



# CSCE Digest

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The Commission on Security and Cooperation in Europe

March 1997

## Albanian State of Emergency Raises Commission Concern

On March 2, Albanian President Sali Berisha declared a state of emergency in response to the escalating unrest in the southern part of the country. Popular frustration over the collapse of a string of pyramid finance schemes in which a majority of Albanians have invested and lost their life savings evolved first into anti-government protests and then into an actual armed uprising, most notably in the Adriatic port of Vlore. About 12 people were killed in a February 28 shootout between security forces and an armed group that had declared the city to be a separate "enclave."

*Albania, continued on page 26*



*Georgian Speaker Zurab Zhvania, left, with Commission Co-Chair Rep. Christopher H. Smith, (R-NJ)*

## Commission Co-Chairman Meets With Georgia's Speaker of Parliament

On March 10, Helsinki Commission Co-Chairman Rep. Christopher H. Smith (R-NJ) met with a parliamentary delegation from Georgia, headed by Speaker Zurab Zhvania. One of Georgia's most promising young politicians, Zhvania was making his first official visit to Washington. Among the main points on his agenda were Georgia's progress in institutionalizing democracy, economic reforms, Georgia's key role in developing the Central Asia-Caucasus-Europe transport corridor, and Tbilisi's hopes for the benefits of being one of two transit routes for Azerbaijani "early" oil,

which should start flowing later this year. In response to a question from Mr. Smith about two recent reports by the International Helsinki Federation and Amnesty International about human rights violations in Georgia, especially mistreatment of prisoners, Zhvania acknowledged continuing problems and said that assistance in retraining law enforcement officials would be greatly appreciated.

Speaker Zhvania wanted especially to focus the Commission's attention on the situation in Abkhazia, a former Autonomous Republic in  
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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.

## Commission Co-Chairs Welcome Albanian Political Compromises; Reiterate Call to End Violence

Senator Alfonse D'Amato (R-C-NY), Chairman, and Representative Christopher H. Smith (R-NJ), Co-Chairman of the Commission on Security and Cooperation in Europe issued a joint statement on March 13 regarding the ongoing unrest in Albania:

"We continue to watch developments in Albania with great concern. One week ago, soon after Albanian President Sali Berisha declared a state of emergency, we called upon him and the Albanian authorities to adhere strictly to the rule of law, to act responsibly, to be tolerant of criticism and to make corrections with good will. We also called upon opposition forces to avoid exacerbating the crisis. The reception of the OSCE delegation led by former Austrian Prime Minister Vranitzky, and

the subsequent agreement to form a new coalition government—and hold early elections—were positive steps. We encourage further cooperation among the political parties in Albania and with the international community.

"Unfortunately, the political compromises have not quelled the unrest in Albania, and the situation is steadily worsening. While those in rebellion may have legitimate grievances regarding the government's handling of the collapsing pyramid schemes or its policies, resorting to violence and other criminal acts cannot be justified. Lasting solutions to the political and economic problems Albania faces will remain elusive as long as violence and chaos rule. We urge the rebels to lay down their arms before there is further loss of life." ☞ Bob Hand

### **Albania**, *continued from page 25*

While the situation in Albania is very serious, Commission Chairman Sen. Alfonse D'Amato (R-C-NY) and Co-Chairman Christopher H. Smith's (R-NJ) reaction on March 3 did not question Berisha's declaration *per se*. The Co-Chairs' statement did, however, call upon Albania's President "to adhere strictly to the rule of law. Doing otherwise will lead to gross violations of human rights, damage Albania's prospects for democratic and free market reform, and cost Albania vital international support, with lasting negative consequences for Albania and its people." Given earlier concerns about Albania's democratic development, the D'Amato and Smith also reminded "the Albanian Government of its commitments in the OSCE, specifically in the 1990 Copenhagen document," which "confirm that any derogations from obligations relating to human rights and fundamental freedoms during a state of public emergency must remain strictly within the limits of international law, . . . especially with respect to rights from which there can be no derogation" and limiting the derogation of others "to the extent strictly required by the exigencies of the situation." They cited restrictions on the media and certain political activity as violating these commitments.

The Albanian emergency law forbids more than four people from gathering in one place, imposes a dusk-till-dawn curfew, and permits the arrest of persons caught without proper identification. Security forces have been given the power to shoot "armed rebels," and roadblocks

have been put in place around the capital of Tirane in order to separate it from the violence in the south. The Co-Chairs acknowledged that "[Albanian] authorities must take action to maintain civil order and prevent violence on the streets" but expressed fear that orders regarding crowd dispersal "will lead to innocent people being seriously injured, if not killed." Despite the curfew, crowds of protestors clamoring for Berisha's resignation took the streets of Vlore and Sarande, and a tank deployment was reportedly issued in response to protestors actually firing weapons in Gjirokaster. The Commission leadership insisted that "all sides must avoid further violence."

Sali Berisha—who vowed to use the "iron hand" of the law to quash the violence—was elected by the Parliament on March 3 for a second five-year term as president. Concerned that President Berisha would use the crackdown to cement his grip on power, D'Amato and Smith stated that, "under no circumstance should the current crisis be misused to enhance political power." Their warning also applies to opposition forces, however, which "also need to avoid exacerbating the crisis with unnecessary provocation." The Organization for Security and Cooperation in Europe [OSCE], among other multilateral European institutions, has organized a mission to Albania in order to formulate a resolution to the crisis.

☞ Bob Hand, with contributions from Gina Cordero



### **Bosnia's Local Elections Set for Mid-September**

In his capacity as Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), Danish Foreign Minister Niels Helveg Petersen has announced that municipal elections in Bosnia-Herzegovina should be held September 13-14, 1997.

Municipal elections were originally planned to be held along with those for higher office in September of last year, exactly nine months after the Dayton Agreement went into force—the latest permitted by the Agreement. Conditions in the country though caused the municipals to be scrapped altogether. The main reason cited by OSCE Mission chief Robert Frowick, who also chairs Bosnia's Provisional Election Commission, for postponing the municipals was flagrant abuse of refugees' right to register to vote where they intended to live in the future, rather than where they originally lived or presently resided. Thousands, principally Serbs, were registering in key towns with which they had no affiliation in an orchestrated attempt to deter the return of persons ethnically cleansed from their home towns and villages during the course of the war.

The municipal elections were first rescheduled for November 1996, but problems of freedom of movement, association and expression made evident by the September elections made that impossible. As winter set in, problems in organizing the elections and registering the voters led to further postponements from April

to July and, now, to September 1997. Frowick, a retired American Ambassador, advised OSCE countries to regard the September dates "as fixed and immutable."

Frowick noted continuing problems in divided municipalities and indicated that it remained an open question whether to proceed with the municipal elections in Mostar and Brcko, where tensions and violence continue. As for refugee registration, he said, "convincing documentary proof of property ownership, employment, whole or partial business ownership and family ties" will be required to counter attempted abuse, although other documentation will be considered in cases forwarded to the sub-commission under the Provisional Election Commission.

The number of polling stations has been reduced from over 4,000 last year to 2,300, with a greater emphasis on having election supervisors at each station as opposed to fielding a large contingent of roving election observers. Supervisors, being integrated into the election apparatus, ensure greater international control over the proceedings. Supervisors will be less likely, however, to look at the elections in a larger context and assert how free and fair they have been, especially as far as freedom of movement or expression are concerned. Continued problems in these areas, unfortunately, are increasingly being viewed as political realities instead of being aggressively corrected.

☞ Bob Hand

### **Turkey Cited By Committee to Protect Journalists as "Worst Offender for Third Straight Year"**

On March 14, the New York-based non-governmental organization Committee to Protect Journalists released its annual *Attacks on the Press in 1996: A Worldwide Survey*, documenting that 185 journalists were in prison in 24 countries at the end of 1996, and that 27 were killed during the year because of their profession. Turkey was cited as the worst offender for the third consecutive year, holding a record 78 journalists in prison, 27 more than in 1995.

Turkey's record on the number of imprisoned journalists is worse than the next five offenders combined: Ethiopia (18), China (17), Kuwait (15), Nigeria (8) and Burma (8). "Turkey is once again the single most egregious example of a government that criminalizes independent reporting," said CPJ Executive Director William A. Orme. "CPJ aims to direct a harsh public spotlight at this gross abuse of press freedom," he said.

CPJ, continued on page 28

**Georgia**, *continued from page 25*

Georgia, which is seeking independence and has not been under Georgian control since military hostilities ended in 1993. A UN-mandated CIS peacekeeping force, composed of Russian troops, is in place, but negotiations between Tbilisi and Sukhumi have not led to a resolution of the conflict, or to an agreement about Abkhazia's status. Tbilisi must also address the problems of over 250,000 Georgian refugees, who have been pressing Shevardnadze to make possible their return to their homes in Abkhazia. Shevardnadze, for his part, wants Moscow to extend the mandate of the peacekeeping troops throughout the Gali region, so that more refugees could return in safety, but Russia has refused to take on these "policing" responsibilities. Tbilisi has few means of exerting pressure, but if Moscow does not help settle the conflict in a way that keeps Abkhazia within Georgia and allows the return of refugees, Georgia will not ratify the September 1995 treaty that gave Russia three military bases in the country.

With the negotiations going nowhere, pressure has recently been building in Georgia. Ten members of parliament—including one of Zhvania's deputies—went on a hunger strike, demanding the removal of Russian troops. But it was noted during Speaker Zhvania's meeting with Co-Chairman Smith that a sudden withdrawal of Russian troops could cause even more instability and bloodshed, if no alternative peacekeeping arrangements are made beforehand. One option would be to replace the CIS-Russian peacekeepers with a UN contingent, with troops also from countries not adjacent to the conflict, which would reflect more traditional UN practice.

While the Georgian-Abkhaz talks have received little attention in the Western media, Georgia has recently been in the news because of Gia Makharadze, a diplomat stationed at the Georgian Embassy in Washington, who was involved in a car crash that led to the death of a teenage girl. In a rare move in international diplomatic practice, President Shevardnadze recently revoked Makharadze's diplomatic immunity, leaving him to face charges of manslaughter in the local courts of Washington, D.C. Speaker Zhvania strongly backed Shevardnadze's decision, calling it "the only possible moral choice," noting, however, that if Makharadze is convicted, Tbilisi will try to arrange for the diplomat to serve his prison term in Georgia.

☞ Michael Ochs

## **New Director Named for OSCE Office for Democratic Institutions and Human Rights (ODIHR)**

The Chairman-in-Office of the OSCE, Danish Foreign Minister Niels Helveg Petersen, announced on March 26 the appointment of Mr. Gerard Stoudmann of Switzerland as Director of the OSCE Office for Democratic Institutions and Human Rights.

The appointment was made after consensus was reached by all OSCE States on Mr. Stoudmann's candidacy.

Based in Warsaw, the ODIHR, formerly the Office for Free Elections, is the OSCE institution responsible for furthering human rights, democracy and the rule of law. The ODIHR observes and provides active support for the implementation of OSCE commitments in the "human dimension" area. It has become the primary institution in Europe for long-term election monitoring.

Mr. Stoudmann will replace Ambassador Audrey Glover, whose three-year term expires in early May.

Mr. Stoudmann has served in the Swiss Ministry of Defense and the Foreign Ministry. He was a member of the Swiss Delegation to the Conference on Security and Cooperation in Europe from 1983-87. Then he served as Deputy Head of the Swiss Representation to the Council of Europe. For four years, he was Personal Advisor to Federal Councillor Delamuraz, President of the Confederation and Minister of Economy. Since 1995, he has been Deputy Head of the Swiss Delegation to the OSCE in Vienna, and last year Switzerland held the Chairmanship of the OSCE. ☞ OSCE Press Release

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**CPJ**, *continued from page 27*

The report also documents that there were 27 work-related killings of journalists in 1996, with seven assassinations in Algeria, and six journalists were killed in Russia, four of whom were covering the war in Chechnya.

CPJ also details the 474 journalists killed in the past ten years by region and country, and provides an overview of the status of press freedom in five world regions and assessments of more than 100 countries.

To obtain copies of the report, call CPJ at (212) 465-9344, x350.

☞ Chadwick R. Gore



*Former C.I.A. Director R. James Woolsey, Dr. Louis Fisher, Stanley R. Sloan, Commission Chief-of-Staff Michael R. Hathaway, and Michael Guhin discuss the current status of the CFE*

### **Experts Discuss Future of Treaty on Conventional Armed Forces in Europe (CFE)**

Leading experts on European security participated in a briefing on the status of the Treaty on Conventional Armed Forces in Europe (CFE). The session, organized by the Commission on Security and Cooperation in Europe and the Congressional Research Service (CRS), was held on February 20. Former Director of Central Intelligence, R. James Woolsey, who served as chief U.S. negotiator of the CFE, opened with an overview of the developments that helped shape the historic treaty before turning to the current state of play surrounding possible modifications to the CFE. Michael Guhin, Deputy Assistant Director of Multilateral Affairs Bureau of the Arms Control and Disarmament Agency presented the administration's views on adaptation. Dr. Louis Fisher, a CRS Senior Specialist on executive/legislative branch relations, addressed technical aspects of modifying an existing treaty.

Negotiated within the framework of the Conference, now Organization for Security and Cooperation in Europe, the CFE treaty was signed by member states of NATO and the Warsaw Treaty Organization at the November 1990 OSCE Summit in Paris. The CFE, which entered into force in 1992, established ceilings for major conventional weapons and equipment systems: battle tanks, armored combat vehicles, artillery, combat aircraft, and attack helicopters.

In addition to numerical limits, the treaty included a thorough notification and verification regime, including on-sight inspection. Limits on the holdings of equipment in each of the four categories by signatory states in a zone stretching from the Atlantic-to-the-Urals and in geographic sub-zones were to have been reached by

November 16, 1995. Over 50,000 pieces of treaty-limited equipment were destroyed or converted to other uses during the 40-month reduction period established by the treaty, and verified by more than 2,000 on-site inspections.

Ambassador Woolsey commended those involved in the earlier Mutual Balanced Force Reduction talks for not signing "a bad treaty." He cited the rise of Soviet President Mikhail Gorbachev, the fall of the Berlin Wall, the impending collapse of the Warsaw Pact, and a good mandate in making the relatively rapid negotiation of the treaty possible. "Of course, what was happening, in most important terms, was the democratization, very rapid democratization, of Eastern Europe and even movement in that direction in the Soviet Union. It really was that development [and] the very, very deft management of the unification of Germany by the Bush administration that made possible the concatenation of events which created the possibility of a treaty of this kind," he remarked.

Woolsey voiced continued support for the treaty: "The charge that this treaty is obsolete because it is structured in a bloc-to-bloc system is essentially a mantra that is repeated by the Russian military and sometimes unthinkably by others, but there's very little truth to it." He concluded, "the issue is how can one change to some extent the philosophy and to some extent the numbers to accommodate a Russia that is concerned about NATO expansion as long as one works in terms of not scrapping what one has unless and until one has a substitute for it."

**CFE**, *continued on page 32*

## Czech Constitutional Court Strikes Down Deadline For Restitution Applications; Violations of International Law Persist

On March 7, 1997, the Czech Embassy released the following information:

“The one year deadline for claiming restitution of property set forth in the section 5, para 5 of the Law No 87/1991 Coll. on extrajudicial rehabilitation, as amended, has been abolished by the new ruling of the Czech Constitutional Court adopted on December 4, 1996. This decision is a remedy for people who have been deprived of the possibility to claim restitution when the condition to be permanent resident in the Czech Republic applied for all claimants. The condition of permanent residence resulted in returning property back only to claimants who were both Czech citizens and residents in the Czech Republic but not to their relatives living abroad. Claimants not residing in the Czech Republic became eligible to file their restitution claims only after the previous ruling of the Constitutional Court in this matter has come into effect [*sic*], on November 1, 1994. Due to the time gap between March 31, 1992 (one year after the law came into force) and November 1, 1994 (when restitution claims by nonresidents could begin to be filed), the Czech citizens living abroad have been excluded from the possibility of filing counterclaims against claimants living in the Czech Republic who in the meantime had already taken over the whole property in question. This situation has been found unconstitutional by the Constitutional Court and therefore the time limit of one year for filing counterclaims was cancelled by its ruling. The Constitutional Court at the same time extended its recommendation to the Czech Parliament that the new time

limit would be stipulated by adopting a new legislation enabling thus eligible claimants living abroad to file their counterclaims in a fair manner.”

Although the Czech restitution law still retains, on its face, a provision that applicants must be Czech citizens, the U.N. Human Rights Committee (joined by the American member of the Commission, Judge Thomas Buergenthal) determined, in 1995, that this restriction is discriminatory and violates article 26 of the International Covenant on Civil and Political Rights. Article 10 of the Czech Constitution also provides that “[t]he ratified and promulgated international treaties on human rights and fundamental freedoms, by which the Czech Republic is bound, shall be applicable as directly binding regulations, having priority before the law.” In spite of these legal mandates, Czech parliament has, thus far, failed to bring their restitution law into compliance with its international obligations.

In light of this problem, as well as similar problems in Latvia, Lithuania, Romania, and Slovakia, the Chairmen of the Commission, joined by all the congressional members of the Helsinki Commission, have introduced a concurrent resolution that, i.a., calls on these countries to remove discriminatory provisions in their restitution laws which require applicants to have currently the citizenship or residency of the country where their property was wrongfully confiscated by a previous regime. In many instances, the simultaneous loss of property, residence, and citizenship was the direct result of previous persecution on political grounds. ☞Erika B. Schlager

### Transdnestrian Authorities “Suspend Work” of OSCE Mission

The political leaders of the self-proclaimed “Trans-Dniestr Moldovan Republic (PMR)” have refused further cooperation with the OSCE mission in Moldova.

Reuters has reported that the PMR’s foreign minister, Valery Litkai, said the PMR was suspending the activities of the OSCE office in the PMR capital of Tiraspol, and that “[the OSCE Head of Mission] Ambassador Donald Johnston’s appearance on our territory is considered inexpedient.”

The move followed earlier criticism of Ambassador Johnston by the PMR leadership for allegedly interfer-

ing in their internal affairs. Johnston had criticized several recent steps by PMR authorities, and had suggested that the OSCE not endorse a memorandum of understanding between the Government of Moldovan and Tiraspol that had been initiated in June 1996. According to Johnston, the memorandum does not correspond to the “basic principles of sovereignty and territorial integrity of Moldova” (*OMNI Daily Digest*, Feb. 28, 1997).

The OSCE permanent mission in Moldova was established in 1993, following the bloody civil war of 1992.

☞ John Finerty

## What, Exactly, IS Religious Freedom?

From the *Helsinki Final Act*, through the *Vienna* and *Copenhagen Concluding Documents*, the OSCE participating States have affirmed time and again that religious liberty is a fundamental human right. No other international body has so consistently supported the right to religious liberty or so consistently monitored restrictions on religious liberty in practice.

What constitutes religious liberty within the Helsinki framework?

A key concept found throughout the Helsinki process is the pledge of non-interference by governments in the affairs of religious communities. In §§ 16.3 and 16.4 of the *Vienna Concluding Document*, the participating States have committed to granting legal status to religious communities and respecting their right to establish and maintain freely accessible places of worship, select and replace their religious personnel, and solicit voluntary contributions. By pledging to allow training of religious personnel in appropriate institutions, the participating States reinforce the principle of noninterference by governmental authorities in the affairs of religious communities. [See § 16.8] The participating States also have agreed to take effective measures to prevent and eliminate discrimination and foster a climate of mutual tolerance and respect between believers of different communities as well as between believers and nonbelievers. [See §§ 16.1 and 16.2].

The two areas in particular where religious liberty is being denied routinely and with impunity are in the requirement for registration of religious groups and in the denial of religious free speech. The Helsinki Commission has monitored these areas for a number of years and, in the last several months, the Commission has received disturbing reports of governmental actions and threats of governmental actions which could endanger religious liberty in several participating States of the OSCE.

### Registration of religious communities

While the requirement of registration is not a *prima facie* violation of the Helsinki Accords, the very fact that a government can decide which religious groups may function as entities under the law represents a violation of the spirit of the agreements. As noted above, the key-stone principle found in the Helsinki process regarding religious liberty is the concept of non-interference by

governments in the affairs of religious communities. When governments require registration for religious communities, they create the opportunity for arbitrary and capricious abridgement of religious liberty, both at the national and at the local level. Rather than a right that is God-given and stems from the recognition that all humans have worth, religious liberty becomes a privilege granted by the State whenever the State deems appropriate. All too often, the requirement of registration becomes a *de facto* violation of the Helsinki Accords.

The following are examples of the misuse of registration requirements within the participating States. In Russia, local oblasts in the Russian Federation are increasingly passing regulations which infringe upon the religious liberty of minority religious groups. In Azerbaijan, one of the largest churches of the minority Christian community has been refused registration. A similar situation exists in Uzbekistan, where minority religious groups are refused registration and continue to face harassment by security forces. In Bulgaria, the government restricts the practice of a number of non-Orthodox religious groups and restricts access to the media for religious groups to counter the lurid and inaccurate depiction of their activities by the media. In Albania, minority religious groups have also been refused registration, severely hindering their ability to freely practice their faith. The Commission is also monitoring the progress of a draft law in Macedonia that places stiff restrictions on registration of religious communities, including the requirement that a religious group have at least 100 adherents and refusing to register a community if it has the same creed as a previously registered faith community.

In addition, certain participating States have established hierarchies under the law for religious groups. The Russian Duma is entertaining a law that could, among other things, remove an existing provision guaranteeing equality before the law for all faith traditions. The Helsinki Commission is monitoring the proclivity in Bulgaria, Albania, and Latvia to pass laws that would create a hierarchy of religions with different privileges before the law. Religious liberty infringements persist for the Christian community in Turkey, where the Orthodox Church has been prevented from reopening their seminary for 20 years and where churches cannot obtain permission to build modern facilities or to renovate existing churches.

**Religion**, continued on page 33

CFE, continued from page 29

The ambassador expressed general support for NATO enlargement while voicing considerable consternation over the slow pace of expanding the European Union. "It would have been and still would be much better, in terms of the geopolitics of Europe, if the European Union were to concern itself more with broadening than deepening and would begin to integrate Central Europe and even Eastern Europe into the economic structure of Europe," Woolsey suggested.

When asked about the future of arms control, Woolsey expressed serious concern over the hair-trigger nature of the command and control for Russian military forces with respect to nuclear weapons, dismissing the significance of reports that Russian missiles are no longer targeted on the United States. "The public statements on this issue from the administration about how important it is that no missiles are aimed at the United States because of this agreement with the Russians to de-target, first of all assumes that the Russian military has actually done the de-targeting..." said the former CIA chief while pointing out that the systems involved can be re-targeted within a matter of seconds.

Michael Guhin, who served on the U.S. delegation to the original CFE talks, underscored the continuing political and security importance of the treaty as a key cornerstone of European security. He suggested that "CFE would have been adapted in some form or other without NATO enlargement." Noting that the "CFE is one mechanism by which the United States and NATO allies can help assure or provide Russia with greater confidence that NATO expansion is not going to be threatening to them." Guhin repeatedly stressed the importance of ongoing consultations with Ukraine and the Baltic States with respect to the process of NATO expansion. He summarized several suggested changes to the CFE treaty proposed by the United States and other NATO countries: lower the equipment ceilings throughout the CFE zone; replace the bloc-to-bloc structure with na-

tional ceilings; establish territorial ceilings; establish a stabilizing measure for Central Europe; and enhance verification and information exchange. Guhin said that the United States would resist any attempt by the Russians "to establish second-class citizenship for new NATO members." When asked about the prospects for quick agreement on CFE adaptation, the arms control official expressed the administration's hope to have at least an understanding on the elements to be considered in the talks by the time of the NATO summit in Madrid scheduled for early July.

The December 1996 Lisbon OSCE summit called for adaptation negotiations on CFE to begin in January. At the December Ministerial Meeting of the North Atlantic Council, representatives of

the 16 NATO countries reiterated their strong support for the CFE. "We believe that the CFE Treaty must continue to play a key role in ensuring military stability into the 21st century, and are committed to adapting it expeditiously in order to take account of new security challenges," said Guhin. Adaptation of the CFE Treaty is one of the concessions sought by Russia as the West presses ahead with plans to enlarge NATO, a development sharply opposed by Moscow.

***"The public statements on this issue from the administration about how important it is that no missiles are aimed at the United States because of this agreement with the Russians to de-target, ... assumes that the Russian military has actually done the de-targeting..."***

**- R. James Woolsey**

Talks are currently underway in Vienna with the aim of strengthening the treaty's system of limitations, verification, and information exchange. The 1990 CFE Treaty and associated documents will remain fully in force pending the outcome of the Vienna negotiations.

Dr. Louis Fisher discussed various scenarios that might be employed by Congress should the Vienna talks result in modification of the current CFE treaty. He cited various cases involving termination, reinterpretation and modification of treaties to which the United States is a party.

Mr. Stanley Sloan, a Senior Specialist in International Security Policy with the Congressional Research Service served as moderator. Printed copies of the briefing may be obtained by contacting the Commission.

✉ Ron McNamara

**Religion**, *continued from page 31*

In Greece, the Orthodox church is legally designated as the state church and other minority groups, such as the evangelical Protestants and the Jehovah's Witnesses, in practice are relegated to second class status. When a minority religious community wishes to build a new facility or hold a large public meeting, they often must obtain permission from the local Orthodox priest before being given permission to proceed. In addition, the leadership chosen by a large portion of the Moslem community in Greece continues to face harassing law suits for "impersonating clerics."

**Religious Free Speech**

No discussion of religious liberty would be complete without addressing free speech as it relates to religious liberty. One of the most hotly contested issues in the OSCE regarding religious liberty is whether governments can limit religious speech intended to persuade the listener to adhere to a particular religious viewpoint. Intolerance of individuals expressing alternative religious viewpoints has led to severe restrictions on religious liberty among the OSCE participating States. With angry charges of proselytism, many governments prohibit religious groups from engaging in free speech or printing materials intended to persuade individuals to understand and perhaps join a particular religious community. An

analogy can be drawn to governments prohibiting political parties from persuasive speech intended to gain adherents to a particular political point of view. If governmental restrictions similar to those being placed on religious groups in many countries were applied to political opposition parties, these governments would be de-

nounced as undemocratic and would garner an enormous amount of negative attention from the international community. Examples of restrictions on free speech that contradict Helsinki commitments can be found in the constitution of Greece and in the laws of Azerbaijan and Armenia. In addition, re-

ligious speech is restricted in practice in Uzbekistan.

It is essential to the freedom of religion that the OSCE participating States place the same priority on religious speech as political speech. The free exchange of ideas, whether religious, political or philosophical, is a fundamental pillar of democracy, a basic OSCE commitment and a crucial underpinning for the freedom of religion.

In conclusion, religious liberty has been uniquely recognized and supported in the Helsinki process. In practice, however, the infringement of religious liberty through the misuses of registration requirements must be ended, as must the limits that governments place upon free speech when speech has religious content.

☞ Karen Lord

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of individuals  
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the OSCE participating States.*

**From the *Congressional Record*, March 13, 1997, page H1002:**

**APPOINTMENT OF MEMBERS TO COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of Section 3 of Public Law 93-304, as amended by Section 1 of Public Law 99-7, the Chair announces the Speaker's appointment of the following Members of the House to the Commission on Security and Cooperation in Europe:

Mr. SMITH of New Jersey, co-chairman; and Messrs. PORTER, WOLF, SALMON, and CHRISTENSEN.

There was no objection.

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## Commissioners

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

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Frank R. Wolf, *Virginia*

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Benjamin L. Cardin, *Maryland*

*Vacant*

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Harry Reid, *Nevada*

Bob Graham, *Florida*

Russell D. Feingold, *Wisconsin*

*Vacant*

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