McCloskey, Susan Woodward, Bob Hand, Soren Jessen-Petersen and Carol Schlitt

Briefing Held on Bosnia Hotspot: Brcko

On December 10 the Commission held a briefing that focused attention on one of the few issues unresolved by the Dayton Accords—the status of Brcko, a town in the northern part of Bosnia-Herzegovina.

Serb militants captured Brcko early in the war in 1992 and quickly cleansed the town and its surrounding area of Bosniac, Croat and other non-Serb populations through forced deportation, internment or execution. Since then, Brcko has served as the narrow corridor linking Serb holdings in western Bosnia with the more militant Serb areas in eastern Bosnia—and with Serbia itself. An agreement allowing for one year of arbitration on the ethnic status of Brcko was the best that the parties could attain at Dayton. Signifying the continued insistence of both sides to control the town, the arbitrator’s decision—originally due the week of December 10—was postponed for two months, and the Serb side, at least, has threatened to resume fighting if the final decision does not go its way. The potential for renewed conflict is of particular concern to the United States, as Brcko lies within the American sector of the NATO-led IFOR (now SFOR, Stabilization Force) peacekeeping effort.

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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 visit the Commission’s Web site at “<http://www.house.gov/csce>”.

Leading Opposition Figures Blocked from Leaving Belarus

On January 4, former Belarusian leader Stanislav Shushkevych was prevented from leaving Belarus. He was told that his Commonwealth of Independent States (C.I.S.) diplomatic passport was no longer valid when he tried to fly to Warsaw, Poland to attend a political symposium. (The C.I.S. was created by Shushkevych, then Chairman of the Belarusian Supreme Soviet, Russian President Boris Yeltsin and Ukrainian President Leonid Kravchuk on December 8, 1991, as the successor entity to the Soviet Union.)

A few weeks earlier, Semyon Sharetsky—Chairman of the Belarusian Parliament until Belarusian President Lukashenka disbanded it under his new, illegal constitution and created a new one—was told that he had no right to keep his diplomatic passport and was prevented from leaving Belarus for Poland. In early January, however, Sharetsky was able to travel to Poland using a “service passport.”

Meanwhile in early January, moving to consolidate further his already formidable powers, Lukashenka appointed close confederates to head the Constitutional and Supreme Courts, and stacked the upper chamber of his new parliament with presidential cronies and KGB officers. On January 11, he dismissed Foreign Minister Uladzimir Syanko, who opposes a merger with Russia,

and replaced him with Ivan Antonovych, a former secretary of the Russian Communist Party who supports Lukashenka’s plans to unite with Russia.

The opposition, however, refuses to exit the political scene. Some 45 members of the dissolved parliament, chaired by Sharetsky, have designated a shadow cabinet—called the National Economic Council—headed by the parliament’s vice-chairman, Henadz Karpenka.

On the international front, Lukashenka warmly welcomed Russian President Boris Yeltsin’s January 13 letter proposing a referendum on Russian-Belarusian unification. A few days earlier, Yeltsin administration official Sergei Shakhrai had said that unification of the two countries would be the most effective response to NATO’s eastward expansion.

On January 16, the OSCE, noting lack of improvements in Belarus, once again urged the Belarusian Government to respect its OSCE commitments. Niels Helveg-Petersen, OSCE Chairman-in-Office and Danish Foreign Minister, speaking at the OSCE Permanent Council in Vienna, urged the Government of Belarus “to enter into dialogue with the opposition and to ensure freedom of media and not restrict access to the media for members of the opposition.” ☞ Orest Deychakiwsky

Power Struggle Amid Severe Economic Crisis in Bulgaria

Bulgaria is currently in the midst of its most significant political and economic crisis since the 1989 fall of communism. The current crisis was caused by a drastically deteriorating economic situation, due in large part to mismanagement by the ruling ex-Communist Bulgarian Socialist Party (BSP).

On December 21, following months of criticism from both within and outside his party, Socialist Prime Minister Zhan Videnov resigned. On January 7, the BSP nominated Interior Minister Nikolai Dobrev, who immediately ran into resistance from the Union of Democratic Forces (UDF) and other opposition forces, which are demanding new elections. Since then, there have been large-scale protests throughout Bulgaria, especially in Sofia, and trade unions have called for nationwide strikes. Protests during the weekend of January

10-12 erupted in violence—resulting in injuries—as opposition demonstrators stormed the Parliament building and were forcibly ejected by riot police. On January 18, the International Helsinki Federation for Human Rights and the Bulgarian Helsinki Committee released a statement claiming that a “massive police assault upon Bulgarian demonstrators [on the morning of January 11] . . . appears to have been planned and coordinated well in advance” and called for an investigation by top Bulgarian officials.

The Socialists, under strong pressure from the opposition, have offered to hold general elections by the end of 1997—a year ahead of schedule—but the opposition is pressing for elections to be held as soon as possible.

☞ Orest Deychakiwsky



Switzerland Joins NATO's Partnership for Peace

Swiss Foreign Minister Flavio Cotti signed the Partnership for Peace (PfP) Framework Document at NATO headquarters on December 11, making Switzerland the twenty-seventh PfP country. Malta, a member since April 1995 withdrew following last year's national elections. NATO Secretary General Javier Solana welcomed this development reaffirming "that Switzerland is an indispensable partner in building a new, more stable Europe." Among the priority areas for Swiss participation are: democratic control of armed forces; training in international humanitarian law; training of military observers; training in logistics for peace-keeping operations; and medical services.

☞ Ron McNamara



Kovalyov Establishes Human Rights Institute

Sergei Kovalyov will set up and head his own institute in Moscow to monitor the human rights situation in Russia, according to a December 22 Russian television broadcast. Early last year, Kovalev resigned as Boris Yeltsin's human rights commissioner in protest against the war in Chechnya. Yeltsin replaced him with international lawyer Vladimir Kartashkin, under whose chairmanship the commission has virtually disappeared from view. Kovalyov has criticized the commission's inactivity and its attempts to refocus its attention from human rights within Russia to the alleged abuse of human rights of Russian-speakers in the rest of the former Soviet Union, according to Obshchaya gazeta. Kovalyov will try to fill the gap.

☞ Chadwick R. Gore



Commission Expresses Concern as Slovakia Ousts Parliamentarian and Receives Condemnation at OSCE Meeting

In late November, Slovak parliamentarian Frantisek Gaulieder was removed from the Slovak National Council under circumstances that led to an international outcry. Subsequently, on December 6, a bomb went off that demolished the front of his home and, although Gaulieder was home with his wife and child at the time, no one was injured.

Gaulieder was a founding member of the ruling Movement for a Democratic Slovakia, the party of Prime Minister Meciar. In early November, he resigned from his party's parliamentary caucus, citing his party's flawed economic, human rights, and security policies as his rea-

sons. After his resignation, he was removed from office after the Chairman of the Parliament, Ivan Gasparovic, received a letter purportedly written by Mr. Gaulieder in which he also resigned from the parliament. Mr. Gaulieder, however, has consistently denied having written or sent this letter.

This action by the Chairman of the Parliament was strongly criticized by opposition deputies, who have sought a ruling from the Constitutional Court on the legality of the action. While on December 12 the removal of Gaulieder was criticized by the European Union parliament, on December 19 representatives of the Euro-

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Turkey, continued from page 1

Bursa, and Istanbul in September found that a considerable number of persons they examined displayed marks or conditions consistent with their allegations of ill-treatment by the police. Among the abuses confirmed were beating of the soles of the feet, blows to the palms of the hands, and suspension by the arms. Seven of those examined at the Sakarya Prison, following detention at the Istanbul Police Headquarters, were found to have suffered serious—and in at least two cases irreversible—physical damage as a result of suspension by the arms.

The Turkish Foreign Ministry described the allegations contained in the committee's statement as unacceptable. Nevertheless, Turkey's Deputy Prime Minister and Foreign Minister, Tansu Çiller, promised to investigate the allegations.

In addition to medical evidence of torture and ill-treatment, the delegation found a device at the Istanbul facility adapted in a way that would inflict electric shocks as well as equipment which could be used to suspend a person by the arms. In late November, the Minister of Interior announced that Ministry officials would carry out unannounced inspections of police facilities to ensure the treatment of detained persons is consistent with government policies and practices.

The CPT called upon Ankara to ensure that forensic doctors with specialized training and formal and de facto independence be allowed to examine detained persons as a safeguard against ill-treatment. The statement also urged Turkish authorities to impose suitable penalties against those responsible for ill-treatment of detained persons.

In a related development, the European Court of Human Rights issued a ruling in mid-December that Turkish police had tortured Zeki Aksoy while the man was

held incommunicado at the Kiziltepe Security facility in southeast Turkey in 1992. Turkey maintained that the allegations were unfounded. The court, which concluded that the ill-treatment involved was of such a serious and cruel nature that it could only be described as torture, ordered Turkey to pay damages and legal fees. Nearly half of the human rights cases under examination by the European Commission for Human Rights have been filed against Turkey for alleged violations of human rights and the destruction of Kurdish populated villages in southeastern Turkey.

The CPT concluded that "much of the legal and regulatory framework to combat torture and ill-treatment is in place in Turkey. However, notwithstanding injunctions issued at the highest political level, in practice those measures are being ignored." A series of human rights proposals on the length of detention and other changes to State

Security Courts, submitted in December to the Grand National Assembly by the Government, are pending.

Citing Turkey's flagrant violation of OSCE human rights commitments and international humanitarian law, Commission Chairman Rep. Christopher H. Smith (R-NJ) and Co-Chairman Sen. Alfonse D'Amato

(R-NY) wrote to Secretary of State Warren Christopher in late November urging the United States to reject Turkey's offer to host the next OSCE summit. "It would be inconceivable to allow Turkey to serve as host of such a meeting given that country's dismal human rights record," they wrote. A decision on the venue for the next summit meeting, which had been expected in early December, has been postponed until the end of 1997, providing Ankara with ample opportunity to address serious human rights concerns raised by the United States and others.

☞ Ron McNamara



New Anti-Torture Campaign Symbol



Obrad Kesic, Veran Matic (with interpreter), Branislav Canak, and Miodrag Perisic

Commission Hearing Examines Serbia's Political Turmoil

On December 12, Commission Chairman Rep. Christopher H. Smith (R-NJ) convened a public hearing to focus on the latest developments in Serbia. Specifically, that former Yugoslav republic was in the midst of a political crisis created when the authorities annulled the opposition coalition's victories in most Serbian cities, including the capital, Belgrade. In protest, the opposition organized daily demonstrations that numbered more than 100,000 and growing, posing the first real threat to the regime of Slobodan Milosevic since March 1991.

Opening the hearing, Chairman Smith remarked that "it seems as if these demonstrations are more than just about the municipal elections results. The mass protests show the frustrations among the population as a whole, about the poor economic situation, about the restrictions on their human rights, and about the lack of confidence they have that their children will have a democratic and prosperous future." Three witnesses, each from different components of the opposition in Serbia, spoke on this subject.

Miodrag Perisic, a co-founder and vice president of the Democratic Party—which is a member of the opposition coalition Zajedno (Together)—noted that the protests had entered a fourth week "and the regime of Mr. Milosevic is still deaf." Responding to what the Chairman noted was concern about the intolerant nationalist trend of some opposition parties, Perisic reassured him that "on the streets of Belgrade and among the opposition leaders and among the opposition parties, the primary issues are democracy, very lofty values of West-

ern civilization and economic reforms. There are no more nationalists on the streets of Belgrade."

Branislav Canak, President of the independent trade union movement Nezavisnost (Independence), reminded the Commission that Milosevic came to power as a Communist and then took over the power base of national chauvinism and populism until compelled to sign the Dayton Agreement, since which he has presented himself as a peacemaker relied upon by the international community. He said that, through all of this, the opposition and the workers alike were unable to make the move toward democratization that had occurred in other formerly Communist countries. Canak noted that, early on, many workers refused to join the independent trade union movement, but with the current economic problems that cannot be blamed on the war, the workers are saying "yes" to change and supporting the opposition.

Veran Matic, Chief Editor of independent radio station B-92 in Belgrade, recalled that there has always been a strong democratic, antiwar movement in Serbia, generally ignored by the West. After Dayton, Milosevic moved especially against the independent media, but, only now with the protests, is the international community reacting. "Only democratic societies can guarantee stability and ensure peace in the long run," Matic added, and "no democratic process can be realized without independent, professional media." He called therefore for increased assistance to those in Serbia trying to bring change to Serbia.

Putting these comments into context, analyst Obrad Kesic said that the "demonstrations should not be seen

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Former U.S. Rep. Frank McCloskey, who currently serves as Special Counsel to the Bosnian Federation for the arbitration, called Brcko the “linchpin for peace and security in the region, whether Bosnia is going to be ultimately resolved in the dignity and success of a multiethnic nation state with normal human rights... or fall back into chaos, possibly war, perhaps with the Muslim areas in essence being... isolated and, if I could say, pathetic islands.” He stressed the economic importance of Brcko to all in the region, especially as a port on the Sava river, and argued that Serbs would gain most economically by not attempting to cling to the corridor to maintain their isolation, but by reintegrating with the country as a whole. He specified that the arbitration is about the status of the town, and is not simply an adjustment to the border separating Bosnia’s two entities. The contrast between the Bosnian Federation’s cooperative approach with the recalcitrant one of Republika Srpska was also pointed out in his remarks. Later, during the question-and-answer period, legal advisors for the latter entity debated these assertions with Mr. McCloskey.



Brookings Institution Fellow Dr. Susan Woodward examined Brcko from the perspective of the international community. She felt that the objectives of the international community are regional stability, limited deployment of international peacekeeping forces, and a Brcko decision in line with Dayton’s principles. She asserted that, “Brcko is not a legal issue, even though the Dayton negotiators chose to put it in that category. It is a political issue.” Turning to possible options, Dr. Woodward said returning Brcko to the Federation could cause the Serbs to go to war, give collective as well as individual meaning to the Dayton provisions on the right of displaced persons to return home, and, given its strategic importance to the Serb militants, could lend support those Bosniacs who advocate the eventual retaking of territory through use of force. Alternatively, the internationalization of Brcko with a special police force would only delay a final decision, allowing the various factions rearm. A third variant could be to designate Brcko as a city different from the rest of Bosnia-Herzegovina, giving it distinct and separate status under international supervision. Finally, accepting the status quo and leaving Brcko

under Serb control could work, but only if transport through the region and the human rights of those non-Serbs wishing to return are given a long-term and definite international guarantee.

As for the impact a Brcko decision could have on refugees and displaced persons, Soren Jessen-Petersen of the United Nations Office of the High Commissioner for Refugees, asserted that failure to enforce the refugees’ right to return remains a major flashpoint for Brcko, Bosnia and the region as a whole. He also mentioned that the future of Serb-occupied, UN-administered Eastern Slavonia in Croatia is a related issue, as Serbs now there may be resettled in Bosnia-Herzegovina. He felt that, in any event, the Brcko decision could reignite the conflict and therefore

needs a strong international presence. Jessen-Petersen criticized the resettlement of 30,000 Sarajevo Serbs to the Brcko area, the abuse of voter registration options for refugees which are designed to ensure Brcko maintains a Serb population, and the recent destruction of houses owned by non-Serbs who were planning to return. He stressed small scale efforts to achieve normalization of the situation incrementally, including programs to return a few

displaced families at a time in an organized way, arguing that, “there is a need for time. You cannot just rush into a decision after a conflict of such atrocity.”

Finally, Carol Schlitt, recently returned from the OSCE Brcko Mission where she administered elections and monitored human rights, gave a slide presentation highlighting how the people of Brcko feel about their future. The slides showed a town destroyed early in the conflict by Serb militants, houses that recently had been blown up after non-Serbs sought to restore them, new Serb housing which was built to establish a “biological front line” to preclude the return of Brcko to the Federation, the difficulties for non-Serbs who tried to cross the inter-entity line to vote in Brcko, and the busloads of Serbs who were brought in to vote instead. She concluded with the comment that “if you resolve the problems of Brcko, you can resolve the problems of Bosnia... but the lack of a resolution of the problems of Brcko has made it very difficult for the local people to move on, to settle in to rebuild their lives... [T]he lack of a decision and leaving people in limbo has also been... very difficult for the people who live there.” ☞ Bob Hand



The Great Seal of Estonia

Russian Foreign Ministry on Estonia: “Situation Not as Bad as We Thought”

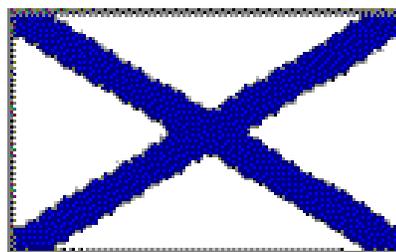
In early December a delegation of Russian Foreign Ministry officials visited Estonia for 2 days to investigate the human rights situation in that country. The delegation visited with representatives of ethnic minorities, Estonian parliamentarians and government officials, as well as the OSCE Mission in Tallinn. According to the December 12 OMRI Daily Digest, the delegation reported that “the situation was not as bad as they had thought.” The main problem, stated the delegation, were continuing difficulties for ethnic Russians in obtaining citizenship.

Meanwhile, the OSCE Mission in Tallinn reported in December that the success rate for the approximately 300 persons who apply monthly for the Estonian citizenship language test is 80 percent.  John Finerty

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as popular support for the Zajedno coalition or any of its individual members. Instead, they should be seen as an expression of deep frustration and hostility against the Milosevic regime... whose policies have reduced their incomes to less than one-tenth of what they were in 1989.” Concluding that Milosevic’s “absolute hold on power has been broken,” Kesic argued for the United States to respond by recalling its most senior diplomat in Belgrade for consultations (and encourage European countries to do the same), blocking participation in regional and international economic and political meetings, and introducing targeted economic sanctions against Serbia’s ruling elite and their families. In addition, independent media and non-government organizations in Serbia should be included in U.S. Government assistance to the region, contacts with the opposition increased, and humanitarian aid to Serb refugees increased.

All four witnesses argued against the reimposition of sanctions against the country as a whole, arguing that it would punish mostly the innocent and rebound to Milosevic’s advantage.  Bob Hand



Blue on White, the Russian Naval Ensign was designed by Peter the Great

Russian Military Sales May Become a Problem for the U.S. and her Pacific Allies

"Russia sold two guided-missile destroyers to China last month along with high-speed, anti-ship missiles designed to attack U.S. warships, according to Pentagon officials," say recent reports in The Washington Times. Beijing sought the weapons in direct response to the U.S. deployment of two carrier groups in the Taiwan Straits last March. The SS-N-22 cruise missiles being sold were specifically designed by Russia to attack American warships equipped with advanced Aegis defense systems.

"The Russian-Chinese arms agreement was completed secretly during Chinese Prime Minister Li Peng's visit to Moscow that ended Dec. 28. It includes the sale of two Sovremenny-class destroyers that will be equipped with advanced SS-N-22 anti-ship cruise missiles," writes Times correspondent Bill Gertz. The Pentagon estimates the deal will be worth \$8 billion to \$10 billion. "According to the Pentagon officials, the SS-N-22 was designed specifically by the Russians to counter U.S. Aegis-equipped ships," Gertz continues. "The maximum range of the SS-N-22s sold with the destroyers is not known. Each ship will be equipped with two quadruple-missile launchers."

The Russia Reform Monitor reports that Congressional Research Service defense analyst Ronald O'Rourke says the transfer "will give Beijing copies of a high-speed cruise missile that can be 'reverse engineered' ... This missile was designed to defeat Aegis ships and is the most-feared of the Russian anti-ship missiles in their inventory." O'Rourke adds that with its supersonic speeds, the SS-N-22 is difficult for Aegis warships to shoot down.

Responding to the Washington Times article, State Department Spokesman Nicholas Burns tells reporters, "there's nothing that we see that contravenes international law or our own law."  Chadwick R. Gore

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pean Union and the United States protested the removal of Gaulieder at a meeting of the Permanent Council of the OSCE. (The United States also had voiced concern over the December 17 passage of amendments to the Slovak penal code designed to enhance the “protection of the Republic,” stating that the legislation, as passed, “would likely stifle freedom of expression in Slovakia.” The Slovak representative to the OSCE in Vienna, Ambassador Rozgonova, used Communist-era language in characterizing these developments in Slovakia as “an internal affair,” and rejected the E.U./U.S. interventions, noting that, in any case, Gaulieder was appealing his case to the Slovak Constitutional Court.



The Slovak Republic

On January 17, Commission Chairman Sen. Alfonse D’Amato (R-NY), Co-Chairman Rep. Christopher H. Smith (R-NJ), Ranking Commissioners Sen. Frank Lautenberg (D-NJ) and Rep. Steny H. Hoyer (D-MD) wrote to Ivan Gasparovic saying, in part:

“The 1990 OSCE Copenhagen Document states in para. 7.9 that participating States ‘must ensure that candidates who obtain the necessary number of votes required by law are duly installed in office until their term expires or is otherwise brought to an end in a manner that is regulated by law in conformity with democratic parliamentary and constitutional processes.’ [Emphasis added.] Clearly, the removal of Mr. Gaulieder under these circumstances was inconsistent with the Copenhagen Document and with parliamentary practices followed by European democracies. We urge you, as Chairman of the Slovak National Council, to seek his immediate reinstatement.

“We are also gravely concerned by the bomb attack against Mr. Gaulieder’s home, which occurred on December 6 while he was at home with his wife and child. We have previously expressed to your government our alarm at the growing coincidence between acts of violence and political developments in Slovakia, most painfully evident in the unsolved murder of Robert Remias. This most recent attack against Mr. Gaulieder only heightens our growing concerns about the process of democratization in Slovakia.

“We note the demand articulated by your colleague, Olga Keltosova, in her December 6 statement on behalf of the Movement for a Democratic Slovakia, that the crime against Mr. Gaulieder must be solved as soon as possible and that the perpetrators of this serious crime must be brought to justice. It is, of course, your party which currently controls the government’s security, police, and investigative forces. We believe that the successful and credible investigation of this crime and prosecution of those who attacked Mr. Gaulieder’s home, as well as those who murdered Robert Remias, would do a great deal to restore confidence in democratic reform in Slovakia, especially if undertaken in concert with a more thorough review and reform of the security apparatus itself.”

✉ Erika B. Schlager



Freedom House Releases Survey of Freedom

How did OSCE countries compare with other countries around the world with respect to political rights and civil liberties in 1996?

Freedom House's Comparative Survey of Freedom reviewing 1996 provides an evaluation of the rights and freedoms individuals have in virtually every country and territory in the world. The Survey divides countries into "free," "partly free," and "not free," rating each one separately on a seven-category scale, with one representing the most free and seven the least. Of the 55 OSCE states, 36 were ranked as "free," 12 were rated "partly free," and 7 "not free."

The "not free" OSCE states were: Azerbaijan, Belarus, Kazakhstan, Tajikistan, Turkmenistan, Uzbekistan, and Yugoslavia (currently suspended from the OSCE). Nagorno-Karabakh and Serb-dominated Kosovo were rated "not free" among the category of Related Territories. Two OSCE countries—Tajikistan and Turkmenistan—were among the 17 most repressive countries, the so-called "worst of the worst."

Among OSCE states, two made gains in freedom, with Romania changing from "Partly Free" to "Free" and Bosnia-Herzegovina moving its ranking up from "Not

Free" to "Partly Free." On the other hand, two countries experienced declines in freedom—Slovakia moving down from "Free" to "Partly Free" and Belarus—thanks to its power-hungry President, Alyaksandr Lukashenka—deteriorating from "Partly Free" to "Not Free."

Of the 12 OSCE countries in the "Partly Free" category—all of them post-Communist countries with the exception of Turkey—Armenia and Albania experienced some backsliding during 1996, but remained in the "Partly Free" category. At the same time, "Partly Free" Georgia and Moldova registered an improvement in 1996, as did—surprisingly—Turkey (see November Digest).

According to Freedom House: "In Central and Eastern Europe, democratic and market transitions are continuing and the strength of civil society and the private sector is on the rise. Nineteen of the region's 27 countries—69 percent—are democracies. Although much progress has been made in the nations of the former Soviet Union since Communism's collapse, only four of twelve members of the Commonwealth of Independent States (Georgia, Moldova, Russia, Ukraine) are electoral democracies." ☞ Orest Deychakiwsky

War Crimes Update

Patrick Moore reports in the OMRI Daily Digest that the Bosnian state commission dealing with the 200,000 missing persons—mainly Muslims and Croats—from the conflict said that 31 mass graves containing 1,462 bodies and 466 single graves were found and exhumed last year. Forensic inspectors from abroad and from the region will resume their work in the spring. In Zagreb, the Hague-based war crimes tribunal's chief prosecutor, Louise Arbour, said that Croatia is not cooperating with the court despite its promises to do so. She noted that mechanisms for the extradition of indicted war criminals exist, but said that has not led to concrete results, Onasa reported on 18 January. ☞ Chadwick R. Gore



John Finerty and Larry Uzzell

Moscow Keston Representative Addresses Commission Briefing on Religious Liberty in Russia

On January 14, the Commission hosted a Capitol Hill briefing featuring Lawrence Uzzell, the Moscow representative of the Keston Institute, an independent research institute based in Oxford, England.

Mr. Uzzell opened by stating that “Russians have less religious freedom today than they did three years ago,” and that the provisions of the 1993 Russian Constitution have turned out to be largely meaningless in practice. “In religious freedom as in many other areas of life, Russia is to a large extent a lawless state.”

Mr. Uzzell noted that more than one fourth of Russia’s provincial governments have passed laws regulating religious activity which openly contradict the Russian Federation Constitution, as well as international human rights pacts such as the Helsinki Accords. The effect of these local statutes has been to relegate some religious denominations to second class status. In no case have there been any efforts by the Yeltsin administration to bring local officials to account for these actions. The Keston representative emphasized that the provincial laws to which he referred are not a response to public pressure, but rather from pressure exerted by the hierarchy of the

Russian Orthodox Church, many of whose representatives are holdovers from the Communist period. He pointed out, however, that enforcement of the laws passed, are also sometimes ignored in practice.

On the national level, Mr. Uzzell reported, the Russian State Duma (parliament) has been considering a revision of the Law on Freedom of Conscience that may, depending on which amendments are accepted, place serious burdens on foreign missionary groups and even hamper religious practice by indigenous faiths. In 1993, President Yeltsin rejected restrictive statutes, stating that they were not in compliance with international standards. This time, however, the outcome might not be the same.

Mr. Uzzell, himself a communicant of the Orthodox faith, noted that many foreign missionaries and religious workers have created problems for themselves by arriving in Russia without sufficient knowledge or appreciation of Russian culture (and language) or the Russian Orthodox faith, thereby undermining their missionary efforts.

✉ John Finerty

Romanian Troops To Stay With Bosnia Force

Michael Shafir reports in the OMRI Daily Digest that the Romanian Parliament voted December 19 to keep the 200-strong Romanian engineering battalion in NATO’s new SFOR force in Bosnia and offered Timisoara’s airport, near the Serbian border, for possible use by SFOR. The decision came in response to recently-elected President Emil Constantinescu’s formal request by letter, Romanian and international media report. Constantinescu said maintaining the force (which was first sent to Bosnia in February as part of the former IFOR) will increase the prestige of the country and enhance its chances of being included in the first wave of new NATO members.



Russian Legislature Lays Claim to Ukrainian Port

Moscow Mayor Yuri Luzhkov, in his latest provocative statement regarding the status of the Ukrainian port city of Sevastopol, stated during a visit there on January 17 that “Sevastopol was and is a Russian city and we must defend Sevastopol’s right to remain a Russian city... No Russian will feel comfortable until Sevastopol is returned to the Russian Federation.” Ukraine’s foreign ministry issued a protest calling Luzhkov’s remarks an infringement of Ukraine’s territorial integrity.

Over the last year, Russian politicians have repeatedly laid claims to Sevastopol, inconsistent with Russia’s OSCE obligations, including respect of sovereignty and territorial integrity. The Ukrainian city of Sevastopol, located in the Crimea, is the base of the Black Sea Fleet, the division of which has been the subject of difficult talks between Kyiv and Moscow since 1992. While Russia and Ukraine have made progress in their discussions regarding a lease agreement (under which Russia would keep most of the fleet and continue to use Sevastopol as a base), the dispute has more recently centered on the question of base rights at Sevastopol, with Russia demanding exclusive base rights requiring the Ukrainian Navy command to base itself elsewhere. Russian demands would permit Ukrainian ships to anchor in only one of Sevastopol’s five bays.

On December 5, Russia’s upper legislative chamber, the Federation Council, approved a resolution 110 to 14 that claimed the Ukrainian city of Sevastopol as part of Russia’s territory, and condemned Ukraine’s refusal to recognize Sevastopol’s “Russian status.” The Federation Council vote followed an overwhelming vote (282 to 0) in October by the Duma, Russia’s lower par-

liamentary chamber, claiming Sevastopol for Russia, (The Duma passed a similar resolution in 1993). While the Russian Government’s official position is that Russia lays no territorial claims on Ukraine—and that Sevastopol and the Crimea are part of Ukraine—the Federation Council resolution, proposed by Moscow mayor Yuri Luzhkov, produced consternation within Ukraine, as many Federation Council members are Yeltsin appointees. Ukrainian officials in government and parliament reacted sharply to the resolution, with Ukrainian President Leonid Kuchma regretting that “not everyone in Russia has learned to accept Ukraine as a sovereign state yet,” while calling for “calm and civilized negotiations” to settle the fleet and other outstanding issues between Ukraine and Russia.

The U.S. Government expressed concern about the Federation Council and Duma resolutions and encouraged active negotiations between Ukraine and Russia that would result in agreements on the Black Sea Fleet and a bilateral “friendship treaty.” Speaking on December 14, Carlos Pascual, Director for Russian, Ukrainian and Eurasian Affairs at the National Security Council, observed: “As a member of the OSCE, Russia is obliged to adhere to the principles of that organization and the principles of the Helsinki Final Act, which include respect for territorial integrity within current borders. And we also note that statements by any official body of any OSCE member that call into question these basic principles are not constructive.” The issue was also discussed at the December 12 OSCE Permanent Council meeting in Vienna by Ukraine, Russia, and the United States.

☞ Orest Deychakiwsky

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