

**STATEMENTS OF THE U.S. DELEGATION TO
THE OSCE REVIEW CONFERENCE
VIENNA, AUSTRIA**

September 20–October 1, 1999

AND

**THE OSCE REVIEW CONFERENCE
IN PREPARATION FOR THE ISTANBUL SUMMIT**

November 8–10, 1999



**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe**

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Commission on Security and Cooperation in Europe
234 Ford House Office Building
Washington, DC 20515-6460
(202) 225-1901
csce@mail.house.gov
http://www.csce.gov

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ABOUT THE ORGANIZATION (OSCE)

The Conference on Security and Cooperation in Europe, also known as the Helsinki process, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. Since then, its membership has expanded to 55, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia. (The Federal Republic of Yugoslavia, Serbia and Montenegro, has been suspended since 1992, leaving the number of countries fully participating at 54.) As of January 1, 1995, the formal name of the Helsinki process was changed to the Organization for Security and Cooperation in Europe (OSCE).

The OSCE is engaged in standard setting in fields including military security, economic and environmental cooperation, and human rights and humanitarian concerns. In addition, it undertakes a variety of preventive diplomacy initiatives designed to prevent, manage and resolve conflict within and among the participating States.

The OSCE has its main office in Vienna, Austria, where weekly meetings of permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations and periodic consultations among Senior Officials, Ministers and Heads of State or Government are held.

ABOUT THE COMMISSION (CSCE)

The Commission on Security and Cooperation in Europe (CSCE), also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance with the agreements of the OSCE.

The Commission consists of nine members from the U.S. House of Representatives, nine members from the U.S. Senate, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair are shared by the House and Senate and rotate every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

To fulfill its mandate, the Commission gathers and disseminates information on Helsinki-related topics both to the U.S. Congress and the public by convening hearings, issuing reports reflecting the views of the Commission and/or its staff, and providing information about the activities of the Helsinki process and events in OSCE participating States.

At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

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THE OSCE REVIEW CONFERENCE

Vienna, Austria

September 20—October 1, 1999

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**MESSAGE TO THE 1999 OSCE REVIEW CONFERENCE
FROM VICE PRESIDENT AL GORE**

September 16, 1999

Last February, officials from ninety governments, including representatives from many OSCE states, joined me in Washington for the First Global Forum on Fighting Corruption among justice and security officials. We concluded that our governments must cooperate more closely if we are to succeed in promoting public integrity and controlling corruption among our officials. I would like to extend my best wishes to the Review Conference participants and my support for OSCE efforts to intensify its emphasis on all forms of corruption. I believe that OSCE efforts will serve as an example to others when the international community gathers in the Netherlands in 2001 for the Second Global Forum on Fighting Corruption.

**OPENING PLENARY STATEMENT
AMBASSADOR JOHN SHATTUCK
U.S. AMBASSADOR TO THE CZECH REPUBLIC**

September 20, 1999

We are approaching twenty-five years of the Helsinki Process. At the crux of this process has been this Review Conference. It is an open and unfettered arena where all states can be forthright with each other—and where those less than forthright may suffer the consequences of their broken promises. The United States looks forward to this Conference with the hope that we will all share in the progress from these proceedings.

The Helsinki Process represents a commitment to the guarantee of fundamental freedoms and the welfare and security of all of our citizens. With this commitment in mind, we would like to emphasize several areas of concern for consideration by this conference.

A decade ago the then-CSCE participating States willingly agreed to “take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief [and to] foster a climate of mutual tolerance and respect between believers of different communities.” (Vienna Concluding Document 16.1) This statement is one of the most important multilateral commitments to religious freedom that has ever been made. And there has been much progress in this area over the last ten years. But, at the same time, too often these freedoms are not consistently extended to minority religious and belief groups. Indeed, in many places governments are actively engaged in discrimination. Several European countries have established official sect-monitoring agencies that raise concerns over the essence of the concept and application of tolerance. This trend creates the potential for intolerance and abuse.

Let me turn now to a second area of concern. Some progress has been made in ridding the OSCE region of the notorious criminal defamation statutes that were exploited by communist regimes. The courts or parliaments of Hungary, Poland, and the Czech Republic have moved to repeal statutes which impose imprisonment for mere speech. Slovakia and Romania are, we understand, considering similar steps. But elsewhere in the OSCE region, too many governments impose suspended sentences, fines, and imprisonment as punishments for those who allegedly defame the state or its officials. Such laws are manifestly inconsistent with OSCE commitments. They are vestiges of a harsh and repressive past, and they have no place in the upcoming millennium. The office of the OSCE Representative on Freedom of the Media was set up last year and is proving to be a useful medium for focusing collective attention on fellow states having difficulty meeting their commitments on freedom of expression. We reiterate our support for this office. It is essential that OSCE states pay particular heed to the role of free press in economic and political development. Without the transparency encouraged and measured by this new office, no nation can achieve true membership in the open and cooperative state of security which is OSCE. States that ignore these commitments are, in fact, a danger to their neighbors, making the Free Media Representative a useful additional conflict-prevention tool.

A third area of current concern involves the issue of trafficking in human beings for purposes of forced labor and sexual exploitation. This is still among the most egregious human rights violations of our time, involving the buying and selling of human beings—in other words, a form of modern-day slavery. Addition-

ally, trafficking is perhaps the most direct tragic consequence of denying equal opportunity for women, especially when they suffer from poverty and a lack of economic opportunities. Every country—whether a source, transit or destination of human trafficking—shares responsibility for taking measures to prevent and help eliminate this vicious practice.

A fourth concern is the practice of torture. As we close out the 20th century, the scourge of torture continues to crush the lives of countless individuals in the OSCE region. Torture is an insidious assault on the core values of the OSCE – human rights, democracy, and the rule of law – often perpetrated by the very security forces charged with defending the individual in his or her society. The victims of torture, 400,000 of whom have made their way to United States from throughout the world, often are among the most vulnerable in society, including women and children. Torture thrives in darkness. This Conference should provide a beacon of light to expose torture where it occurs even as we seek to prevent and punish such practices in keeping with our OSCE commitments.

A fifth concern is corruption. Public corruption weakens states, undermines political consensus, saps the legitimacy of governments, and discourages and distorts investment. The result is that people suffer as countries and economies are weakened. The OSCE must become more active in addressing this threat to democracy and free markets. We believe the OSCE participating States should develop norms that would lessen corruption and ameliorate the conditions that foster it. There is no higher priority in the economic dimension than putting the plague of corruption into remission.

Let me turn now to one of the most significant innovations in OSCE's work in this decade, the development of field missions. These Missions serve a vital function in assisting states to meet their OSCE commitments. Each carries out that function in unique and creative ways. In Belarus, the Advisory and Monitoring Group is setting up a framework for negotiations between the Lukashenko government and the opposition. In Ukraine, the OSCE is assisting in the implementation of important human rights legislation and other projects. In Latvia and Estonia, the High Commissioner for National Minorities has worked closely with the governments in meeting OSCE standards with regard to legislation that affects national minorities. I want to pay a personal tribute to my friend Max van der Stoep for his long, distinguished and extremely effective service as High Commissioner working at the very heart of what the OSCE stands for. In Kosovo, last year, the OSCE responded to sweeping human rights violations—massive displacement, murder and rape, ethnic cleansing—in bold and courageous fashion by standing up the Kosovo Verification Mission to monitor FRY compliance with fundamental commitments to remove security forces and allow people to return to their homes. In my own human rights work in Kosovo over the last years, I found the KVM to be an invaluable instrument of human rights monitoring. This year, the OSCE continues to identify experts to staff its Mission in Kosovo to fulfill its institution building mandate as part of the UN Mission in Kosovo.

On each of these occasions, the OSCE has performed admirably well in responding to the most egregious of human rights violations in Kosovo. Under KVM, the OSCE placed almost 1,400 representatives into the field in less than five months. Now the OSCE is identifying experts in five key fields to build for Kosovo's future and to create respect for fundamental human rights and freedoms and the establishment of democratic institutions. It established a police academy in little over two months and should graduate its first class of recruits soon. The OSCE should be proud of what it has achieved in Kosovo.

That said, OSCE can do better not only responding to and managing crises but also anticipating crises. That is why the U.S. delegation strongly advocates the OSCE develop a civilian capacity to respond rapidly with expertise to emerging problems in the OSCE region. Rapid Expert Assistance and Cooperation Teams, or REACT, would improve even further the OSCE's record in assisting participating States meet the challenges that will confront us tomorrow. We strongly urge States to support this concept which will provide the OSCE with one more tool to remain the international organization par excellence when it comes to dealing operationally with situations in the field.

The OSCE's security role in the Euro-Atlantic community for the 21st century is also of central importance. One of the lessons we draw from the last decade is that a just and durable peace in the 21st century will depend as much on building a sense of confidence and security among people within societies as it will on promoting security among states. As Secretary Albright said in Vienna last fall, the OSCE is our instrument of choice for preventing conflict, championing human rights and the rule of law, and for promoting open societies and open minds.

The OSCE's security dimension plays a vital role as the only forum for European-wide security dialogue. Vienna Document 1994 is the flagship agreement, providing a regime of confidence-and-security-building measures that have stood the test of time. We hope we can agree to its enhancement prior to the November Summit. Overall, the United States regards implementation of commitments in the security dimension to be satisfactory. While there is room for improvement, we are convinced that the implementation of the Vienna Document and other measures has led to an increased level of confidence that did not exist a decade ago.

Finally, Mr. Chairman, before concluding, I want to make reference to a specific human rights situation. I am referring to the situation in Belarus and the challenges the OSCE faces there in securing respect by the Lukashenko government for basic human freedoms.

Over the past year, it has become increasingly hazardous in Belarus to criticize Lukashenko's actions. Mikhail Chigir remains under arrest on trumped-up charges. Former National Bank Chair Tamara Vinnikova "disappeared" while under house arrest. And the former Interior Minister General Zakharenko disappeared when his criticism of government action became too pointed.

Just this past Thursday, Viktor Gonchar, head of the legitimate parliament of Belarus, also disappeared – just three days before a scheduled vote by the 13th Supreme Soviet on whether it would participate in an opposition/government dialogue organized by the OSCE.

This pattern is indeed troubling, as it indicates a willingness on the part of an OSCE state to go to any length to silence its critics. We do not know what has happened to Mr. Gonchar. We do know that we hold the government of Belarus responsible for his safety. It is simply inconceivable that Belarusian authorities would have no knowledge of his whereabouts or what has happened to him. We expect a thorough and prompt investigation. And we expect the results of that investigation to be made known this week at this conference.

Mr. Chairman, as we approach the twenty-first century, and the twenty-fifth anniversary of the Helsinki Accords, it is important that we remember why we are together. We are here to remind each of us what our commitments are, what promises we made at Helsinki. Our very presence says that we are keeping our promises.

But if this is true, why are so many of our citizens in such misery, in poverty or insecurity? Talk can sometimes be cheap. Some states represented here have little if any intention of implementing all of their OSCE commitments on Democracy, Free and Fair Elections, Freedoms of the Press, Speech and Religion, Economic freedoms. For a few states, these have become the lexicon of doing just enough to obtain benefits from the World Bank, the IMF, the EU and the Council of Europe. As long as credible appearances are kept up, objectives appear to have been met, while corruption and stolen elections keep a few in power at the expense of the many.

Mr. Chairman, we should look back on the discourses of twenty-five years ago when the promises of the Helsinki Final Act were made. And we should look forward to future generations who will hold us accountable if we fail in our duty. When the Helsinki Process was launched in 1975, President Gerald Ford offered an observation that is as true today as it was a quarter of a century ago: “History will judge this Conference not by what we say here today, but by what we do tomorrow—not only by the promises we make, but by the promises we keep.”

Thank you very much.

**RIGHT OF REPLY:
EXCHANGE OF INFORMATION ON THE QUESTION OF
ABOLITION OF THE DEATH PENALTY
AMBASSADOR WILLIAM COURTNEY
SENIOR ADVISOR
U. S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

September 21, 1999

We understand the sentiments that have motivated the opposition to the use of the death penalty in the United States. However, this view represents a significant departure from well-established international norms.

While international law limits capital punishment to the most serious crimes and requires certain safeguards, most notably due process, international law does not prohibit capital punishment. Indeed, the International Covenant on Civil and Political Rights specifically recognizes the right of states that have not abolished capital punishment to impose it.

In a democratic society the criminal justice system, including the punishments prescribed for the most serious crimes, should reflect the will of the people freely expressed and implemented. Within the United States, the question of capital punishment is a subject of ongoing debate. At present, however, a majority of states of the United States have chosen to retain the option of imposing the death penalty for the most serious crimes.

The use of the death penalty for juvenile offenders is not inconsistent with international law. Although the International Covenant on Civil and Political Rights includes a provision prohibiting the use of the death penalty on juvenile offenders, the United States has taken a valid and effective reservation to this provision. The United Nations International Law Commission has determined that the practice of making reservations in the context of human rights instruments is appropriate and lawful under international treaty law and state practice.

United States law provides significant protection against the trial, conviction and punishment of individuals with significant mental infirmities or disabilities. These protections are consistent with international law.

We recognize that many countries have abolished the death penalty under their domestic laws, and that a number have accepted treaty obligations to that effect. We respect those decisions. In the United States, however, our open and democratic processes have led to different results.

ENVIRONMENTAL SECURITY
LEA SWANSON
SENIOR REGIONAL ENVIRONMENT AND ENERGY ADVISOR
FOR EUROPE AND THE NEWLY INDEPENDENT STATES
UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

September 21, 1999

For over a year now, through four regional economic seminars, and through working groups at the Seventh Economic Forum held in Prague in May of this year, we have explored critical environmental challenges facing the OSCE region. We have also explored ways for the OSCE to assist States in addressing environmental challenges associated with energy production and consumption, water management and sustainable economic development.

In addition, at the Prague Economic Forum, the final report was presented on a pilot study commissioned by NATO's Committee on the Challenges of Modern Society (CCMS) entitled: "Environment and Security in an International Context." This report brings much-needed analysis to the issue, emphasizing the potential that environmental issues have to undermine security both between states and within states—through conflict over shared resources, and through conflict over scarce resources. Work group discussions among OSCE forum participants confirmed the reality. In regions as diverse as the Central Asian Republic, the Mediterranean, and Mexico, the impact of increasing population pressures on trans-boundary water resources was cited as a potential source of conflict. It was also noted in this context, that shared environmental resources might provide a common ground for resolving tensions arising from cultural, religious, or economic bases.

The recent conflict in Kosovo has underlined the recursive relationship between environment and security. In this case, OSCE states are experiencing added environmental stress due to conflict itself. And the environmental stress is not confined to the conflicting states. Participants at the Forum in Prague reported that in Macedonia and Albania, population pressures resulting from influxes of refugees from war zones were seriously straining natural resources, water and sanitation infrastructure.

It is uncertain progress that empirical observations of environmental security issues are increasing in the OSCE region. We reiterate here our sense that NATO's CCMS programs offer a unique opportunity for joint work with OSCE, and encourage OSCE to explore fully synergies in the area of environmental aspects of security with NATO CCMS.

In reviewing our progress on environmental issues in the OSCE region, the past four regional economic seminars and the Prague economic forum workshops, we can identify integrating themes:

- the critical role of public participation in environmental decision-making processes;
- the need to develop and enforce transparent and equitable mechanisms to protect the environment; and
- the importance of fostering private sector investment in environmentally sound economic development.

PUBLIC PARTICIPATION

The 1990 Charter of Paris, 1990 Bonn Conference on Economic Cooperation in Europe, and 1992 Helsinki Summit documents together set a framework for discussion and cooperation among OSCE states in tackling the challenges of transition to market-based economies – including environmental challenges. The objective has been to promote dialogue, tolerance and transparency in decision-making processes, which necessarily involve government, the private sector, NGOs and other citizen groups. A further objective has been to identify and help diffuse sources of tension and conflict between and amongst states – be they of economic or environmental origin – before they lead to conflict. The OSCE has worked closely over the years with a wide range of NGOs to address Human Dimension concerns. NGOs have been critical to the success we have enjoyed in fostering the development of democratic institutions and practices throughout the OSCE region. We should take the same tack with environmental coalitions, to encourage their growth and development, and to piggyback on their work in fostering public participation in decision-making on environmental issues and challenges. With this in mind, the United States has proposed—and we reiterate this proposal here – that an OSCE Council of Environmental Mentors be created to share professional experiences relevant to the OSCE process of fostering environmental security through cooperation.

TRANSPARENT AND EQUITABLE MECHANISMS FOR ENVIRONMENTAL PROTECTION

A common requirement through the OSCE region is the identification and application of instruments to safely and fairly distribute energy and water resources. These instruments – some of which have been identified in the OSCE regional seminars and workshops – range from information dissemination to full cost pricing of water and energy to promote resource conservation. Other instruments include legally binding agreements, conventions, and protocols, and non-binding “soft” laws and norms. However, the critical point emerging from our review and participation in OSCE regional seminars and workshops, is that the way instruments are developed is as important as the instrument itself. As noted by a number of delegates in the Prague Economic Forum, particular emphasis must be given to political will, common vision, equity, fairness, and of course participation. Involving the public – including NGOs, the business community and the public at large – in the debate creates a common commitment to compliance with the norms once established, and fosters improved public awareness of the implicit trade-offs between resource consumption, pollution, and economic development. It is our experience that this broad cooperation produces the most appropriate and enforceable regime.

An example of progress from the OSCE region comes from The Interstate Council of Central Asian Union.

Five countries negotiated and signed a region-wide multi-year water sharing agreement for the Syr Darya. This agreement adds not only to the sustainability of future water resources in the region, but greatly enhances regional political and economic stability. In the Balkans, the most significant water-based environmental planning effort to date is the Danube Environmental Program. Initiated in 1991, this diagnostic and planning program resulted in the adoption of the Danube Action Plan, including investment needs and priorities. Also included are programs for cross boundary monitoring and for rapid response early warning systems to notify downstream users of spills and acute pollution incidents. Work continues in Hungary, Slovakia and Romania to improve water quality in three Danube tributary basins and to reduce trans-boundary pollution. Another successful example of long standing is the Framework of International Com-

mission for Protection of the Rhine. However success does not come easily. While a synergistic effect is possible and desirable among states within a region, this can take a lot of work and a very long time to achieve. Middle Eastern riparian countries provide a case in point.

There has also been some progress in the energy sector. Energy consumption is both the driving force behind economic development, and one of the principal sources of pollution and contributor to greenhouse gases and climate change, in most of the OSCE region's economies. The Kyoto Protocol is the only available tool in the international arena to spur states to account for their contributions to potential global climate change, and to seek—through domestic and international commitments—ways to reduce national and regional greenhouse gas emissions. The use of flexible mechanisms within the Protocol (emissions trading, joint implementation, and clean development projects) should be supported by the OSCE and explored without restrictions to understand their full potential.

As security of energy supply is of critical importance to all states, energy conservation takes on special importance. It provides a means both to reduce reliance on imported energy supplies and to reduce pollution. Restructuring of inefficient power generation and distribution systems, heating systems, and manufacturing industries—particularly in the newly independent states—would allow these states to produce and consume more power, heat and goods while consuming less energy and producing less waste. There has been significant progress in a number of OSCE member states in energy sector restructuring and many have plans for significant privatization—Kazakhstan has moved on to implementation. Private banks are already lending for energy efficiency in Poland, Czech Republic, and Hungary. There are, however, a number of OSCE countries that are lagging behind, including Russia and Ukraine. These countries face serious financial and economic crises, and when market conditions present unacceptable risk conditions, or distort the market for energy, needed investments may not be made, and the potential of shared economic returns and trans-boundary cooperation may not be realized.

PRIVATE SECTOR INVESTMENT

OSCE discussions and reviews consistently emphasize that in order to attract cost-effective investments into environmentally sound development, OSCE member states must develop a business environment that fosters such investment. That is, a transparent, predictable legal and regulatory environment that allows businesses to invest with confidence. Creating a regulatory environment that supports clean technology testing, or energy-related swaps, has the potential to assist states to improve overall energy efficiency and reduce the environmental impact of energy consumption and industrial production.

Only slowly are many states of the OSCE region coming to realize that there is strong economic justification for environmental expenditures. Even though the needs are relatively clear, for example about the problems of the Danube River and its tributaries—including environmental hot spots, investment needs, policy blockages—and the international financing institutions have loan funds available, insufficient investment is occurring to resolve the identified problems. We propose that OSCE initiate a dialogue among OSCE states on the barriers to environmental investment.

Given the current structure of energy markets and energy companies, there is a risk that the development of advanced small scale technologies from fuel cells to wind farms will have only limited market access supported by rather high subsidies. To expand the market, and hence the likelihood that renewable energy technologies will find an appropriate place in a secure and diversified energy market, we propose

that OSCE examine more closely the opportunities and barriers posed to independent power producers using renewables. The aim would be to ensure that market opportunities and financing programs and policies fit the smaller regional sub-regional scale currently best suited to efficient energy and power production from renewable sources. Transmission and distribution companies will have to adapt their operations to accommodate a more diversified mix of generating facilities.

In closing, we must say the obvious: while progress is being made, there remains much work to be done both by OSCE and by all of us as OSCE member states. On that note, we look forward to continuing our dialogue on environmental security in Tashkent in October, where discussions will focus on institution-building and public participation in policy dialogue.

**PROMOTING INTEGRITY, ETHICS IN GOVERNMENT,
GOOD GOVERNANCE, AND TRANSPARENCY
LUCINDA A. LOW
BOARD MEMBER OF TRANSPARENCY INTERNATIONAL USA**

September 21, 1999

The OSCE's traditional and unique strengths in promoting human rights, democracy, and the rule of law must be extended further into the realm of economic activities. Public corruption, including bribery, poses a grave threat to these values. Such practices erode popular confidence in government and free markets, weaken states, and impoverish people, thereby affecting security. Large-scale corruption saps support for economic reforms, deters foreign and domestic investment, breeds organized crime, and contributes to environmental degradation. Combating corruption is a singular task. It requires strong political will. Equally important, however, are the rule of law, transparency and ethics in government, modern legal systems, and civil service integrity. Together these institutions help lay the foundations for reducing incentives for corruption and deterring and punishing it. The need for building these institutions in former command economies is undeniable. Corruption is exacting a huge toll in many of them.

In recent years the international community has devoted more attention to combating corruption. There is growing consensus among nations, irrespective of their level of development, that promoting integrity, ethics in government, good governance and transparency advances their national and economic interests. International momentum is clearly building. The Organization of American States was the first international organization to adopt a Convention Against Corruption. The United Nations General Assembly has adopted a declaration on Corruption and Bribery in Transnational Business Transactions. The Organization for Economic Cooperation and Development has adopted an Anti-Bribery Convention, as have the Council of Europe and the European Union. The OECD has also called on its members to eliminate the tax deductibility of bribes. Last February, Vice President Gore hosted a Global Forum on Fighting Corruption among justice and security officials. At that conference, officials from ninety countries agreed in their declaration to call for governments to adopt principles and practices that effectively fight corruption. In June, the G-8 called on the United Nations, in the context of negotiating an international convention against transnational organized crime, to include an obligation that criminalizes all acts of official corruption. International financial institutions have adopted measures to reduce corruption in lending, procurement and other activities.

What can the OSCE do to promote integrity, ethics in government, good governance and transparency? We believe that existing ODIHR and other OSCE programs already are working to address some of the core causes of corrupt practices. But a more systemic and deliberate approach is needed to create linkages and focus and to set priorities. An effective first step would be for participating States to debate, develop, approve, and enforce a set of OSCE norms designed to combat corruption and conditions that foster it and promote a positive framework. Implementing and enforcing these norms will be no mean feat. Implementation implies focusing on both the supply and the demand sides, on preventive as well as punitive measures, and on institutional reforms. Enforcement will flag if enforcement agencies are not properly capacitated and funded, and if enforcement of laws (including but not limited to anti-corruption laws) does not enjoy wide public and business support. Democratic checks and balances, such as an independent judiciary, free media, independent NGOs, legislative oversight, and vigorous but fair administration of laws can promote implementation and enforcement and sustain broad support for them.

Second, a concerted effort should be made to incorporate these norms and priorities into the full range of OSCE activities, including the work of Missions and the Economic and Environmental Activities program. Since the October 1999 preparatory seminar for the 2000 Economic Forum will address rule of law issues, this occasion will be a good opportunity to explore how corruption undermines the rule of law. We propose that the 2001 Economic Forum also give attention to these questions, including the mainstreaming of anti-corruption elements, including transparency and good governance, into all rule of law initiatives. The fight against corruption and the struggle for the rule of law are mutually reinforcing. Hence, the OSCE's work in the human dimension should benefit from progress against corruption. We should look for other ways to bring to bear the political weight of the OSCE against this scourge.

Third, the OSCE should actively engage international and national NGOs that seek to build a stronger public and business consensus against corrupt practices. They can cooperate on vital efforts to shine more light on the problem, exchange best practices, and educate others about how to deal with the problem, including identification of priority issues. Transparency International is perhaps the leading international NGO in the anti-corruption movement. It publishes a Corruption Perceptions Index that ranks countries from least to most corrupt. One cannot determine from the survey why these disparities exist. But it is clear that emerging democracies and transitional economies as a group fare worse than countries with more established democratic systems and economic freedoms.

In the U.S. experience, NGOs as well as the press play a key role in the promotion of transparency, good governance, ethics in government, and integrity. This is true both at the national level and internationally. Governments should provide a positive climate for NGOs and independent media. They should regularly make available information on which citizens can make informed decisions, and ensure that their processes at all levels are transparent and open. Governments ought to encourage the international organizations in which they participate to establish and maintain the transparency of, and public access to, their processes.

**CITIZENSHIP
CHADWICK GORE
COMMUNICATIONS DIRECTOR
UNITED STATES COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

September 21, 1999

Mr. Chairman, to be a citizen of a state is to be able to enjoy to the fullest one's rights and freedoms in that state, along with the social and economic benefits offered by that state. We can go back in history thousands of years to find people who sought to protect their rights and freedoms—indeed their very lives—by asserting their status as a citizen. Unfortunately, even today many states deny citizens basic rights and freedoms, such as citizenship, as a means of discriminating against select individuals, often and especially including those belonging to minorities.

Such discrimination in citizenship has become a more profound problem in the 1990s, as new states have emerged in the OSCE region. Sometimes a dominant group seeks to justify statehood on the basis of its own aspirations for independence and power within the new state, even at the expense of others living in the country. Asserting statehood in this way may ignore dramatic demographic changes of prior decades. New citizenship laws should not seek to reverse these changes, even when the changes were coerced by the authorities of a previously occupying or other form of non-representative state. These laws cannot be just if they render innocent people stateless or have the effect of forcing people to leave their homes and livelihoods.

Fortunately, progress has been made in some states regarding citizenship laws, from the Baltics to the Balkans. In the Czech Republic, an amendment to the citizenship law signed by President Havel on August 23 will, when fully implemented, at long last enable thousands of Roma rendered stateless to regularize their status. We would welcome learning how the Czech Government plans to disseminate, particularly to the Romani minority, information about new citizenship opportunities and what kind of outreach campaign will ensure that all those who are newly eligible for citizenship will have the right to apply. Greece took the significant step of repealing Article 19 of its Citizenship Code. We and others in the international community commend Greece. We hope that Greece will also revoke Article 20, which has not been enforced for several years but remains on the books. Such a step would help safeguard the rights of all Greek citizens. In the Former Yugoslav Republic of Macedonia, the 15-year residency requirement which disenfranchised those who had been legally residing in that republic at the time of independence in 1991 will likely be changed. We hope the progress of the last year regarding citizenship for Crimean Tatars in Ukraine continues.

In Croatia, delays in providing citizenship and travel documentation to ethnic Serb citizens abroad—exacerbated by procedural obstacles placed by Belgrade authorities—have contributed to the slow pace of refugee returns. The Croatian Law on Citizenship distinguishes between those who have claim to Croat ethnicity and those who do not, extending citizenship to ethnic Croats abroad while imposing stricter requirements on non-Croats.

In conclusion, Mr. Chairman, we must recognize that full participatory democracy and social stability in newly created or freed states cannot be attained without an inclusive approach to citizenship. Assuring protection against discrimination and statelessness should continue to be a high priority for all OSCE participating States.

ELECTIONS
BENNETT FREEMAN
DEPUTY ASSISTANT SECRETARY OF STATE
BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR

September 21, 1999

Democratic and representative institutions are at the heart of the Helsinki Process and a key indicator of the health of a modern state. We must remember, however, that democracy is more than holding elections—it is a commitment to a process of free and open debate and the institutions of a civil society that support it. Elections must be held in political environments where the citizenry trusts the process, respects the outcome, and thereby invests the institutions of government with democratic legitimacy.

One of the most important tasks of the OSCE in recent years has been its work in organizing elections in places where delicate transitions are underway, often in the aftermath of conflict situations. The OSCE has done a commendable job administering elections in Bosnia and Herzegovina. Now it faces the challenge of administering elections in Kosovo. As recognized in UN Security Council Resolution 1244 that established the international civil presence in Kosovo, elections are a crucial element of the process of establishing democratic and autonomous self-government in Kosovo, pending a final political settlement. Most of the Kosovar political leadership expects and seeks elections, beginning with local elections, in the relatively near future. The head of the UN Mission in Kosovo (UNMIK) has expressed his hope that an initial round of local elections can be scheduled this coming spring. The OSCE in collaboration with the UN should set in train all of the necessary preparations for early and credible elections. Political leaders from all ethnic communities in Kosovo should be kept informed, consulted, and to the extent feasible brought into the decision-making process regarding these preparations, using the consultative process established by UNMIK.

Turning to participating States where the OSCE has taken an active role in promoting free elections, it is clear that a number of serious challenges remain.

This is the first year since peace was reestablished that elections are not being held in Bosnia and Herzegovina. While the series of elections since 1996 has resulted in some progress in constructing a democratic political system, it is now appropriate to establish a more permanent electoral structure. We welcome proposals by the OSCE and the High Representative in Bosnia for a Permanent Election Law that will give voters a greater ability to vote for candidates rather than just parties as a means of establishing accountability. Secondly, the new system will permit voters to select candidates who emphasize substantive issues such as jobs and housing, rather than blatant appeals to ethnicity.

There are no elections scheduled for Serbia, but they could be called at any time. Any elections in Serbia should take place according to European standards and should be free and fair. This can only occur if there are substantial changes to Serbia's election and media laws, and if the elections are subject to international supervision. The OSCE might be asked to assist or observe new elections. The OSCE should be prepared to do so if the will of the people will be genuinely reflected in the results, and if those results will be respected by the authorities. In the meantime, the people of Serbia deserve democratic change, and we all should encourage that change to take place. The United States therefore hopes that the OSCE will undertake a concerted effort to encourage democracy in Serbia.

Croatia will be holding parliamentary elections in the near future. Unfortunately, despite holding several elections since 1990, Croatian authorities have failed to achieve the “free and fair” benchmark. Among the general concerns have been the timing of elections, the lack of transparency in election administration, and the negative stance taken toward domestic civic observers. In addition, while the ruling party seeks to gain additional seats and sway the loyalties of the Croat population in neighboring Bosnia and Herzegovina, representation for Croatia’s minority Serb population continues to be denied. The Peace Implementation Council has informed the government of Croatia that attempts to deny the legitimate citizenship rights of Croatian Serb refugees in Bosnia and Herzegovina constitute blatant ethnic discrimination. In addition, the PIC stated that any out-of-country voting would have to be conducted to OSCE standards, but if the vote is not open to all persons with legitimate claim to citizenship, including Croatian Serbs, out-of-country voting in Bosnia and Herzegovina will be affected. The campaign environment will also be negatively influenced by continued government controls on the broadcast media. We understand that, in some of these areas, Croatian authorities are willing to be more flexible than in the past, and the United States urges these authorities to utilize fully their country’s democratic potential and conclude negotiations with opposition parties on election and media laws. With good new laws in place, the potential for free and fair elections in Croatia would increase significantly.

Also, last October’s elections in the Former Yugoslav Republic of Macedonia went very well, according to OSCE and other international observers. The political spectrum of participating parties was broad, the campaign environment was open and competitive, and election administration was more transparent than before. Close first round results led to notably more tense campaigning in districts with second-round voting, and there were some reports of party representatives illegally checking voter registration cards outside polling stations, as well as more ominous proxy voting practices. Nevertheless, the experience was a very positive one which reflected growing political maturity in a country that has faced threats to its instability — both internal and external — since becoming an independent state in 1991. The United States anticipates that the upcoming presidential elections on October 31 will continue this trend, and we wish all Macedonians the best as they select their next President.

In Belarus, President Aleksandr Lukashenko used a 1996 referendum to justify extending his term of office by two years, until 2001. While the opposition-organized presidential elections in Belarus on May 16 did not meet OSCE standards due to government actions, they did represent an effort by democratic forces in Belarus to engage the public on behalf of constitutional issues, including the end of Lukashenko’s legal term of office in July, despite the obstacles created by the Belarusian Government. The United States continues to call upon the Belarusian authorities to release opposition presidential candidate and former Prime Minister Mikhail Chigir immediately. He has been imprisoned since March 30. The United States also calls upon the Belarusian authorities to investigate thoroughly the disappearance of Chigir associate and former Interior Minister Zakharenko one week before the elections and last week’s disappearance of Supreme Soviet Deputy Chairman Gonchar.

Ukraine will be holding presidential elections next month, and there are concerns that the conduct of the campaign, especially political pressure on the media, could harm Ukraine’s young democracy. The independent STB television station, which has vowed to give equal air time to each of the leading presidential candidates, appears to have come under especially heavy government pressure over the last several months. We recall that the media also came under pressure in connection with the 1998 parliamentary elections and urge the Government of Ukraine to support fully press freedom and an environment conducive to free and fair elections.

OSCE observation missions criticized Armenia's parliamentary and presidential elections in 1995, 1996 and 1998, so it was critically important for Yerevan to hold better elections this year. The May 31, 1999 joint statement by OSCE/ODIHR and the OSCE Parliamentary Assembly noted improvements since previous elections, such as the authorities' respect for freedom of speech and assembly, parties' and candidates' ability to enter the race and campaign freely, the neutrality of media coverage, and provision for domestic election observers. But serious reservations remained, especially the poor state of voter lists, which kept many people from casting ballots, continuing problems with military voting, and insufficiently representative election commissions. We concur with the assessment offered by OSCE/ODIHR and urge the authorities to implement the recommendations of the OSCE/ODIHR before the next election.

Azerbaijan's record on elections remains poor. President Aliyev was reelected in an October 1998 election which did not meet international standards. Serious irregularities, violations of the election law and lack of transparency in the vote-counting process marred this controversial election. In July, President Aliyev signed legislation under which the country will hold its first municipal elections on December 12. We urge Azerbaijani officials to incorporate suggestions of the OSCE/ODIHR election experts to bring Azerbaijan's election law into conformity with international standards.

Turkmenistan is the only country in the former Soviet bloc which remains a one-party state. President Niyazov has canceled scheduled elections and extended his tenure in office by a referendum. The parliamentary election in 1994 featured uncontested races. The exercise scheduled for December 12, while reportedly featuring multiple candidacies, can hardly be called a parliamentary election, as there is only one party and all media are tightly censored. We urge the creation of free and independent media in Turkmenistan, opposition political parties, and adherence to the Turkmen Constitution.

Uzbekistan has canceled elections in the past and resorted to referenda extending President Karimov's tenure in office. Parliamentary elections are scheduled for December 5, but there will be no real opposition parties represented. Only government-authorized opposition parties are permitted to register in Uzbekistan. Presidential elections are now scheduled for January 9. In any case, the absence of freedom of the press in Uzbekistan makes the conduct of fair elections impossible. If Uzbekistan is serious about complying with OSCE commitments, we urge the allowance of free and independent media, an environment in which establishment of opposition parties can occur, and adherence to the Constitution.

As Tajikistan has been regrettably embroiled in a civil war for much of this decade, it has not been possible to hold elections. With the 1997 accord between government and opposition, and their power-sharing agreement now being implemented—albeit slowly and unevenly—elections slated for this fall offer a critical opportunity for reconciliation. It is imperative that Tajik authorities implement the provisions of the accord giving opposition parties the agreed-upon representation in election commissions and opening the electoral process to all parties and candidates committed to peace, if the electoral process is to have credibility and foster consolidation of civil society.

President Nazarbaev of Kazakhstan has canceled elections and extended his tenure in office by referenda. He was reelected in January 1999 in an election OSCE/ODIHR described as “far” short of meeting OSCE standards.

The United States agrees with ODIHR's assessment that Kazakhstan made significant positive legal and procedural improvements to the election system recommended by the OSCE since the deeply flawed January presidential election. Candidate registration fees were lowered; attending meetings held by unregistered organizations was eliminated as an administrative offense; and although the process is time-consuming and arduous, political parties were registered. According to the Central Election Commission, media and party proxies will be permitted to monitor the entire voting and vote-counting process.

These changes, however, fell short of OSCE recommendations, particularly in ensuring the ability of all candidates to register, campaign without hindrance and enjoy equal media access. Not all of the OSCE's recommendations to ensure the independence and transparency of election commissions were followed.

Moreover, recent developments call into serious question Kazakhstan's commitment to hold free and fair elections on October 10. Two prominent opposition leaders, former Prime Minister Akezhan Kazhegeldin and labor leader Madel Ismailov, were excluded on procedural grounds based on political convictions. Opposition candidates report that they are being obstructed from campaigning, particularly in the regions. The mass media, largely owned or controlled by the government, has clearly favored pro-government candidates. Finally, there are doubts that the October 10 vote tabulation and reporting will be conducted honestly, particularly in light of problems with observing vote counting during the September 17 indirect senate election.

We urge the Government of Kazakhstan to take swift action to address ODIHR as well as domestic and international NGO concerns.

In concluding, the U.S. shares the OSCE's collective conviction that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all government. Furthermore, elections can only be free and fair when the Rule of Law, Freedom of Association, the Right to Peaceful Assembly, and Freedom of Media and Expression are respected. Given the central role of free and fair elections to the functioning of a healthy democracy, it is vitally important that all participating States meet OSCE standards and commitments on elections listed in the Copenhagen Document and Paris Charter.

NATIONAL MINORITIES
RONALD MCNAMARA
DEPUTY CHIEF OF STAFF
U. S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE

September 22, 1999

National minorities issues traverse the gamut of human dimension commitments—religion, media, education, citizenship—and are closely linked to the question of tolerance. Minorities often constitute the most vulnerable group in any society, if not because of official discrimination or short-sighted governmental policies then because of societal intolerance.

Problems affecting national minorities are not always simple to resolve, and they can be rooted in deep-seated rivalries. At times, hatreds are stoked by misperceptions or differing versions of history. The Serb attack on Kosovo, of course, represents the most odious instance of what can happen when political leaders manipulate a population through outright lies or by appealing to the baser instincts of a portion of their constituencies.

At times, governments seek solutions to protect collective rights rather than emphasizing the rights of individuals. Political leaders sometimes make irresponsible or provocative statements with respect to their ethnic kin in neighboring countries. Political forces in countries not favorably disposed to a particular national minority may exploit these statements to incite fear or animosity towards that minority, which might otherwise live in peace. Thus, a vicious circle can emerge in which suspicion trumps trust. In the end, the minority in question is often not helped by those purporting to act on its behalf.

An example last month were the counterproductive statements by Hungarian Justice and Life Party Chairman Istvan Csurka expressing support for northern Vojvodina's re-annexation to Hungary. Hungarians in Vojvodina have made no such demand. Csurka's statements are dangerous—they could fuel resentment in Serbia and in other countries where Hungarians reside and where there remain those who are antagonistic to the Hungarian minority. Condemnations of such statements by responsible Hungarian leaders are welcome. The best guarantee for any minority in Serbia—whether Hungarians in Vojvodina or Muslims in Sandzak—is the departure of Milosevic and his regime and the establishment of genuine democracy in Serbia and its further development in Montenegro. Indeed, genuine democracy is the sine qua non for resolving the problem of national minorities in any country.

Even in established democracies, there exist governmental policies that discriminate against national minorities. Greece formally recognizes only the Muslim minority specified in the 1923 Treaty of Lausanne. Individuals who self-identify as members of minorities—principally Slavophones—have in the past encountered difficulties in self-expression. The United States welcomes recent statements by leading Greek Government officials on minorities in the Hellenic Republic and remains hopeful that this development will strengthen dialogue to ensure the rights of all Greek citizens.

Croatia continues to pursue policies that discriminate against ethnic Serbs, and the rate of return of those who fled the country in 1995 continues to be slow. While we commend Croatia for its stated policy of return and reconciliation, the implementation of this policy will be important. The Government of Croatia must put an end to official obstructionism on the municipal level, which frustrates the ability of those who do

return to reclaim their pre-war property, and to gain better access to social benefits. As long as local leaders continue to sow distrust and fear of returning Serbs, the Serb minority will not be able to resume their lives in Croatia in a safe and secure environment.

In Turkey, Kurds who publicly or politically assert their ethnic identity face severe harassment and imprisonment. We are often informed that a sizeable portion of the Turkish parliament is Kurdish. But the case of Mehmet Fuat Firat, an elected member of the Turkish Grand National Assembly demonstrates the limits imposed on even a reference to the Kurdish language. When Mr. Firat listed his native Kurdish as a second language on his official biography, the ruling coalition moved to expunge that reference. The United States remains concerned over the continued denial of basic political, cultural and linguistic rights to Turkey's Kurdish population.

As a practical matter, national minorities tend to fare best where individual human rights are respected and where the focus is on practical problem-solving rather than attempts to score rhetorical points. The "Lund Recommendations on the Effective Participation of National Minorities in Public Life," initiated by High Commissioner for National Minorities Max van der Stoep, offers useful suggestions to guarantee effective participation of national minorities in public life. Such participation is an essential component of a peaceful and democratic society.

While problems affecting individuals belonging to national minorities persist in a number of OSCE participating States, in many others significant progress has been made. As we approach the twenty-fifth anniversary of the Helsinki Final Act, let us redouble our efforts to uphold the rights of every individual, including those belonging to national minorities.

ROMA AND SINTI
ERIKA B. SCHLAGER
COUNSEL FOR INTERNATIONAL LAW
U. S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE

September 22, 1999

Mr. Chairman, since our implementation review meeting in Warsaw last year, there have been a number of developments relating to Roma. Some of them are quite positive; others are not.

On the positive side, on March 24 the Bulgarian Government agreed to a National Program for the Roma People for the next 10 years. This program, drafted and approved by a large coalition of Romani NGOs, not only reflects a tremendous achievement on the part of the Romani civil rights movement, it shows the good sense and good will of the Bulgarian Government. This program declares that the elimination of discrimination against Roma should be one of the main political priorities of the Bulgarian state – a goal often omitted from programs drafted by non-Roma. The United States looks forward to the adoption of comprehensive anti-discrimination legislation in Bulgaria.

Along these lines, the United States also welcomes the passage of legislation by the Czech Republic, signed by President Havel on July 7, intended to prevent discrimination against Roma in the workplace. Ideally, anti-discrimination laws would be comprehensive and prevent discrimination against Roma (as well as women) not only in employment, but also in the military, in housing, in education, and in public places. We hope that a number of countries will begin drafting such legislation soon. It would be helpful for these countries to consult with expert bodies, such as the European Commission against Racism and Intolerance, as part of the drafting process. As always in a parliamentary democracy, the drafting process should be transparent to the public.

On the negative side, the United States is concerned by reports that some Romanian Romani children who were born outside of Romania (particularly in Germany between 1990 and 1992) and subsequently repatriated to Romania are being denied entrance to schools. An illustrative case is that of Claudia Tranca. She was born in 1992 in Leipzig to Romanian parents and now lives with her family in the Bucharest suburb of Voluntari. When her parents first tried to register Claudia so that she could attend public school, local officials refused. They reportedly told her father that Claudia could not be registered until her birth certificate was translated from German into Romanian. When this was done, Mr. Tranca was then told that he needed to renounce his daughter's claim to German citizenship before she could be registered for school. Subsequently, local officials asserted that the Tranca family must follow a separate procedure to obtain a Romanian birth certificate for Claudia, registering her as a Romanian citizen. In fact, the 1992 bilateral agreement between Romania and Germany stipulated that only Romanian citizens would be repatriated to Romania and, accordingly, Claudia's citizenship should not be at issue. After numerous efforts, the Tranca family finally succeeded in getting Claudia registered for the school year that has just begun. Other cases like this in Romania have been reported, particularly in Timisoara.

The red tape and bureaucratic barriers which make it difficult or impossible for Romani children to attend school is inconsistent with the Romanian Government policy of seeking to ensure that members of the Romani minority have equal access to education.

Mr. Chairman, in a recent published letter the Hungarian Ambassador to the United States dismissed “Gypsy” as “not a modern written language.” He argued that “[t]o assign Gypsy [sic] children to a life in that language would perpetuate their disadvantaged status.” The Hungarian Government has long championed the language rights of the Hungarian minority in neighboring states. We were surprised to see a representative of the Hungarian Government denigrate the language, culture, and history of one of its own minorities. There should not be one standard of protection for national minorities and another for Roma.

Mr. Chairman, police brutality against Roma is endemic throughout the OSCE region. We would like to cite a particularly shocking case, that of Lubomir Sarissky. Mr. Sarissky was a 21 year-old Rom arrested in Poprad, Slovakia, in August. While in police custody, he was shot and later died of his wounds. We urge the Slovak Government to undertake an open and transparent investigation of Mr. Sarissky’s death. The investigation should be conducted in a manner that instills confidence among Slovak Roma and human rights NGOs. In the event that an investigation concludes there was police misconduct, those responsible must be held accountable before the law for their actions.

Finally, the United States would like to thank Mr. Nicolae Gheorghe, the ODIHR Advisor on Roma issues, for his outstanding work since assuming his post earlier this year. We also look forward, with great interest, to the full report on this subject of the High Commissioner on National Minorities, which will be released at the Istanbul Summit.

**CLOSING ECONOMIC DIMENSION STATEMENT
AMBASSADOR WILLIAM COURTNEY
SENIOR ADVISOR
U.S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

September 22, 1999

The presentations in these meetings over the past several days underscore the reinforcing priorities and commonalities in the Economic, Human, and Security Dimensions. We must guard against drawing too rigid a boundary between them.

We underscore our support for the work of the Office of the Coordinator for Economic and Environmental Activities. The Draft Work Program of the Coordinator lays out proposed objectives for the coming year. We must all work together to instruct and fully participate in their implementation.

We would like to associate ourselves with the remarks of the Romanian, Russian, and other delegations on the need to focus and prioritize activities in the Economic Dimension, and to ensure that the Coordinator's office has sufficient resources.

We would like to associate ourselves with the last remarks of the Turkish representative on being flexible in defining the security aspects of economics and the environment.

OSCE field missions are vital to effective work in the Economic Dimension. We should leverage their effectiveness by the careful development of programs that increase public participation in economic and environmental decision-making and broaden the dialogue on the security aspects of economics.

We would also like to associate ourselves with the statement of the representative of the European Commission that work should focus on security-related economic factors in which the OSCE can add value.

In this regard, we underline our conviction that work in rule of law, public integrity, anti-corruption, transparency, good governance and NGO development should be a focus for the Economic Dimension in the coming year. We welcome the upcoming Tashkent seminar as an opportunity further to explore these issues.

An effective first step would be for participating States to debate, develop, and approve a set of OSCE norms designed to promote integrity, and to control corruption and ameliorate conditions that foster it. We look forward to the Review Conference session in Istanbul for further discussion of how participating States might develop these norms.

FREEDOM OF THOUGHT, CONSCIENCE, RELIGION, AND BELIEF

T. JEREMY GUNN

EXECUTIVE FELLOW

UNITED STATES INSTITUTE OF PEACE

September 23, 1999

Ten years ago, in this building, the CSCE participating states accepted responsibility for implementing some of the most important human rights commitments to religious freedom that have ever been made. In the Vienna Concluding Document, the participating states agreed to “take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief [and to] foster a climate of mutual tolerance and respect between believers of different communities.” (Vienna Concluding Document 16.1)

There have been many welcome changes for religious freedom in the OSCE region since January 1989. The Orthodox Church can now freely practice its faith not only in Russia, but throughout the area of former Communist domination. Catholics can attend Mass in Poland without fear. Most Muslims in the former Soviet Republics of Central Asia may now worship openly. It would have been unimaginable to the delegates meeting here in 1989 that such developments might occur within ten years. Many states have been extremely effective in reducing—and often eliminating—religious discrimination against majority religions.

While much progress has been made, and many millions more people are now free to practice their religion throughout the OSCE region, we cannot help but observe that these freedoms have not always extended to minority religious and belief groups. Indeed, in many places throughout the OSCE, governments are actively engaged in “discrimination against individuals or communities on the grounds of religion or belief”

I. VIENNA COMMITMENT 16.1

“The participating States will . . . take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, political, economic, social and cultural life.”

Although Uzbekistan is among the countries with the worst legacies regarding rights of religion and belief, there has been some progress. On the positive side, the Muslim majority may now practice its religion in relative freedom. Last month, six Christian prisoners of conscience were pardoned and released from prison. The government also has modified and expedited the registration process (a process we still believe to be unnecessary and easily subject to abuse) and has agreed to review its law on religion. Despite these welcome signs, the number of prisoners of conscience in Uzbekistan has increased dramatically since the beginning of the year. Over 200 individuals remain imprisoned for their faith. Today, arbitrary arrests and abuse are pervasive, and judicial proceedings have become rubber stamps. The pattern of harassment and detention of members of unregistered Muslim groups is alarming. Recent closed trials that fail to meet standards of basic due process have attempted to discredit members of unregistered religious groups as dangerous extremists or criminals. Defendants have been convicted of criminal offenses, reportedly based

on forced confessions and planted evidence. These Soviet-era tactics, which are serious violations of OSCE commitments, should be stopped without delay. The threat of terrorist attacks is no justification—either in the United States or in Uzbekistan—for indiscriminate arrests of people and torture of prisoners.

Earlier this month in Azerbaijan, there was a raid on a Baptist service in Baku. Several Azeri Baptists were imprisoned on Soviet-style charges, and the subsequent expulsion of several foreign Baptists raise grave concerns about the rights of religious minorities.

Despite a number of judgments against Greece in the European Court of Human Rights, its Constitution and Laws of Necessity continue to be used against religious minorities in contravention of the freedom to express religious beliefs and to convince others of their views. The United States notes that the Greek Government's tolerance of minority religious groups has improved since the end of 1997 and there have been fewer arrests for proselytizing. Still, the United States urges the Government of Greece to bring its laws and regulations into conformity with OSCE standards.

Turkey continues to restrict religious speech and manifestations of religious faith, including the wearing of head scarves in public buildings and universities. The United States remains concerned by the continued closure of facilities for religious higher education for minority religious communities, including the world-renowned Orthodox Seminary at Halki. The right to establish and maintain places of worship must be protected.

II. VIENNA COMMITMENT 16.3

“The participating States will . . . grant upon their request to communities of believers, practicing or prepared to practice their faith within the constitutional framework of their States, recognition of the status provided for them in their respective countries.”

Most OSCE participating states require religions to register with the state. Since 1989, a continuing problem has been the use of the registration process to discriminate against minority religions. There have been, of course, some positive developments. The Jehovah's Witnesses, for example, have now been officially recognized in Russia, Latvia, Bulgaria, and Kazakhstan. But there are many negative signs as well.

Russia's restrictive 1997 law on religion creates categories of religious communities with differing levels of legal status and privilege. The vagueness of the law and regulations, as well as contradictions between interpretations of the 1997 law and other federal and local laws, have permitted an intensification of discriminatory practices at the local level. Federal authorities have not taken sufficient action to reverse discriminatory actions taken at the local level, or to discipline those officials responsible. We hope that Russia's Duma will take every opportunity to guarantee religious freedom for its citizens and visitors and will enact the government's proposal to extend the deadline for registering religious organizations.

We have heard discouraging reports that new laws that might further restrict registration are now under consideration in Bulgaria, Romania, Hungary, and Ukraine. The United States urges parliamentary and governmental officials to be mindful of their countries' commitments to take measures to prevent discrimination and to facilitate registration.

III. VIENNA COMMITMENT 16.5

“The participating States will . . . engage in consultations with religious faiths, institutions and organizations in order to achieve a better understanding of the requirements of religious freedom”

In his famous study of religious discrimination, the distinguished UN Rapporteur, Arcot Krishnaswami, stated: “Greater intolerance is usually shown towards the new groups, especially if they are splinters of the predominant religion or belief which attempt to win converts to what the predominant religion considers to be a schism or a heresy.” (Study of Discrimination [1960], p. 22) Three European countries, Austria, Belgium, and France, have established government “anti-sect” agencies that give rise to the very concerns about tolerance raised by Mr. Krishnaswami forty years ago. A delegation from the United States met with officials from these commissions to learn how the agencies would operate and what steps would be taken to ensure that the agencies do not become vehicles for promoting prejudice and stereotypes. In several cases, we were pleased to hear assurances that the agencies would be open-minded and fair. One official stated, however, that his agency would refuse to meet with the groups that it describes as “sects”—thereby giving the groups no official opportunity to respond to the allegations that are made against them. Parliamentary reports in Belgium and France attached lists of “sects” without giving the groups the full opportunity to respond to allegations against them. By failing to hear directly from the groups that are being criticized, governments and parliaments are falling short of the repeated advice provided at the OSCE Supplementary Meeting earlier this year to engage in a dialogue with the groups.

The United States urges the new agencies in Austria, Belgium, and France to demonstrate their commitment to the principles of tolerance by:

1. avoiding use of the pejorative terms “sect” and “cult” when speaking of new religious movements;
2. refraining from implying that most new or small religious and belief-based groups are dangerous or threatening;
3. engaging in a serious and open dialogue with all religious and belief-based groups that are of concern to governments;
4. establishing open, transparent, and fair procedures, including the right to respond to allegations, when investigations are conducted against groups; and
5. publicly announcing support for the principles of tolerance and discouraging citizens from discriminating against minority groups.

Showing tolerance, fairness, and open-mindedness is not always easy—but such is the responsibility of governments—including the United States. The Vienna Concluding Document obligates states to “foster a climate of mutual tolerance and respect between believers of different communities as well as believers and non-believers.” We must all work harder to do so.

FREEDOM OF EXPRESSION, FREE MEDIA AND INFORMATION
SANFORD J. UNGAR
DIRECTOR
VOICE OF AMERICA

September 23, 1999

I am a journalist. For much of my career, I have been asked to examine the world around me, interpret the meaning of events, describe and explain the behavior of people, and tell what is happening in places near and far—and then to provide this information, complete with interpretation, to others who might be interested in it or even benefit from knowing it. I have provided this service in many formats: on the news wires, in newspapers and magazines, on radio and television, and in books. For more than a decade, I presided over a journalism school in Washington where we sought to inculcate in our hundreds of students each year not only the best professional practices, but also decent human values and the highest ethical standards. Now, as director of the Voice of America, I am responsible for doing the same in an organization that broadcasts some 900 hours of radio programs every week in fifty-three languages to about 91 million listeners around the world – and will soon be doing far more on television and on the Internet.

I am far from perfect, as are most of my colleagues. But I try, as best I can, to separate my own opinions, political affiliations, and preconceptions from the evidence I see with my own eyes and the stories I gather from my fellow human beings. I must be able to tell the truth, or my credibility and reliability with my audience will be worthless. My government must not restrict me from telling the truth about all the subjects I feel are important to write or talk about—and this is no less true at the government-funded Voice of America than in any other media.

This exercise of journalistic liberty is not just a means by which I can earn a living, help provide a nice house for my family, and enjoy a holiday now and then. No. This is a service I perform that is every bit as vital to the development and maintenance of democracy as are a strong, independent judiciary and an open political system that brings honest, representative leaders to public office. If people do not have a well-rounded sense of what is going on in their community, their country, their region, and the world, then they cannot possibly make informed and wise choices. Indeed, events of recent years have demonstrated anew the connection of the free flow of information to other fundamental freedoms and human needs. Look around the world, and you will see: Famines do not occur, and political prisoners are not held, in states with a free press. Independent media and economic prosperity go hand-in-hand. That is why the World Bank and many other institutions are beginning to consider press freedom as a factor in their decisions.

If I, as a journalist, cannot comment broadly and openly on my government's activities, or must be careful about revealing the conduct of certain government officials, I am not totally free. But too many of my colleagues in OSCE member states, and in other areas of interest and concern to this organization, today face the possibility of criminal punishment if they do their jobs well. Among other impediments, a rash of defamation, slander and libel laws—many open to widespread abuse and cynical manipulation—provide for jail sentences and other sanctions when a government official or a prominent citizen claims that a journalist has spread false information about him or his activities. Whether or not held over from the days of communism and other authoritarian systems, the use of the power of the state to inhibit the free flow of information runs contrary to international norms, contrary to the nourishment and preservation of democ-

racy, and contrary to the well-being of the public. Public corruption and abuse of office, whose significance is growing in this era of globalization, can only persist in secret. Transparency, the antidote for that secrecy, is the particular responsibility of the free and inquiring media.

If you feel I have misrepresented you, file a civil action for damages against me, bring your evidence, and make your case before a court. But to unleash the power of the state, its police and its prisons, against unpopular journalists is an unacceptable form of intimidation, a threat to freedom of the press, and a blow to the kind of introspection and self-criticism on which civil society depends for its survival.

One of the most discouraging developments, in my view, is that media freedom is being circumscribed in many countries that ought to know better—in places where, just a decade ago, underground, *samizdat* publications contradicted official propaganda and played a key role in overthrowing tyranny. In some cases, the very people who once staffed the samizdat publications now govern those countries, and they seem to have forgotten the lessons they once taught. In the Czech Republic, for example, we have seen moves in the wrong direction on the issue of criminal defamation laws. Admittedly, certain institutions have been removed from a special status where journalistic criticism of them could have resulted in prosecution by the Czech authorities. However, a law that took effect only last year still contains a provision that protects state organs against verbal attack. And earlier this year, a bill requiring the Czech press to present responses from readers who feel their reputations have been sullied—even if the information reported was correct—was being considered by the government; it would create an unfair burden on the press and represent an unwise regulation of free expression.

The Czech Republic, alas, is not the only country that has failed to end this flirtation with intimidating the press into silence or passivity. Greece, Poland, Romania, and Slovakia, among others, have, to differing degrees, continued to use of criminal or civil sanctions to protect government officials from alleged defamation. This is especially disappointing in Poland, where alternative media played such a major part in the Solidarity trade union's challenge to dictatorship. In Belarus, the public prosecutor may be called in when a print journalist criticizes a government official for poor performance. In Kyrgyzstan and Turkey and many other places, the criminal code and so-called 'anti-terrorism' laws are being applied to squelch the independent instincts of the press. At the same time, it should be noted that several countries have walked away from criminal prosecution of journalists through the use of defamation laws—notably Hungary. It is my hope, and the hope of our delegation, that this trend spreads throughout Europe.

Use of the penal code is, of course, not the only way governments may work to silence or pacify the press. State ownership of media remains an effective tool for locking out opposition voices. Croatia is an example here. Coverage of the opposition and its opinions is almost non-existent in the dominant state media.

Likewise, the government in Turkmenistan prohibits the media from reporting the views of the opposition and controls virtually all forms of domestic media. In Tajikistan, journalism is still a dangerous profession, according to the International Press Institute based here in Vienna. Through government control of the resources necessary to publish and broadcast, and as a result of systematic official intimidation of outspoken critics, Tajik journalists are strongly and effectively encouraged to practice self-censorship. Similar formal and informal control of the press is also the rule in Kazakhstan. Finally, in Azerbaijan, where my own network recently opened a station, journalists face crippling criminal and civil procedures aimed at silencing criticism of the government. Earlier this summer, the Committee to Protect Journalists, in partner-

ship with the Trade Union of Journalists of Azerbaijan and the International Press Institute, called on their international colleagues to support their campaign to end the abuse of libel laws and to overturn unjust convictions and fines placed on Azeri journalists and media organizations.

The list of policies aimed at controlling the media through state ownership, imprisonment, and intimidation goes on; all represent unacceptable attitudes toward freedom of the press, and each is detrimental to the development and flourishing of a democratic society. This trend is unfortunately replicated throughout the world. And it is unseemly that Europe, the cradle of so many fundamental precepts of liberty, is a leader and an example in the repression and intimidation of independent media. Only this month in Paris, there is controversy over proposed revisions to French law that would penalize the publication of photographs or video footage that shows someone in police handcuffs before any court conviction, and would impose fines on publications that picture victims of crimes in a way that “undermines their dignity.”

I stand on shaky ground to speak out on this topic, you may feel, since I am a journalist now employed by the U.S. government. However, I am bound by the Voice of America charter and by my journalistic instincts and integrity to present on VOA’s airwaves a balanced picture of the world and of the United States. Anyone who follows VOA’s coverage of American politics—and especially the impeachment of our president and subsequent Senate trial earlier this year—would be hard-pressed to state that VOA does not offer a neutral source of information.

Voices of opposition from outside the United States are also presented on the airwaves of VOA. Take, for example, our coverage of the recent NATO war in the Balkans. Whenever possible, VOA presented the opinions of Serbs and the Milosevic regime. This was made much more difficult when all of our journalists were escorted to the border and asked to leave. But we made every effort to tell the story—accurately, honestly, and in a balanced fashion—of the Serbs, the Kosovar ethnic Albanians, and the impact of the war on surrounding nations. Furthermore, VOA and other international broadcasters became a steadfast source of balanced information to the people who, as a result of government censorship or the closing of stations, had few other means to get a realistic picture of what was going on around them. To the ethnic Albanians in refugee camps, I am very proud to say, VOA was a lifeline of information.

Unlike Mr. Milosevic and the Serbian regime, my organization and my nation have a simple philosophy when it comes to the media: give the people the information and let them decide for themselves. My country has obviously not always managed to achieve this lofty goal, but I think it is fair to say that we have tried to create a society where the people are trusted to hold competing points of view and to form their own judgments. International broadcasting remains one way of getting vital information to people around the world, even if their own governments do not share our philosophy. Freedom of the press, freedom of information, and freedom of expression—and tangible movements in that direction—are a sign of trust in one’s people by the governments that serve them. If you cannot trust them with such information, chances are they cannot trust you either.

THE OSCE PARLIAMENTARY ASSEMBLY
RONALD MCNAMARA
SECRETARY
U.S. DELEGATION TO THE OSCE PARLIAMENTARY ASSEMBLY

September 24, 1999

Mr. Moderator, I am pleased to discuss the OSCE Parliamentary Assembly today in my capacity as Secretary of the U.S. Delegation to the OSCE PA. You may recall that the United States first suggested the creation of a parliamentary component to the OSCE in early 1990, in recognition of the pivotal role played by parliamentarians in promoting democracy, human rights and the rule of law in the OSCE region. The Charter of Paris embraced that recommendation later that year and consultations began on the elaboration of a framework for the Assembly, which held its inaugural session in Budapest in 1992.

Seven years later, the OSCE PA stands out both in terms of its comprehensive scope and membership in a vast region stretching from Vancouver to Vladivostok. During this period, the relationship between the Assembly and the OSCE has matured as the participating States have recognized the unique contribution that parliamentarians can make to our common work. Periodic consultations between the Assembly's President and the Chair-in-Office and members of the Troika are welcome developments. The St. Petersburg Declaration includes a series of recommendations for strengthening cooperation between the Assembly and the OSCE.

The Assembly's Eighth Annual Session held in St. Petersburg in July brought together nearly 300 parliamentarians from 52 participating States. The United States fielded a bipartisan delegation of fourteen Members of the House of Representatives and three United States Senators. Representative Steny H. Hoyer serves as one of the Assembly's Vice Presidents. Representative Alcee Hastings was elected Vice Chair of the General Committee on Security and Political Affairs. Seven countries were represented at the level of Speaker of Parliament or President of the Senate. The St. Petersburg Declaration contained a series of concrete recommendations to the participating States. Albeit not adopted on the basis of consensus, the provisions contained in the Declaration serve as an important indicator of some of the priorities of officials elected directly by the people. Ultimately the strength of such declarations will be determined by the extent to which parliamentarians become engaged in the Helsinki process and press their concerns in their respective capitals and beyond. Allow me to mention two specific concerns: combating trafficking and corruption.

A free standing resolution offered by the Chairman of the Delegation, Representative Christopher Smith, on the trafficking of women and children for the sex trade—a tragic phenomenon to be considered here in Vienna—was adopted with overwhelming support. The resolution appeals to the participating States to create legal and enforcement mechanisms to punish traffickers while protecting the rights of trafficking victims. Delegation Vice Chairman, Senator Ben Nighthorse Campbell, introduced two amendments focused on combating corruption and organized crime. They included concrete proposals for the establishment of high-level, inter-agency corruption-fighting mechanisms in each of the participating States, and the convening of an OSCE ministerial meeting to promote cooperation among our countries in combating corruption while promoting transparency and good governance. These recommendations also were adopted with broad support.

The forward-looking St. Petersburg Declaration addresses many of the issues under consideration here in Vienna.

FREEDOM OF MOVEMENT
RONALD MCNAMARA
DEPUTY CHIEF OF STAFF
U. S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE

September 24, 1999

The right to liberty of movement and freedom to choose one's residence is widely respected in the majority of participating States. In fact, these cherished freedoms are exercised by so many individuals in the OSCE region that we take them for granted, making it easy to lose sight of the violations that persist.

In some instances, restrictions on freedom of movement have been imposed against members of the political opposition or human rights activists. In Belarus, before his recent disappearance, Viktor Gonchar, deputy speaker of the 13th Supreme Soviet, and fellow deputy, Pavel Znavets, were informed that their travel permits had been revoked. On this note, the United States again calls on Belarus to provide the results of the investigation into Mr. Gonchar's disappearance before the end of this conference. Meanwhile, Mikola Statkevich, chairman of the Belarusian Social Democratic Party is banned from foreign travel based on pending politically motivated charges against him. In a favorable development, a travel ban imposed on several prominent political opposition figures in Azerbaijan was lifted in 1998. President Stoyanov of Bulgaria vetoed legislation late last year that would have denied citizens the right to appeal refusal of a passport on national security grounds.

Individuals in Armenia, Azerbaijan, Belarus, Hungary, Kazakhstan, the Kyrgyz Republic, Moldova, the Russian Federation, and Ukraine can be denied—in principle, if not in all cases in practice—their right to leave their country based on alleged access to “state secrets,” possible military service obligations, or financial claims by relatives.

The requirement to obtain an exit visa, an often bureaucratically cumbersome process, remains in effect in Belarus, Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan, while citizens in the Russian Federation seeking to emigrate are still required to obtain a stamp permitting “permanent residence abroad.” The exit visa requirement has a very real impact in the economic as well as the human dimension, impeding the freer movement of people, goods and services. In the interest of freer movement, the United States urges those participating States that have not already done so to consider the elimination of exit visas requirements.

Unfortunately, Turkish Cypriot authorities have banned travel for participation in bicomunal programs since December 1997. While some longstanding restrictions on travel on the divided island have been eased during the past year, new requirements that Greek Cypriots obtain a “TRNC” visa and pay crossing fees have led to a reduction of crossings from the south.

A decade has passed since the participating States committed to “respect fully the right of everyone to freedom of movement and residence within the borders of each State.” Notwithstanding this commitment, thousands of individuals today are denied their right to freely choose their place of residence. The “propiska” or residence registration requirement continues to be used as a means of control and a source of cash for corrupt officials and police in several participating States.

Cumbersome and often costly registration regimes remain in place in several participating States, including Belarus, Kazakhstan, the Kyrgyz Republic, parts of the Russian Federation, and Ukraine. In some areas, the propiska is not simply a residency document but a key to access to a wide range of services. Its presentation is typically required for legal employment, purchase of property, securing a driver's license, entrance to schools and universities, access to health care and social services, marriage documents, voting, and, in the case of Moscow, to burial.

In Russia, despite Constitutional Court rulings supporting the right of Russian citizens to live where they choose, many local governments have been resistant and continue to enact regulations which effectively infringe on that right. The Moscow City government continues to require registration for its residents to access city services, and authorities admit that between 20,000 and 25,000 people or more are forcibly deported from the city each year because they have been unable to secure a propiska. Moscow police and special duty OMON officers conduct frequent document checks on persons with dark skin or who appear to be from the Caucasus and often extort money from unregistered persons.

The United States calls on these participating States to respect the right of all of their citizens to freely choose their place of residence.

FREEDOM OF ASSOCIATION AND THE RIGHT OF PEACEFUL ASSEMBLY
AMBASSADOR KENTON KEITH
SENIOR VICE PRESIDENT
MERIDIAN INTERNATIONAL CENTER

September 24, 1999

A decade ago, people all around the world watched in amazement as communism collapsed in Europe and began to crumble in the USSR. Ten years after events of such historic significance, and recollecting the widespread reaction to them, this review conference offers an excellent opportunity to take stock and to see how fully the hopes of 1989 have been realized.

It is comforting to conclude that, to a significant degree, our optimistic hopes have been realized. In most of formerly communist Europe, political pluralism is the norm and civil society has flowered. NGOs of every description have arisen. Political parties, representing numerous interests and ideas, compete in the electoral arena for the voters' favor. It is gratifying to see such vibrant political life replacing the barren deserts of one-party states and party-controlled organizations.

Unfortunately, democracy has not spread to all regions of the OSCE, and has entirely bypassed some former Soviet states. In Belarus, for instance, constraints on freedom of association and assembly include warnings, expulsions, demotions or dismissals of students or faculty at universities who peacefully exercise their right to freedom of assembly at opposition demonstrations or who join opposition political parties. A number of individuals participating in peaceful demonstrations have been detained and beaten, and the government has attempted to limit severely the activities of NGOs.

In Uzbekistan, although the Constitution provides for the rights of peaceful assembly and freedom of association, the exercise of these rights is severely restricted by the government. Opposition political parties, specifically Erk and Birlik have not been allowed to function officially since 1992. Public demonstrations are virtually unheard of; the Government, which must approve them, may ban them on security grounds. Genuinely independent NGOs face harassment and obstruction, both official and non-official and at various levels, in conducting their work. Uzbekistan's authorities have refused to register independent human rights organizations, while pro-government or government-sponsored human rights institutions are quickly registered. And, independent human rights activists risk physical repression, as Mikhail Ardzinov, head of the unregistered Independent Human Rights Organizations, learned in June when authorities savagely beat him over a 13-hour period.

Things are even worse in Turkmenistan, where fear of the police has kept most people from even trying to assemble peacefully. In the late 1980s and early 1990s, authorities crushed attempts to create political parties or NGOs not controlled by the government. Today, freedom of association is unknown in Turkmenistan. Those NGOs that manage to exist strictly avoid politics or criticism of government policies. Right of peaceful assembly is completely suppressed in Turkmenistan. Indeed, the only known public demonstration took place in July 1995, and to this day, authorities have refused to reveal how many people were arrested for participating.

In Tajikistan, differences among political and regional interests led to a tragic civil war, in which some 50,000 people perished. A military stalemate resulted in a power-sharing agreement in 1997, which is now being implemented. As part of that accord, on August 12, Tajikistan's Supreme Court lifted the ban imposed in 1993 on four parties, which are members of the United Tajik Opposition. We welcome their return to the political arena and hope that the process of reconciliation continues as the cycle of elections begins, and that freedom of association and assembly will be observed. We are troubled by reports that opposition leader Abdullarrahman Karimov, head of the Tajik Justice Party, disappeared after militia placed him in custody this week.

In Kazakhstan, authorities long delayed the registration of opposition political parties, often violating laws requiring official agencies to respond to applications for registration within a certain time period. We welcome the long-delayed registration of opposition parties in time to take part in the October 10 election to parliament's lower chamber, though we remain unconvinced that, with respect to freedom of assembly, they will be able to compete on an equal basis with pro-government parties. A 1993 presidential decree, issued when parliament was dissolved, requires those wanting to hold demonstrations to receive official permission, which officials often refuse to grant. Participants in unsanctioned demonstrations can be sentenced to jail terms, and many have been. Those sentenced can then be barred from running for office.

Even in Kyrgyzstan, where the overall human rights situation is better than in neighboring countries, freedom of association and right of assembly have come under attack. In July, local authorities obstructed attempts by political activists affiliated with the Peoples Party, including members of parliament, to meet with voters and engage in peaceful political activity. We were pleased to note the recent re-registration of the Kyrgyz Committee for Human Rights. But we are also concerned about a May 11 resolution by Kyrgyzstan's Ministry of Justice that would require all NGOs to report to the Ministry every three months, putting NGOs, especially those involved in political or human rights activity, under constant government pressure. It would be most regrettable if Kyrgyzstan fell into more typical Central Asian patterns of repressing opposition political parties and NGOs.

Turning to the Caucasus, we see a mixed picture. In Armenia, a once banned political party was allowed to function again in 1998 and participated in the May 1999 parliamentary elections. In Georgia, parties of every stripe are involved in the political process and are preparing for parliamentary elections on October 31.

In Azerbaijan, the government limits the ability of opposition parties to function. Opposition parties are represented in parliament and are vocal in independent and opposition media. However, their freedom of expression has been restricted in parliament and on state television. Local government officials have hindered the activities of political parties. The government has blocked registration of one political party and has also denied registration to some non-government organizations, including at least one human rights organization. Opposition political parties managed to organize several demonstrations during last year's presidential race, though one unfortunately ended in confrontation and violence. Since last October's presidential election, Azerbaijan authorities generally have refused requests by opposition parties to hold demonstrations.

This quick overview indicates that some of the most basic freedoms, which democratic states and their citizens take for granted, remain unfulfilled for some OSCE states and are still fragile or incompletely observed in others. Leaders who refuse to implement their OSCE commitments on freedom of association

and assembly claim that stability takes precedence over all other considerations, but this argument rings hollow. Without genuine freedom of association and assembly, there can be no democratization, and stability itself will be endangered.

**CULTURE AND EDUCATION
AMBASSADOR KENTON KEITH
SENIOR VICE PRESIDENT
MERIDIAN INTERNATIONAL CENTER**

September 27, 1999

For nearly 35 years, I have been honored to work in the fields of cultural and educational exchange in both the public and private sectors. This experience has taught me the simple truth that there is no substitute for contacts between peoples as the most promising means to the achievement of a peaceful world. The member states of the OSCE have it within their power to expand and strengthen the cultural, educational and professional exchanges that facilitate those positive contacts.

It is something of a cliché to speak of the global village, but we are undeniably present to one another in ways inconceivable only a decade ago, to say nothing of 1975 when the Helsinki Final Act was signed. The work of the OSCE accelerated this development, and we should all take a measure of pride in that accomplishment. Technological breakthroughs have helped immensely. With a click of the mouse we can visit great libraries, enroll in major universities, enter world-class museums. We have more information about one another, more readily accessible than ever before. The potential for increased mutual understanding is there.

This abundance of information is a good thing. But it is no substitute for true understanding of another country, its culture, its traditions, its values and beliefs. Such understanding and respect, in my view, come only through personal contact, through the experience of living in another culture and viewing it from the inside. Decisions taken in one country—inside and outside government—increasingly affect what happens in others. It is important to all of us that these decisions be based on perceptions of one another that are as accurate as possible, that they be based on first hand familiarity rather than stereotypes. Governments should encourage international exchanges that bring together prospective leaders early in their careers when they have the time and the inclination to learn and to teach.

The United States shares with a number of countries represented here a commitment to provide support to just such exchanges. We are also encouraged by movements to promote greater action in this regard on a regional basis.

Mr. Moderator, increasingly the world community recognizes that democracy is a cultural creation—a body of values, knowledge and skills that must be cultivated by the civic community, carefully passed from generation to generation, constantly criticized and renewed through education. In recent years the importance of civic education to the health of democracy has been reexamined, and educators around the world are renewing their efforts to strengthen citizenship, civic skills and education for democracy. The work of these educators is essential to strengthen existing democracies and to permit the development of new ones.

Increasingly, United States exchange resources have been directed toward strengthening citizenship education in the consolidation of democracy. Private sector exchange resources support this direction as well, with the Soros-funded Open Society Institute leading the way to build democracy education programs both in and out of schools. There is great and growing interest in education for democracy in the new

democracies in the region, while at the same time in the United States and in other established western democracies there is renewed concern for educational efforts to teach citizenship skills and nurture democracy from within.

We would be wise to ask ourselves what textbooks and other educational materials in Kosovo and throughout the Former Republic of Yugoslavia will say about tolerance and minority groups. The answer will surely be relevant if there is any hope of lessening and eventually eliminating the vestiges of intolerance, tension and conflict there. One could usefully ask the question throughout the region. The United States recommends that attention be paid to textbooks and their treatment of ethnic, religious and racial topics.

Finally, this review conference should take note of the need to redouble efforts to protect cultural property. The United States government places great importance on the protection of the world's movable and immovable cultural heritage, a non-renewable resource that is rapidly diminishing because of pillage, vandalism, negligence and unregulated development. These threats to cultural heritage deprive nations and peoples of their past and their future by destroying information about their history and development and by snuffing out any future sustainable economic benefit that can be derived from thoughtful management and development of the heritage for cultural tourism purposes.

Our respect for the world's cultural heritage is rooted in America's shared cultural heritage with Europe and our shared experiences in cultural preservation. This respect is made manifest by our participation, along with many of the nations represented here, in the 1970 Convention on the Means of Preventing and Prohibiting the Illicit Import, Export and Transfer of Ownership of Cultural Property and the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage. Within this framework we seek to work in partnership with other countries in reducing the incentive for pillage and theft of irreplaceable cultural works and to identify and protect sites of cultural importance to the world. Through this partnership we, together, can find ways to make our heritage accessible for cultural, educational and scientific purposes and for the future inheritors of our past.

THE SECURITY DIMENSION
J. MICHAEL LEKSON
DEPUTY ASSISTANT SECRETARY OF STATE
BUREAU OF ARMS CONTROL

September 27, 1999

Let me express the appreciation of my delegation, Mr. Chairman, for your excellent work in organizing the agenda for the Security Dimension portion of the OSCE Review Conference. We look forward to a full and productive debate. The Review Conference provides the opportunity for us to take a “time-out” from our day-to-day activities for reflection and thinking. We believe it is important to focus on past, present and future actions. You can not move forward if you do not know where you have been. We have built a rich history together, and all of us desire to continue a positive security dialogue in the future. Thus, I would briefly like to focus on three dimensions: 1) Where have we been—Implementation; 2) Where are we now—Vienna Document Revision; and 3) Where are we going—future direction for the FSC.

IMPLEMENTATION

We support the Chairman’s suggestion to leave detailed discussion of these points to the Annual Information Assessment Meetings. Thus we will only make a few observations about the implementation of Vienna Document commitments since the last Review Conference in 1996.

We now have a decade of experience in Vienna Document implementation and nearly 15 years since Stockholm. This is an accomplishment we should all be proud of. CSBMs are one of the success stories of the post-Cold War era. We believe that compliance with the provisions of the Vienna Document in the last three years has steadily improved—as it has since its inception. We continue to emphasize that full participation is essential for Vienna Document CSBMs to be effective in building security relationships and enhancing stability. Most states have provided data as required, hosted required events such as airbase visits, complied with requests for inspections or evaluations, and increased the frequency of reported military contacts. We remain committed to the objective of promoting full compliance by all participating states.

We are, however, concerned about a lack of participation by several states, in terms of submitting required information, hosting airbase visits and attending CSBM events. We continue to seek to understand why certain countries have not submitted data and encourage them to renew their efforts in 2000. In particular, at this year’s AIAM, we called attention to the fact that Bosnia and Herzegovina has again failed to fulfill its political commitment to exchange military data last December. Together with the rest of the international community, the OSCE has helped Bosnia get its state structures in order after the tragedies of war. But it is now time to expect of Bosnia the same standards of all other OSCE states. We encourage all participating States to fully participate in this CSBM regime.

Inspections/Evaluations: We would like to highlight what we view as a positive trend in the implementation of inspections and evaluations—multinational teams. We believe this is truly reflective of the cooperative nature of these CSBMs. Thus, in 1998, at least one-third of the inspections were conducted

by multilateral teams, a marked increase from three years ago. We would encourage even more of the same in the future. This could be further enhanced by enlarging the team sizes, thus expanding multilateral opportunities.

Bilateral/Regional Arrangements: In addition to multilateral teams, we are also highly encouraged by the number of evaluations conducted under bilateral arrangements. Many of these evaluations were hosted in addition to Vienna Document quota requirements. For example, in 1998, at least nine evaluations were conducted according to bilateral regional arrangements, and were in addition to the VD94 quotas. Further, 12 of the 15 notified activities in 1998 were multinational exercises, and several states invited observers from neighboring states on a voluntary basis. These are the type of regional arrangements we envision being further developed under the proposed new chapter on Regional Measures in the Vienna Document.

Military contacts/Joint Events: We are pleased to note that the frequency of reported military contacts and cooperation continues to increase. We also note an increase in visits to military facilities, military formations and observation of certain military activities. It appears that many states are increasingly taking advantage of the provision which supports hosting visits to military facilities in conjunction with an air base visit or demonstration of new equipment. For example, in July 1998, the U.S. and UK co-hosted an air base visit and demonstration of new equipment in the UK. Lastly, the military doctrine seminar held January 1998 was the first opportunity in several years to examine current defense structures and trends.

Communications: We look forward to reaching agreement on a new Communications Document in early October. This document will reflect the importance of the communications group, and its management of network activities to ensure optimal operation of the network. We believe the OSCE Communications Network remains a vital instrument for the implementation of Vienna Document, as well as other OSCE-related bodies. In order to manage the transition to the new Y2K equipment upgrade, and to keep the network working efficiently, we encourage all states to maintain their links to the network and to provide timely notification through diplomatic channels of any problems in system operation. Last, but certainly not least, we would also like to extend our appreciation to the CPC for its invaluable assistance in compiling and distributing all the information on FSC commitments.

VD94 REVISION

Our meeting today takes place in the context of preparations for the Summit in Istanbul, which will chart the course for the OSCE in the next millennium. The top priority in the security dimension for Istanbul for my government is, of course, successful completion of the adaptation of the CFE Treaty in accordance with the JCG decision of March 30. Not every country in this room is directly involved in this process but, as has been noted earlier this morning, all OSCE countries are affected by it and will benefit from it. The CFE Treaty is, and will remain, a cornerstone of security for Europe and a guarantor of stability throughout the OSCE area.

We would like to thank the Chair of the Ad Hoc Working Group, Mr. LaRochelle of Canada, for all his efforts during the past year, and wish him success in steering the FSC toward agreement on the Vienna Document prior to the Summit.

As the FSC resumes its work after the Review Conference, its top priority will be to complete work on Vienna Document revision. We believe there are valid proposals on the table for inclusion in the revised document to make our efforts worthwhile. We are concerned, however, that there remain under discussion proposals which do not meet the criteria which the FSC agreed to almost two years ago. Now is the time to capitalize on the useful proposals which have been advanced to yield a product that advances the OSCE's overall security dimension goals.

We continue to believe it is possible to reach agreement by Istanbul on a revised Vienna Document, provided that the result is a genuinely improved document. We believe this revised Vienna Document should be characterized by two types of improvements:

1) Elements which have a political character which address new security challenges and further advance the cooperative nature of CSBMs (e.g., the addition of information about new aircraft types, the infrastructure measure); and

2) Improvements to the existing Vienna Document 1994 text.

Our goal should be a product that provides meaningful practical improvements to the already mature Vienna Document CSBM regime and is not simply a compendium of "make-work" provisions developed for their own sake. As I have noted, we believe it is possible to attain that result within the short time remaining between now and Istanbul. But, to achieve this, we must focus now on specific measures and drop those which either do not advance our objectives or which are simply not negotiable.

I would like to take this opportunity to stress the importance of the NATO proposal on Military Infrastructure. This is a ground-breaking initiative that offers a new dimension for transparency in Europe. In response to discussion in the Ad Hoc Working Group, the Allies have streamlined our original proposal to concentrate on information related to military airfields. We believe this proposal is a valuable addition to the Vienna Document CSBM regime and look forward to constructive dialogue in upcoming meetings.

The revised Vienna Document which we envision should contain the types of measures noted above, of both political and technical significance. It should not include any naval measures or provisions related to transits. Nor should it lower the threshold for "militarily significant" activity in a Europe-wide context. Should states in a given region determine that there is value in lower reporting thresholds for that region, we encourage them to pursue that outside the Vienna Document.

FUTURE OF THE FSC

The future work of the FSC will depend in part upon the results of the discussion on the Charter. Our assessment is that if the FSC is to continue as a separate body, it needs to be better integrated into the overall work of the OSCE. We are not at this time advocating abandonment of FSC's rotating chairmanship. But we believe the FSC should be more available to the CiO as one instrument to assist him in carrying out his responsibilities on behalf of all OSCE participating States. Thus, we are in favor of making the FSC available to respond to requirements of the CiO. To the extent it is not responsive to his needs, its utility is reduced. We do not think it would be useful to redirect security discussions that have occurred previously in the Charter context to FSC. Looking ahead, we also believe further thought needs to be given to FSC's future responsibilities. We believe the FSC can continue to have a useful role to play, post-

Istanbul, in advancing implementation of Vienna Document and other OSCE commitments, such as the Code of Conduct, and in facilitating development or implementation of specialized CSBM arrangements, including at the request of the PC.

Vienna Document: As I noted earlier, we are hoping to achieve a Revised Vienna Document by the Summit; if we are successful, we would not see any purpose to putting Vienna Document on the list of tasks for the FSC post-Istanbul. If, on the other hand, such a revision is not attainable at Istanbul, the U.S. still does not view a repeat of the Vienna Document revision exercise as a fruitful focus for FSC in 2000 and beyond. We must consider future steps carefully, but should we fail to achieve a revised Vienna Document in 1999, there is little to indicate that we would be successful in future. In fact, the Vienna Document already contains most of the militarily significant CSBMs that all OSCE states are prepared to accept as viable, cost-effective contributions to Europe-wide stability and predictability. We would be open to discussion of enhancements on an item by item basis in the future, perhaps under the rubric of enhanced implementation, but a repeat of the Vienna Document revision exercise strikes us as inappropriate.

Regional Dialogue and CSBMs: As we have indicated in the past, another avenue is for FSC to focus on regional security issues that might be addressed through CSBMs, including security dialogue. We note that past regionally-focused discussions in the FSC have been successful. The Permanent Council has been the OSCE forum of choice for discussion of broadly-based regional/political concerns. We want to ensure that any FSC role is complementary and supportive of the PC's work, rather than duplicative. We believe this is an area that can benefit from more attention in future.

Small arms: We support the draft decision under discussion in the FSC for the OSCE to contribute to international efforts aimed at combating the destabilizing accumulation and spread of small arms and light weapons manufactured for military use.

Mr. Chairman, I have spoken at considerable length, and I appreciate the indulgence of the chair and of my colleagues. It is a reflection of the importance which my government attaches to the security dimension of the OSCE and to the review process in which we are now engaged that I have provided this full accounting of our agenda.

**THE TREATMENT OF CITIZENS OF OTHER PARTICIPATING STATES:
PROPERTY RESTITUTION
MAUREEN WALSH
COUNSEL
U.S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

September 27, 1999

With the demise of communism, some countries courageously adopted policies aimed at remedying injustices committed by previous regimes. The United States encouraged and praised efforts to either return or compensate individuals for nationalized or confiscated private property that fascist and communist regimes plundered from the people of Central and Eastern Europe.

Regrettably, in some countries these otherwise welcome gestures of reconciliation were marred by the adoption of discriminatory laws—specifically, by laws that required property claimants to have residency in, or citizenship of, the country where they claimed property was located. Property owners who were citizens or residents of a country when their property was taken by the communists or Nazis were excluded from seeking restitution or compensation under the laws enacted by democratically elected legislatures because they had moved abroad or had become naturalized citizens of another country.

The United States is pleased at the positive developments toward rectifying this injustice. Last October, Slovenia's constitutional court annulled an amendment to the restitution law that would have created differential treatment for Slovenes and non-Slovenes. We now look to Slovenia to demonstrate concrete progress on restitution. In April, Croatia's constitutional court declared that the citizenship requirement in the Croatian restitution law is unconstitutional. We hope that the Sabor will act soon to amend the restitution law to bring it into accord with the Court ruling. Lastly, in July, the Polish Council of Ministers approved a draft law on restitution that would not condition a property owner's claim on his or her present citizenship or residence. The enactment of non-discriminatory laws, however, is merely the first step in the process of providing some long-deserved justice. In addition, the appropriate authorities must implement these laws so that the claims are heard in a timely fashion.

On the other hand, laws in Lithuania, Slovakia, and the Czech Republic continue to limit restitution or compensation for confiscated properties to people who are currently their citizens. Romania is even now considering a new restitution law that in some cases would also distinguish between the rights of citizens and non-citizens to receive restitution or compensation.

When the Lithuanian law was adopted in 1991 it allowed for the restitution of private property only to Lithuanian citizens. The deadline for filing claims has passed. Some Lithuanian-Americans reclaimed their former citizenship and pursued claims, but former citizens who chose not to acquire dual citizenship were not given this chance. In addition, not even all people who acquired dual citizenship were able to receive restitution or compensation because of a requirement that they must also be residents of Lithuania in order to qualify for the restitution. The permanent residence requirement was eliminated in 1997, but property that was privatized in the meantime has not been returned to the dual-citizen owners.

The citizenship requirement in the Czech Republic's law discriminates against individuals who lost their Czech citizenship when they chose the United States as their refuge from communism. Although both the U.S. and the Czechs agreed in 1997 to abrogate the 1928 treaty which precluded dual citizenship, until last month, Czech-Americans were denied dual citizenship in the Czech Republic. Since the final deadline for restitution under Czech law elapsed in 1995, Czech-Americans were completely excluded from even applying for restitution or compensation because of the citizenship requirement. We now look to the Czech Government to take the next step of reopening the property restitution process to accommodate those individuals' claims.

Some of the people who are today foreign citizens reclaiming homes, lands and businesses in the Czech Republic, Lithuania, and Slovakia were once citizens of those countries. Their properties were stolen when they fled political persecution and other human rights abuses. These victims by necessity sought residence and citizenship in other countries. Excluding them from remedies to injustices committed by previous regimes would continue an injustice for these individuals and inflict a new harm upon them.

The restitution of property is part of a larger process of obtaining a measure of justice for the victims of Europe's major human disasters of the 20th Century—fascism and communism. The United States calls on Lithuania, Slovakia, and the Czech Republic to eliminate restrictions in their property restitution and compensation laws that have the effect of discriminating against citizens of other participating States and immediately extend the deadlines for filing property claims so that the claims of those who were unjustly excluded can be accommodated. Justice for these individuals is long overdue. Having had justice delayed for so long, they are entitled to expect that democratic governments will move promptly to bring closure during their lifetimes.

THE PREVENTION OF TORTURE
AMBASSADOR ROBERT FROWICK

September 27, 1999

Mr. Moderator, ten years ago here in Vienna the participating States committed themselves to take effective legislative, administrative, judicial and other measures to prevent torture and punish those responsible for this egregious violation of human rights. Further commitments on the prevention of torture were elaborated in the 1990 Moscow Document.

As Ambassador Shattuck observed in his opening plenary statement, torture is an insidious assault on the core values of the OSCE—respect for human rights, democracy, and the rule of law—often perpetrated by corrupt security forces charged with defending the individual in his or her society. Torture is a plague that persists in the OSCE region even as we approach the 21st century despite the fact that virtually all of the participating States have legal prohibitions against such practices. The issue of the prevention of torture should continue to be given priority attention in the OSCE given the particularly egregious nature of these violations as an assault against the individual and civil society.

While the tools of the torturer may vary and their victims differ, the scars they inflict whether physical or psychological have a profound and lasting impact on the individual, his or her family, and ultimately on society. The victims, some 400,000 of whom have made their way to my country from throughout the world, often represent the most vulnerable or marginalized elements of society. Roma are frequent targets. Other targeted groups include journalists, human rights activists, and members of the political opposition. Drawing from the Country Reports on Human Rights Practices for 1998, issued by the Department of State earlier this year, I will highlight some of the most disturbing developments concerning torture.

Throughout the Newly Independent States, members of security forces continued to torture, beat, and abuse prisoners and detainees, usually to extract confessions. Those who suffer such abuse routinely are held for lengthy periods in pretrial detention in part to give their injuries time to heal. Arrest or disciplinary action against those responsible for such violations is rare. The United States urges these governments to employ investigative procedures that do not coerce confessions and to hold accountable those responsible for torture.

In the Russian Federation, minorities are reportedly particularly susceptible to beatings, arrest and extortion by police, a prime example of the impact of corruption in the human dimension. A report issued by the government's Human Rights Ombudsman last year concluded that torture was widespread and systematic, especially in the pretrial stages of law enforcement. Abuse of military servicemen in Russia reportedly rose sharply in 1998 according to the Country Reports.

In Uzbekistan, political activists and religious believers are reportedly tortured in custody and forced confessions are extracted to ensure conviction. In Tajikistan and Turkmenistan, members of political opposition parties have reportedly been targets for similar abuse.

Now I would like to turn to an issue that arose just this past weekend. Uzbekistan again denied Uzbek NGO representative Mr. Yakubov an exit visa. Even if Mr. Yakubov receives an exit visa this week, it is too late for him to travel to Vienna and participate in this meeting. As many of you will remember, Mr.

Yakubov was beaten while the Human Dimension Implementation Review was under way in Warsaw last year. It is unconscionable that Uzbekistan has prevented Mr. Yakubov from participating in the meeting this year.

Mr. Moderator, I want to emphasize our deep sympathy for the Turkish people, who have suffered too much from the recent devastating earthquakes. But, we cannot ignore that sadly in Turkey, torture continued to be widespread in 1998. Those detained for or suspected of political crimes often suffer some form of torture during periods of incommunicado detention. The infrequency of convictions of police and other security forces responsible for torture has fostered a climate of impunity. Against this backdrop, the United States welcomes Ankara's stated policy of zero tolerance of torture and the adoption of legal reforms which, if implemented, could bring to an end a continuing practice of torture.

Mr. Moderator, we have noted in this brief intervention only some of our concerns. I would conclude by emphasizing that the United States supports the ongoing work of the OSCE Advisory Panel for the Prevention of Torture which contributed to the recently released handbook on preventing torture for use by OSCE field staff. I would urge those genuinely committed to the prevention of torture to take full advantage of the expertise of that Advisory Panel.

The United States encourages all participating States to adopt and implement adequate safeguards to prevent, and punish those responsible for, torture. Among the specific steps that can be taken are: establishing a clear legal basis for deprivation of liberty; notifying the detainee of his or her rights; maintaining accurate custody records; ensuring habeas corpus protections; and including the right to appear before a competent judicial authority. States should severely limit, if not, eliminate the practice of incommunicado detention, granting the timely access of detainees to family, legal counsel, or independent medical professionals. Transparency is essential to the prevention of torture. It is high time to stop this practice that is so manifestly incompatible with OSCE precepts.

CODE OF CONDUCT
J. MICHAEL LEKSON
DEPUTY ASSISTANT SECRETARY OF STATE
BUREAU OF ARMS CONTROL

September 27, 1999

The United States is in broad agreement with most of the comments already made by Finland/EU. We also appreciate the full accounting by Romania of the security situation in that country.

While the Code of Conduct deals specifically with Politico-Military aspects of security, it is clear that its impact is felt in all areas of OSCE activity.

We believe it is important to apply those principles to practical issues. This is demonstrated in our collective responses to the Code of Conduct questionnaire. We were able to provide further examples during the Second Follow-up Conference on the Code of Conduct held in Vienna 29-30 June.

We now have a number of suggestions resulting from that Conference. One which should be relatively easy to implement, and which the United States supports, is to agree to discuss a particular topic of the Code of Conduct questionnaire once a month in the FSC. Earlier this month, the FSC (Danish) Chairman tried to encourage discussion during the monthly Working Group A meeting on implementation issues on the first question of the Code of Conduct questionnaire, but delegations, my own included, were not yet ready to begin. We look forward to discussion on the Code questionnaire, and perhaps looking at other suggestions from the June Conference, in the FSC after Istanbul.

We attach importance to the commitments made in the Code of Conduct for military, paramilitary, and security forces to receive effective guidance from constitutionally established authorities vested with democratic legitimacy, for legislative approval of defense expenditures and for states to provide transparency and public access to information related to the armed forces.

These commitments make clear that there is no room for corruption or graft with regard to military procurement, or defense spending. Such corruption undermines legitimate national security, as well as overall democratic and civil society. This must not be tolerated.

We believe that this issue – our collective commitment to oppose corruption – is worthy of further focused attention in OSCE fora.

Mr. Chairman, I feel I must respond to the comments made concerning compliance with OSCE commitments during the Kosovo crisis.

Like the other states that participated in the military actions, the United States, of course, remains fully committed to all OSCE norms and provisions.

That is why the United States together with other nations took steps, including military measures, to deal with a crisis created by the persistent and blatant violation of OSCE standards by a government in Belgrade led by an indicted war criminal.

Every effort was made by the international community, in particular by the OSCE, to find a political solution to the conflict in Kosovo.

In direct defiance of the international community, Mr. Milosevic refused to comply with resolutions of the UN Security Council; to observe the limits on the security forces agreed on 25 October 1998; to accept the political settlement negotiated at Rambouillet; or to end his excessive and disproportionate use of force in Kosovo.

Belgrade's failure to meet these demands resulted in a humanitarian catastrophe involving the forced expulsion of hundreds of thousands of FRY citizens, murder, rape and the wanton destruction of property. These actions constituted an unacceptable threat to wider peace and security in Europe.

The objective of actions undertaken by the United States and others was to restore a respect for human rights, to stop the humanitarian catastrophe, and to prevent the spread of the conflict.

Thus, the action undertaken by the U.S. and other states, far from contravening the Code of Conduct, sought to uphold the requirement, expressed in paragraph 38 and elsewhere, to implement all commitments in the code in good faith.

Consistent with paragraph 17 of the Code, our countries sought to end the suffering Belgrade caused in Kosovo by its violations of human rights and fundamental freedoms of the Kosovo Albanians.

Every effort was expended to persuade the Belgrade authorities to end their repression.

This included sustained diplomatic efforts, in particular by the OSCE, and a cooperative approach, as set out in paragraph 4 of the Code of Conduct, and an exhaustive attempt to find a political solution to the conflict, as required in paragraph 19.

Thank you, Mr. Chairman

TRAFFICKING OF WOMAN AND CHILDREN
JULIETTE M. ENGEL, M.D.
FOUNDING DIRECTOR
MIRAMED INSTITUTE

September 28, 1999

In Warsaw last year, the United States spoke about one of the most egregious human rights violations of our time—trafficking, or buying and selling of human beings, mainly young women and children, into forced labor or sexual slavery.

Trafficking is a growing, international criminal business in the OSCE regions. The OSCE recognized the existence of this plague in 1991 when participating States pledged in the Moscow Document to “seek to eliminate all forms of violence against women, and all forms of traffic in women.” The United States calls upon participating States to step up and coordinate efforts to combat trafficking.

As the founding director of MiraMed Institute, an NGO devoted to combating trafficking from the NIS, I would like to share the experiences of indigenous NGOs which are struggling to fight this problem in their communities.

Over the past two years, international human rights groups have documented an expanding criminal network operating throughout the NIS, Europe, Asia and the Middle East, exporting tens of thousands of young women and children yearly into unwitting slavery in foreign lands. Forty-seven countries, including the United States and other OSCE participating States, are known receivers of trafficked women.

Trafficking of women and children is an act of coercion and deception carried out by organized criminal groups, often operating behind thinly veiled facades of legitimate businesses throughout the rural regions of the NIS. Traffickers are known to openly recruit victims in high schools, universities and orphanages, falsely promising lucrative work abroad—as nurses, teachers, dancers, travel guides. In other instances, traffickers simply abduct their victims.

This past winter, MiraMed Institute surveyed 3000 persons in 57 regions of the NIS. In rural Russia, 10% said that a close friend or family member had been trafficked. In the republics of Azerbaijan, Armenia, Georgia and Kazakhstan, the percentage increased to between 20 and 27%. Participants overwhelmingly blamed the declining economy, unemployment and lack of career opportunities as the primary reasons why women are so susceptible to promises of work abroad. Traffickers spend millions of dollars to ensure protection from corrupt authorities, and they regularly employ violence to silence opposition. In many cases, small, intrepid but isolated NGOs offer the only resistance. Their members are ready to risk almost anything—including their lives—to stop this horror.

In July, the OSCE Parliamentary Assembly unanimously adopted a Resolution calling for new or strengthened legislation and enforcement mechanisms to punish traffickers and to coordinate anti-trafficking efforts internationally. OSCE participating States should build on this momentum. The most effective ways to reduce and eliminate this victimization of women and children are:

1. Adopt and enforce laws to stop the exploitation and violence against women and children, punish those who violate those laws, and protect the victims.
2. Support co-operative efforts among NGOs and governments in countries of origin, transit and destination of trafficking victims to increase public awareness and understanding of this problem.
3. Focus on issues of economic opportunity—access to jobs, credit and education.

Trafficking is an issue on which participating States can and must exert leadership. And the OSCE itself has an important role to play. We await ODIHR's recommendations later this year about how its offices and participating States can work cooperatively in fighting this scourge.

Trafficking is a horrible crime. When we turn a blind eye to its corruptive influence, we do so at our own peril. Let us work together to fight this problem today before it is too late for our youth of tomorrow.

As an NGO member and on behalf of our NGO partners throughout the world, I make the following appeal:

Stop the corruption; stop the indifference; stop buying and selling our children.

MIGRATION, REFUGEES AND DISPLACEMENT
AMBASSADOR WILLIAM COURTNEY
SENIOR ADVISOR
U. S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE

September 28, 1999

The last decade has seen the greatest displacement of people in the OSCE region since World War II. When refugees, internally displaced persons and forced migrants are added together, total displacement estimates run at least 10 million people. According to the UN High Commissioner for Refugees, some five million persons residing in Russia left their homes from other parts of the former Soviet Union. The countries of the former Yugoslavia are the source of some four million displaced persons. In Turkey, an estimated 560,000 villagers have been forcibly evacuated from their homes in the southeast. We are concerned by reports that refugees and displaced persons from the current conflict in the North Caucasus already number in the tens of thousands.

Next year, the follow-up process to the 1996 CIS Migration Conference will expire. The OSCE is working with the High Commissioner for Refugees and the International Organization for Migration to develop a more focused mechanism to continue addressing the needs of this region. Donor response has waned in recent years. But this pro-active process helps governments deal with population movements and displacement. We therefore urge OSCE participating States to support efforts to address these issues.

This year, Belgrade's decision to implement a policy of genocide on the people of Kosovo caused a staggering number of people to flee for their lives. The response of Kosovo's neighbors deserves great praise. Despite their own problems, Albania, Macedonia and Montenegro opened their doors to the Kosovars. The willingness of families to share their living space and provisions is testament to the better side of mankind in a region that sometimes has come to be associated with the worst.

We also commend private voluntary organizations that responded to the massive displacement. Within Kosovo, groups like the Mother Theresa Society have been active. Many U.S.-based organizations also have worked in Kosovo, as have those from other participating States.

The ability of such groups to operate in the field must be vigorously promoted. Serbian policies that led to the incarceration in Serbia of Steve Pratt, Peter Wallace and Branko Jelen—aid workers for CARE International—imperil the prospects of all who endeavor to provide humanitarian relief in Serbia. Relief workers face challenges elsewhere in the OSCE region. In Chechnya, they have frequently been targets for hostage taking or other criminal action. The lack of security in Tajikistan, where people are continuing to return, makes private aid efforts difficult.

Governments have the responsibility to deal not only with displaced people but also with the root causes of their displacement. Providing food to people is not enough if they are likely to be killed by an incoming shell or hidden sniper. Providing shelter or a safe haven is not enough if they remain an easy target for thugs with guns. Participating States should deter and mitigate conflict while remaining true to OSCE principles.

Attention must also be paid to the needs of displaced people beyond food, shelter and health care. They require help in dealing with the trauma associated with violence, torture and rape. Women and children must be protected from becoming victims of the sexual slave trade.

Finally, governments must have a better understanding that once a conflict ends, new migration and displacement problems emerge. In Croatia, Bosnia-Herzegovina and now Kosovo, hundreds of thousands of people, including Serbs and Roma, have fled their homes and become refugees after conflict has ended. They may not have been expelled per se, but we have seen their general fears are sometimes substantiated by specific incidents, especially in Croatia and Kosovo. Also, over 2000 Kosovar Albanians removed from Kosovo during the Serb withdrawal are still being detained in Serbia. In Kosovo, our goal should be to build a democratic and multi-ethnic society, to establish a safe environment for all people, and to facilitate the safe return home of all displaced persons and refugees.

Minority populations returning home often face inadequate local security, and citizenship and property restitution laws that are biased against them or arbitrarily applied. Upholding the right to return is more than defending a principle. It is what hundreds of thousands of people from Croatia and from Bosnia-Herzegovina are seeking to do despite the obstacles placed in their way. In Kosovo, where people migrated homeward almost as quickly as they departed, property issues and the establishment of public administration have been particularly challenging.

Solutions to these problems often are not easy, but more can be found. Greater international support is needed for the International Criminal Tribunal for the Former Yugoslavia. Reconstruction and other assistance must be monitored to prevent corruption from rendering it less effective. Civilian law enforcement must be honest. And laws, policies and practices must be more consistent and fairer regarding citizenship and property. In conclusion, all of us can do much to build democratic institutions and social tolerance that will give people reason to stay home and have hope for the future.

AGGRESSIVE NATIONALISM, ETHNIC CLEANSING, ANTI-SEMITISM
ANDREW W. STEINFELD
COUNSELOR
U. S. MISSION TO THE OSCE

September 28, 1999

Mr. Moderator, a decade ago the collapse of communism in Europe raised hopes that newly freed people would build states that were not only democratic but also ethnically tolerant. Ultimately, the basis for this vision was the belief that free peoples would recover from years of oppression and see a common interest in building a better future. In the post-war world, the spread of democracy and cooperation established a new model for making peace among old enemies in Western Europe. That success helped inspire the dream, ten years ago, that the newly liberated peoples of Central and Eastern Europe, and the former USSR, would follow this route as well.

Alas, in several cases fear proved more powerful than hope. In the NIS, the legacy of a Leninist-Stalinist system that sowed distrust and pitted ethnic and national groups against each other, and recollections of past grievances, helped spur conflicts in the South Caucasus, Tajikistan, and Moldova. Scores of thousands were killed and well over one million people became refugees.

In the former Yugoslavia, the number killed might be over 200,000 and well over three million were displaced from 1991 to the present. In addition, tens of thousands of women were raped and thousands of people were tortured. Mosques, religious objects and cultural sites were intentionally destroyed in an attempt to erase the existence of the expelled population.

The conflict in Kosovo has been one of the most thoroughly documented cases of ethnic cleansing due to the pervasive coverage of the media. We all watched as hundreds of thousands of refugees poured across the borders to Albania, Macedonia, and Montenegro. Many of these refugees told horrifying stories of being forcibly—and often violently—expelled from their homes and villages.

Even with the end of the conflict per se, the OSCE must work to ensure that reverse ethnic cleansing does not take place. Few Serbs remain in Kosovo, and the OSCE mission there recently reported that hundreds of Roma are gathering on the Macedonian border this week.

To this day, untold numbers of the purveyors of these crimes against humanity still wander freely. All OSCE participating States must give strong support to the International Criminal Tribunal for the Former Yugoslavia, by supplying evidence and by helping the Tribunal arrest and arraign those who have been indicted for war crimes. In so doing, we can all help erase this ugly stain on Europe at the dawn of the next millennium.

In a few countries, the old scourge of anti-Semitism remains part of the political landscape. The status and prospects of Jews in Russia simultaneously offer grounds for hope and concern. On the one hand, Jews are no longer constrained by state policy to abjure their faith or to renounce their ethnic identity. They have reestablished schools, founded organizations, and freely participate in the political process. Yet, some extremists openly advance an anti-Semitic agenda. Last fall, two communist legislators in the State Duma publicly blamed “Yids” and “Yeltsin’s Jewish entourage” for Russia’s social and economic problems. The

governor of the Krasnodar region has become notorious for intolerant statements about Jews and ethnic minorities. Furthermore, incidents of anti-Semitism and explosions at or near synagogues have plagued Russia. Many responsible leaders, unfortunately, have failed to condemn these incidents.

Just what should OSCE participating States do to stem intolerance and ethnic hatreds? Allowing them to fester is a prescription for new disasters. Democratic and economic reforms that promote tolerance and better people's lives are vital. But we cannot stand by in silence today to wait for such reforms to take effect. Political leaders and governments must respect their countries' commitments to protect targets of hatred. We also have a duty to inform our citizens of the evils of aggressive nationalism, anti-Semitism, and ethnic cleansing. This is best done through nurturing democratic institutions and promoting religious and ethnic tolerance.

Mr. Moderator, we must work constantly to learn and re-learn the lessons of the past. Otherwise, nationalism in its virulent form and other hatreds may spread and endanger democratic processes not only in countries that are developing democracy, but also in those that might think they are immune.

LESSONS LEARNED FROM OSCE FIELD ACTIVITIES
AMBASSADOR WILLIAM COURTNEY
SENIOR ADVISOR
U. S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE

September 29, 1999

What has been learned from the OSCE's many field missions and activities, and what can be done to make them more effective? In the U.S. view, OSCE Missions have done a lot right but we can still learn from experience to make future Missions and activities even more successful. Let me acknowledge that U.S. views have benefitted from the insights of several current and former U.S. representatives to OSCE Missions. They include Ambassador Robert Barry, Head of Mission in Bosnia, and Ambassador Robert Frowick, former Head of Mission in Bosnia.

Several lessons are worthy of particular note.

First, Missions must steadfastly pursue their core goals and objectives, and develop strategies to attain them. Clarity is needed at the outset. Political will and fortitude in Vienna and in capitals are essential.

Second, attention to personnel issues and the capability to provide personnel on a surge basis are very important. Recalling the delays in hiring mission staff, Ambassador Frowick stresses "the need for unrelenting efforts to build up Mission strength and momentum to meet goals with near-term deadlines." Others emphasize the value of careful selection of personnel, and the need to devote more attention to identifying administrative personnel. The REACT concept would be a mechanism to help address these problems. REACT would provide the OSCE with an assured surge capacity to stand up large missions with trained personnel identified for their expertise in a variety of fields.

Third, effective information sharing is vital. Missions should encourage information sharing among all international organizations, NGOs, and donors involved. Topics should include how to avoid duplication of effort, and how to lessen the harmful impact of local corruption on what Missions and others are seeking to accomplish.

Fourth, democratic and economic reforms are vital to Mission success. As Ambassador Barry points out, creation of an impartial judiciary is essential to instill public confidence in the justice system. One of its priorities should be combating corruption and organized crime, which together undermine democratic and economic reforms. Promoting independent media should also be a priority Mission goal, to inform citizens and enhance oversight of government. Finally, we agree with Ambassador Barry that microeconomic reform – banking, tax and legal—is critical to the success of reconstruction. In Bosnia and Herzegovina, inadequate microeconomic reform has meant that despite massive assistance, not enough private investment and jobs are being mobilized.

Fifth, there should be early consultations with international experts in functional areas where the OSCE has little experience. Missions should consult rather than compete with other international organizations, such as the COE or IOM. And of course Missions should draw on OSCE institutions as resources upon which they can rely.

Sixth, NGOs can play a key role. Missions should consult with them in the planning and implementation phases. Since nurturing a vibrant civil society is a key objective for many Missions, support for NGO activities will reinforce this objective. By building the capacity of local NGOs, Missions can help assure that their efforts will be sustained into the future.

Seventh, civilian implementation should be unified. As Ambassador Barry notes, hydra-headed bureaucracies should be avoided for the sake of efficiency and effectiveness. Each organization involved should have unique and non-overlapping responsibilities within a unified chain of command.

Eighth, close liaison with any military components is critical. Firewalls between civil and military structures, as occurred in Bosnia and Herzegovina, are detrimental. Ambassador Everts has praised the field coordination of KFOR and the OSCE as a significant factor in the Kosovo Mission's success. The OSCE should draw on this experience and ensure that coordination at all stages is a priority.

Finally, it is important that Vienna be attentive and responsive to the needs of missions. Mission reporting should not occur in a vacuum, but rather it should inform and help shape views and policies in Vienna. At the same time, Vienna must avoid the attendant tendency to second-guess the work of mission experts in the field. For missions to be effective, they need to be empowered with a certain degree of flexibility and decision making authority on the local level. This flexibility should pertain to decisions on implementation of programs and hiring of Mission personnel.

We would like to close this discussion on a fitting subject – an exit strategy for OSCE field missions. The object of a successful OSCE Mission is to work itself out of a job. The OSCE needs a better strategy for assessing a Mission's success in meeting its mandate, and then using this information to inform decision-making on when and how to scale back, modify, or close a Mission. Clearly, the OSCE should avoid setting artificial deadlines for Mission closure. In Bosnia such time lines have not made it easier to implement the Mission's mandate.

In closing, notwithstanding their shortcomings, Missions are performing vital work. We should all take pride in the quality and courage of Mission personnel, and in the results of the OSCE's operational work. Likewise, the OSCE and participating States should reaffirm their commitment to work cooperatively to assist Missions in their work in the future.

**OSCE DECISION-MAKING, INSTITUTIONS, STRUCTURES, AND CAPACITY-
BUILDING**
JOSIAH ROSENBLATT
DEPUTY CHIEF OF MISSION
U.S. MISSION TO THE OSCE

September 29, 1999

Our negotiations on a “Charter for European Security” have made it clear that the OSCE today faces a very different world than the CSCE did. The main reason for this change is that the OSCE region itself has changed. The ability to evolve and to respond to changing needs is one of the main strengths of this organization. The OSCE has indeed changed, but has it changed enough? Are there ways we can make the OSCE more effective, and help the participating States to fully implement their OSCE commitments? We believe the answer to the last question is yes.

The most effective mechanism that the OSCE has is the political will of its participating States. We have all taken on OSCE commitments of our own free will. It is up to each participating State to implement these commitments. The OSCE cannot pass or implement legislation for our countries; it cannot protect the individual rights of our citizens; it cannot enhance our economic prospects and open our economies; but it can assist us in doing all these things if we have the political will. Our collective political will is vital. None of the OSCE countries on its own could have effectively responded to the crises in Bosnia or Kosovo, for example. But together, we have been able to make significant progress in ending conflicts which threatened the security of the OSCE region.

One of the main ways the OSCE has changed is by increasing the number and size of missions and other field presences. But they are only as effective as their personnel. We need to build on the “Strategy for Capacity-Building through Training” approved by the Permanent Council last year and ensure that mission personnel are adequately trained beforehand. We urge the Secretariat to complete home-study materials for potential mission members to use prior to their deployment. Training should be continued in the field following the two-day induction course for new mission members. Courses on specific subjects could be provided by experts from NGOs and international organizations.

To help achieve this objective, the United States has proposed establishing a mechanism for quicker deployment of well-trained personnel—a concept we have called Rapid Expert Assistance and Cooperation Teams or REACT. A small REACT office within the Secretariat would build a database of experts identified by participating States in fields such as rule of law, human rights, elections, and policing. A decision to deploy a REACT team would require agreement by the host State. Participating States would retain authority to second their nationals. We would deploy teams of experts first and foremost to assist participating States on a short-term basis improve their ability to meet their OSCE commitments. REACT, however, would also prove instrumental in providing us with a surge capacity in crisis management situations.

REACT will complement rather than compete with the work of OSCE institutions and field offices. All of the OSCE institutions would assume a role in identifying instances in which a REACT roster could be tapped. REACT would eliminate the lag time normally entailed in conducting a search for experts to carry

out programs. REACT experts would coordinate throughout the deployment process with the appropriate OSCE institutions and or field offices. In this way REACT would serve a resource upon which we could all rely to do our work faster and more effectively.

Recruiting and training REACT Team members will be an essential component of a strong program. A REACT office will need to provide basic training in the OSCE and the kinds of activities we envision members undertaking in the field. These materials must be easily accessible. Recruitment of local experts will be left to participating States. In addition, participating States will be encouraged to develop their own training programs tapping the wealth of knowledge and expertise possessed by the local NGO community. We propose our leaders adopt this program at the OSCE Summit in Istanbul and would like to work with all interested States in making a strong program operational by the beginning of next year.

This leads me to a related subject. As the OSCE has opened more missions and other field presences, it has become increasingly operational. The Secretariat's capacity has been strained in responding to these missions' administrative and resource needs. We need to ensure that the Secretariat has adequate staff and resources, and that remuneration will attract top candidates. At the same time, we should be careful not to overwhelm the OSCE's current lean, non-career oriented structure.

We also need to continue to develop the capability of the Secretariat to address internal problems concerning equal treatment of men and women. Last year, we welcomed the establishment of a point person for gender issues within the Secretariat. Since then, Switzerland has kindly seconded a person to augment this function. We urge that this position become a permanent part of the staff table. In addition, we welcome Organization Directive 11 on Professional Working Environment in the OSCE and look forward to its implementation by all OSCE missions, Institutions, and offices.

In the past year, we have developed some new tools to help States implement OSCE commitments. One is the ability to conduct police training activities. Police forces play a key role in bolstering the rule of law; they also can contribute to human rights violations if they are not properly trained. For example, police brutality against Roma is a problem in several Eastern European countries. We need to be sure as we develop the OSCE's police training capabilities that human rights are a main focus.

Last year, we adopted new modalities for human dimension implementation review. Under these new modalities, we held three supplementary human dimension meetings this year. During these meetings, both NGOs and government participants put forward recommendations. We need better follow up. The primary responsibility for follow up is with the participating States. We will be putting forward proposals for action as appropriate follow-up to these meetings, and we hope that others will as well.

Finally, we should not focus exclusively on the human dimension. Economic and environmental factors can be major contributors to instability in the OSCE region. One urgent priority should be to combat corruption and the conditions that foster it, and to promote a positive framework to that end the OSCE can do more to promote integrity, ethics in government, good governance and transparency. The Office of the Economic Advisor needs more resources, both personnel and funds. We also need to ensure that our missions and other field presences address these economic and environmental dimension issues.

**THE ROLE OF NGOS
OREST DEYCHAKIWSKY
ADVISOR**

U. S. COMMISSION ON SECURITY AND COOPERATION IN EUROPE PLENARY

September 29, 1999

Since the conclusion of the 1975 Helsinki Final Act, non-governmental organizations (NGOs) have been essential players in the OSCE process. They often press governments to live up to OSCE commitments, and they contribute significantly—at times, dramatically—to the fundamental changes that have taken place within the OSCE region. We must never forget the members of NGOs, such as the Helsinki Monitoring and related citizens' groups, who during the dark days of communism sacrificed their personal freedom and even their lives for their courageous and vocal support for the principles enshrined in the Final Act.

While the ranks of NGOs have expanded with the development of civil society in much of post-communist Europe, conditions for NGOs have not improved everywhere. Some governments, instead of viewing NGOs as partners in democracy building, still view them with suspicion, failing to recognize the fact that NGOs can provide a valuable vehicle for citizens to actively participate in strengthening civil society, ensuring public integrity, good governance and transparency. Still other governments view NGOs as outright threats. The removal of obstacles, including the revision of cumbersome registration and tax laws, could promote NGO development. Excessive governmental oversight, all too common in a number of states, also represents a hindrance to the normal functioning of NGOs.

The small but vibrant NGO community in Belarus confronts great difficulties, including a stifling presidential decree earlier this year requiring all political parties, trade unions and NGOs to re-register. The Belarusian Ministry of Justice has denied re-registration to a number of NGOs, such as the Belarusian PEN Center and the Belarusian Association for Young Politicians, for what strongly appear to be politically motivated reasons. In Turkey, police have forcibly broken up and prevented vigils by the Saturday Mothers group in Istanbul, site of the upcoming OSCE summit. Elsewhere in Turkey, various branch offices of the Human Rights Association of Turkey have been periodically closed. The Human Rights Foundation has repeatedly been subject to harassment, and offices of the human rights NGO, Mazlum-Der, have been subject to police raids.

Despite obstacles, the Russian Federation has seen an increase of NGOs and civic associations that are working to have an impact on local and national policies. At the moment, many of these organizations are concerned that pending tax legislation may make it difficult, if not impossible, to function. As U.S. Chief Justice John Marshall wrote almost 200 years ago, “the power to tax is the power to destroy.” We hope that the Russian Government and legislature will make every effort to see that NGOs may continue their valuable work without being burdened by onerous or inappropriate taxes. We also understand that some human rights and environmental NGOs, such as the “Glasnost” Defense Fund and “Ecology and Human Rights” have been denied re-registration. Human rights and other NGOs in Azerbaijan also have been denied registration. We hope that authorities will reverse these decisions.

**STATEMENTS OF THE U.S. DELEGATION TO
THE OSCE REVIEW CONFERENCE
VIENNA, AUSTRIA**

September 20—October 1, 1999

**OPENING STATEMENT AT THE OSCE REVIEW CONFERENCE
DELIVERED BY HAROLD HONGJU KOH,
ASSISTANT SECRETARY OF STATE
FOR DEMOCRACY, HUMAN RIGHTS AND LABOR, AND
COMMISSIONER, U.S. COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

November 8, 1999

Mr. Chair, Ladies and Gentlemen, we gather together in this magnificent city of Istanbul to review the implementation of our mutual commitments to uphold the high ideals of the Helsinki Final Act and the Charter of Paris. This admirable organization is dedicated to the struggle for human freedom and security. Tomorrow, we celebrate the tenth anniversary of one of the most historic moments in that struggle—the fall of the Berlin Wall and the beginning of the end of totalitarian rule in Europe. But as we celebrate, let us remember how much still remains to be done. Let me briefly review six areas of continuing concern: the situation in Chechnya, eradicating torture, ensuring fair treatment for Roma, controlling corruption, promoting media freedom, and improving OSCE field missions.

In Chechnya, we call on the Russian Federation to adhere to its OSCE commitments to protect its citizens, to avoid using indiscriminate and disproportionate force, and to work for a peaceful settlement through political means. We share Russia's outrage over terrorism and respect its right to defend itself. But in at least two respects, we find Russia's response to Chechnya deeply troubling. First, the Russian military offensive in Chechnya has included indiscriminate force against innocent civilians. We urge Russia to use restraint and to maintain open borders in Chechnya to permit civilians to escape the fighting. Russia's commitment under Article 36 of the OSCE Code of Conduct on Politico-Military Aspects of Security states: "if recourse to force cannot be avoided in performing internal security missions, each participating State will ensure that its use must be commensurate with the needs for enforcement. The armed forces will take due care to avoid injury to civilians . . ." We do not believe the current Russian offensive meets this standard. The 1994-96 war in Chechnya left 80,000 dead, the overwhelming majority of them civilians. We must all work to ensure that another such tragedy does not occur.

Second, after the apartment bombings, the Russian government launched a campaign to root out terrorists. During "Operation Whirlwind," police detained over two thousand individuals and deported many of them, apparently because the color of their skin suggested Chechen or other Caucasus origins. Let us reaffirm today that detentions and deportations based on ethnicity are wrong. They have no place in today's Europe. In the end, there can be no purely military solution to the conflict in Chechnya. The United States believes that the OSCE can play an important role in promoting a return to dialogue and an end to military escalation. During the first Chechen conflict, the OSCE mission to Grozny brokered a series of negotiations and monitored cease-fires. We consider Russian Foreign Minister Ivanov's invitation to the OSCE to send a mission to the North Caucasus an important first step in the right direction. For our part, we will do all that we can to follow up and to assist in the search for a political solution to this ongoing tragedy.

The United States also is dedicated to working with all of you to end the practices of torture and cruel, inhuman or degrading treatment or punishment throughout the OSCE region. Our goal should be to establish the OSCE region as the shining example to be followed by states around the world. In several OSCE countries, including our host country Turkey, some progress has been made, but torture remains a most

serious human rights problem. When it comes to eliminating torture and impunity, we must all work together to ensure that real change occurs. We must commit ourselves to ending impunity for torturers by prosecuting and punishing perpetrators, and providing effective procedural and substantive remedies for the victims. In some of our countries, full due process may require changes to police, security, penal and judicial procedures. We must recognize the importance of educating all relevant government officials, and the public, while never forgetting our commitment to protect the rights of victims, by cooperating with NGOs and professional centers engaged in the critical task of rehabilitation.

A third pressing human rights problem concerns the Roma. From Kosovo to Usti nad Labem, serious and increasing violations of the human rights of Roma have transpired this year throughout the OSCE region, violations my government has already raised in the Permanent Council. Ten years ago, we celebrated the collapse of a wall that had divided Europe for nearly a half-century. Let us ensure that the sad events in Usti do not portend a return to a world where Europe is divided from itself.

But there is also good news for Roma in the OSCE region. For years, some government officials have complained that they could do more for Roma, but only if the Roma were themselves better organized. But today, building from a long history of discrimination and persecution, Roma are now taking control of their own destinies. They are on the Internet, and now coordinate across borders to promote their own language and culture. From Skopje to Berlin to Texas, Roma have demonstrated to make their voices heard, bringing international attention to abuses against them in Kosovo, and drawing global attention to the loathsome symbolism of the wall in Usti. In short, Mr. Chair, the Roma have organized, and want their human rights respected. The Romani civil rights movement stands poised to be a significant force with which to reckon in the next century, and we should all welcome this development.

Turning to corruption, many of our governments suffer from a lack of public trust, since citizens assume that officials from the lowest to the highest levels are vulnerable to bribery. All of us have condemned corruption in the Permanent Council and the Parliamentary Assembly, but now we must move beyond words. We must set forth a clear and attainable set of OSCE norms to guide each of our governments in our efforts to combat corruption, promoting a framework for good governance and public integrity. Our commitment to new OSCE norms to eliminate corruption will help reestablish public trust and reinvigorate our democracies. We renew our call to complete this work by the time our Ministers meet in Vienna next year.

Let me speak also to media freedom, where many of our participating States have made significant progress, even while serious concerns remain. In Serbia, seven reporters have been killed since the first of the year, making Serbia the second most deadly state in the world for journalists, after Sierra Leone, according to the World Associations of Newspapers. In Belarus, where I will travel later this week, print, broadcast, and Internet journalists all face continuing, intolerable repression.

The Russian Caucasus has again become one of the most dangerous regions in the world for the press. In that region, seventeen journalists have been kidnapped since 1997, and two Russian journalists were recently reported missing, apparently kidnapped by armed gangs. Remembering that 10 journalists were killed and others kidnapped while covering the earlier Chechen conflict, we must take steps to ensure that the current intensification of fighting in that region does not lead to an increase in the kidnapping of journalists. The Greek Helsinki Monitor also reports that “under the cover of the military campaign against

Chechnya, the Russian government has expanded its attack on some of the foundations of media freedom in that country.” The new head of the Ministry for Press, Broadcast, and News Media has made deeply disturbing remarks, calling the press “highly aggressive” and announcing plans to create new media policies that he hopes will be ratified into law. Such counterproductive statements seriously impede our mutual goal of advancing press freedom.

Here in Turkey, we welcome the positive steps that the Ecevit Government has recently taken, including suspending the sentences of more than twenty journalists. We hope this trend will continue, for much work remains to be done. Even today, too many Turkish journalists are in court or in jail for what they say or write. Restrictions on expression—including self-censorship—continue to cramp public debate. This is a crucial area of reform. Full freedom of political and cultural expression may feel threatening, but it clearly enhances societal order and stability. When all elements in society have access to meaningful, peaceful political and cultural expression, emotional and contentious issues can be raised within the existing system, rather than in extremist opposition to it.

Finally, let me speak to the lessons learned from the OSCE’s recent experience with long-term missions. We all know what difficulty the OSCE faced in trying to staff the Kosovo Verification Mission as the crisis deepened and situation on the ground deteriorated. In our discussion today, let us consider again how the OSCE can best develop and deploy trained, professional civilian conflict prevention forces to react to threats to peace on short notice, before the outbreak of large-scale violence and mass refugee flows.

Mr. Chair, as we gather here in Istanbul, let us be grateful for the beauty of our setting and the warmth of our Turkish hosts. Let us celebrate the tremendous strides we have made in the ten years since the Berlin Wall fell and the ideals of the Helsinki Final Act and the Charter of Paris began to become reality. But the concerns I have raised —about Chechnya, torture, corruption, the Roma, media freedom, and long-term missions—should remind us again of how far we have yet to travel. Let us continue working together toward the day when all of us have fulfilled all of our OSCE commitments, for then, and only then, can we truly celebrate the realization of the Helsinki vision.

Thank you.

**STATEMENT ON TORTURE AND THE OSCE:
TRANSFORMING COMMITMENTS INTO EFFECTIVE ACTION
DELIVERED BY VINCENT IACOPINO, M.D., PH.D.,
PUBLIC MEMBER OF U.S. DELEGATION
TO THE OSCE REVIEW CONFERENCE, ISTANBUL**

November 9, 1999

Mr. Chairman, it is an honor to speak to you as a public member of the U.S. delegation. In my work as Senior Medical Consultant to Physicians for Human Rights and the former Medical Director of Survivors International, a treatment center for survivors of torture, I have worked for more than eight years documenting medical evidence of torture and caring for survivors.

Through this work, I have come to know well that torture not only harms the physical and emotional well-being of individuals, but also sends a message of fear and intimidation to others, whether they be prisoners or members of larger political, ethnic, religious, or other groups.

That States bear responsibility for the safety and welfare of their people yet engage in practices of torture and other cruel, inhuman or degrading treatment or punishment is one of the ironies of human history. Although practices of torture and other cruel, inhuman or degrading treatment or punishment undermine state authority and legitimacy, torture regimes flourish.

Sometimes States attempt to justify these acts in the name of “national security.” Such ideological and political “justifications” of torture often serve as mechanisms of moral disengagement for those who choose the rule of force over the rule of law, and they represent powerful psychological impediments to the official acknowledgment of widespread torture.

Under such circumstances, a pattern emerges. Torture is tolerated and further facilitated by deprivations of personal liberties. This widens the gap between commitments and effective action to prevent torture. Closing this gap begins with respect for human rights as the foundation for the authority, legitimacy and security of States. Furthermore, it requires: 1) fulfilling OSCE commitments 2) increasing transparency, 3) effectively investigating and documenting all claims of torture, 4) acknowledging the nature and full extent of these practices, 5) implementing procedural safeguards, 6) prosecuting and punishing all those responsible, 7) supporting rehabilitation for torture victims, and 8) implementing human rights education initiatives.

Recently, in its report to the Committee Against Torture, the United States acknowledged that, regrettably, there have been incidents of torture in the United States. As a result, American society is renewing its efforts to ensure that prohibitions on torture are observed and that violators are prosecuted to the fullest extent possible. NGOs in America play a key role in promoting this effort.

However, in many OSCE participating States, safeguards designed to prevent torture and to prosecute and punish those responsible are weaker or simply do not exist. In these countries, abuses are reported to occur with alarming frequency. Drawing from the Country Reports on Human Rights Practices for 1998, issued by the Department of State earlier this year, I will highlight some of the most disturbing developments concerning torture in the OSCE region.

Throughout the Newly Independent States, members of security forces continued to torture, beat, and abuse prisoners and detainees, and arrest or disciplinary action against those responsible for such violations is rare. The United States urges these governments to employ investigative procedures that do not coerce confessions and to hold accountable those responsible for torture.

In the Russian Federation, minorities are reportedly particularly susceptible to beatings, arrest and extortion by police. A report issued by the government's Human Rights Ombudsman last year concluded that torture was widespread and systematic, especially in the pretrial stages of law enforcement. Abuse of military servicemen in Russia reportedly rose sharply in 1998 according to the Country Reports.

In Uzbekistan, political activists and religious believers are reportedly tortured in custody and forced confessions are extracted to ensure conviction. In Tajikistan and Turkmenistan, members of political opposition parties have reportedly been targets for similar abuse.

Across the region of Central Europe and the former Yugoslavia there have been numerous reported incidents of police brutality against Roma.

In my work with Physicians for Human Rights, I have personally documented the widespread use of torture in Turkey and the practice of coercing physicians to neglect evidence of torture in post-detention medical examinations. While Turkey's stated policy of "zero tolerance" for torture and its plans for human rights education may represent important commitments, transforming these words into effective action will require considerable political will. This is true of not just Turkey but also of other countries I have listed. Turkish commitment to democratic norms and its long experience with parliamentary rule should make the adaptation to zero-tolerance easier than in most countries.

Zero tolerance in any country where torture is a problem should include: 1) ending legal arrangements that subsume human rights guarantees to national security interests, 2) ensuring procedural safeguards for detainees, 3) conducting independent and impartial investigations of all claims of torture, 4) acknowledging publicly and accurately the full extent of the problem, 5) expeditious prosecution and punishment of those responsible without the possibility of amnesty, 6) authorizing the publication of the Committee for the Prevention of Torture and other international reports, 7) ending coercive pressures on physicians to neglect medical evidence of torture, 8) allowing the appropriate medical associations to sanction physicians whom they find negligent in documenting medical evidence of torture, and 9) ending the practice of persecuting and harassing human rights advocates.

A large coalition of human rights organizations has developed a set of principles (see appendix below) which outline minimum standards for States to ensure the effective investigation and documentation of torture. These Principles are included in the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (The Istanbul Protocol) and were recently endorsed by the Office of the UN High Commissioner for Human Rights. I have distributed a copy of these principles and the Istanbul Protocol for the reference and consideration of each of the OSCE participating States.

We believe that the OSCE participating States should commit themselves to end the practice of torture everywhere in the OSCE region so as to establish the OSCE region as an example to be followed by States throughout the world. The Office of Democratic Institutions and Human Rights should utilize the expertise of the OSCE Advisory Panel for the Prevention of Torture to develop a comprehensive strategic framework for preventing torture in the OSCE region.

We must all commit to ensuring that torture is prohibited by law; to prosecuting and punishing those responsible; and to providing procedural and substantive remedies for its victims, to remedial human rights education, and to draw upon the experience and expertise of existing NGOs active in the field.

Thank you.

**STATEMENT ON CHILDREN AND ARMED CONFLICT
DELIVERED BY AMBASSADOR WILLIAM COURTNEY,
SENIOR ADVISOR, U.S. COMMISSION ON SECURITY AND COOPERATION
IN EUROPE (HELSINKI COMMISSION)
TO THE OSCE REVIEW CONFERENCE, ISTANBUL**

November 9, 1999

Wherever armed conflict erupts, children are the victims. The impact of war on children has terrible lasting effects that endure for years, and even generations. Whether fleeing their homes, getting caught in crossfire, witnessing atrocities, or taking up arms, children disproportionately suffer the effects of hostilities. In the OSCE region, we are no strangers to this tragedy.

Most recently, in Kosovo, children were victimized by Serbian military forces who forced thousands of ethnic Albanians from their villages and systematically destroyed their homes. We have also seen the horrible effects of war on children in Bosnia, Croatia, Georgia, Nagorno-Karabakh, and Tajikistan.

Even as we meet here today, the Russian Federation is engaged in heavy air and artillery attacks in Chechnya. The bombing has caused mass internal displacement and significant civilian casualties. The United States repeats its call for the Government of Russia to respect the Code of Conduct on Politico-Military Aspects of Security, and in particular, its commitment to “take due care to avoid injury to civilians.” Where civilians are injured or killed, so too are children.

Armed conflict has other disastrous effects on the lives of children. Families and communities are destroyed, leaving the children to fend for themselves in a climate pervaded by violence. War prevents them from attending school, from obtaining medical care, from simply being children. We in the OSCE must do everything in our power to protect our children from the effects of armed conflict.

In recent years, another disturbing trend has developed—the use of young children as soldiers. This is a practice for which there is no legitimate justification. Throughout the world, and to a lesser degree in the OSCE region, young children are recruited into military service, often coercively, compelled to fight, then left to pick up the pieces of their often shattered minds and bodies.

Within the OSCE region the problem is less acute than in other regions, particularly Africa; yet it nevertheless exists. In Russia and Turkey, for instance, young children are reported to participate in hostilities on behalf of dissident military forces. There have also been reports that children have been used as soldiers in Kosovo.

In our efforts to stem the tide of violence against children, it is vital that we do not lose sight of the true nature of this crisis. The problem lies in the recruitment—in particular, the forcible recruitment—of very young children, some as young as 9 or 10, for use in armed conflict. We must work together to end this particularly tragic practice.

The United States, therefore, supports efforts to raise the current age—15 minimum standard for recruitment and participation in armed conflict. However, there is no international consensus on a specific age above 15. For our part, we favor raising the standard to age 17. We recognize that a number of

governments support an 18-year old standard, but the fact is, over a quarter of the nations represented in this room could not comply with such an obligation today. Indeed, prohibiting the voluntary recruitment of 17-year olds with bona fide parental consent by, among others, France, Austria, and the United States, and their participation in armed conflict, would not address the true problem of children affected by war. Rather than quibbling over numbers, we should forge consensus and focus on the key issue — the use of young children in armed conflict—and turn to devising solutions, including implementation mechanisms for ensuring that this abhorrent practice is brought to an end.

Equally important to this dialogue is the voice all too often lost in the din of this legalistic debate—the voice of the children who miraculously survive the ordeal of war. They emerge from the battlefield crippled, hardened, and scarred—both physically and emotionally, and they need our help. The participating States of the OSCE should initiate and support efforts to rehabilitate the child victims of war.

The United States has contributed substantial resources to programs aimed at reintegrating child soldiers into society. We are committed at the policy level to continue developing rehabilitation approaches that effectively address this very serious problem. Since 1989, USAID's Displaced Children and Orphan's Fund has spent more than \$30 million in supporting activities to assist children affected by war, including their demobilization, rehabilitation and integration into civilian society.

In conclusion, OSCE participating States can do more to end the horrible effects of war on our children. However, we must resist the temptation to quarrel over issues that do little to address the heart of the problem, and we must work together to repair the damage done to children's lives by developing consensus on real solutions to prevent young children from any involvement in armed conflict whatsoever.

**STATEMENT ON CORRUPTION AND NGO INVOLVEMENT
DELIVERED BY LUCINDA A. LOW,
PUBLIC MEMBER OF THE U.S. DELEGATION,
TO THE OSCE REVIEW CONFERENCE, ISTANBUL**

November 10, 1999

My name is Lucinda Low. I am a public member of the U.S. Delegation to this Conference, representing Transparency International—USA.

Non-governmental organizations (NGOs) can play a critical role in combating corruption and in promoting transparency, good governance, integrity and the rule of law. NGOs can help identify the areas where problems are present, and develop appropriate tools to address those problems. They can also help governments and the private sector identify priority areas for action, assist in mobilizing expert resources, educate the public, and facilitate exchanges of information about best practices and successes. They are a bridge to civil society and a key link in the public-private partnerships mentioned by previous speakers.

My own organization, Transparency International, has played a key role in this decade in the campaign against corruption. We have helped move issues of transparency and good governance from the margins of the debate to the center, where it rests today on the agendas of governments, international organizations, and others. Our published indexes—the corruption Perceptions Index and, new this year, the Bribe Payers Index—have spotlighted the perception of corruption around the world, from both the supply and the demand sides.

TI has established chapters in a number of countries in the OSCE region, and others are in formation. We hope eventually to be everywhere in the OSCE region. But one organization alone cannot accomplish all there is to be done. We welcome the work of others in promoting the rule of law, transparency, integrity, and good governance.

Turning to the anticorruption initiative of the U.S. government in the OSCE, I have become convinced that the OSCE has an important and distinct role to play in this area, which cuts across all three dimensions of its activity. While its work should take into account and not duplicate the work of other bodies, a close review of other relevant initiatives suggests that the potential for duplication or conflict is much less than might appear at first blush. The OECD Convention, for instance, is narrowly focused on the supply side of transnational bribery in the business context, and limited to capital exporting countries. The Council of Europe's work, while substantively broader, retains a focus on criminalization and legally binding instruments. I could go on with further examples, but the point is that these instruments occupy only a limited part of the field. And the success of all of them relies on the political will of governments to take an integrated approach to the problem, mainstreaming anticorruption goals and tools into all rule of law and good governance programs. This is one lesson that has emerged from good governance and anticorruption work in Latin America and the efforts of the OAS as a regional body to promote that work. Thus, far from being conflicting or marginal, there is a potentially critical role for the OSCE—especially given its strong relationship with NGOs—to play in this area. Its work, done properly, will complement, not conflict with,

that of other organizations. The articulation of norms is key to this process, because they will serve to define the OSCE's arena of activity and provide benchmarks against which national implementation and progress can be evaluated.

**STATEMENT ON CORRUPTION
DELIVERED BY ASSISTANT SECRETARY OF COMMERCE,
PATRICK MULLOY,
TO THE OSCE REVIEW CONFERENCE, ISTANBUL**

November 10, 1999

My name is Patrick Mulloy. I serve as Assistant Secretary for Market Access and Compliance, in the Commerce Department's International Trade Administration. I am also one of the three Executive Branch members of the U.S. Commission on Security and Cooperation in Europe. My specific responsibilities include the Economic Dimension of the OSCE.

Delegations are aware of my government's firm commitment to develop a vital and appropriate role for the OSCE in the economic and environmental dimension. We are engaged in separate discussions in this venue to ensure the economic dimension receives appropriate attention as this organization prepares for the challenges of the 21st century.

Today, however, I am here to speak about an issue that transcends the Economic Dimension.

Last summer, the OSCE Parliamentary Assembly meeting in St. Petersburg recommended that the OSCE address corruption at a high political level. Our parliamentarians called for a Ministerial meeting on this multi-dimensional issue. This action reflected their belief that the comprehensive nature and membership of the OSCE make it ideally suited to contribute to efforts to combat corruption. Following up on that recommendation, in September at the first session of the Review Conference in Vienna, my government called on the OSCE to undertake the development of a set of norms designed to fight corruption and promote public integrity. We are pleased that at this continuation session the Chair has designated corruption as the key theme in the Economic Dimension.

A number of speakers in Vienna noted that corruption intrudes into the full array of OSCE activities and goals and cuts across all three dimensions of our work. It slows economic development and deters foreign investment. It challenges the popular legitimacy of democratic institutions, and it feeds political instability and the violence that can flow from it. The time has come for us to act—public support for anti-corruption measures has never been stronger. Our increased understanding of the pervasive harmful effect of corruption argues for immediate engagement.

We are now seeing a fundamental change in the international community's approach to corruption. A few years ago, discussion of corruption was itself taboo. Today, the World Bank openly acknowledges corruption as an impediment to economic growth. The OECD, the Council of Europe, the Organization of American States, and the United Nations, are all engaged in efforts to combat corruption. The states participating in the Stability Pact for Southeastern Europe are addressing corruption as one of the fundamental threats to stability in that region. Just two days ago the European Bank for Reconstruction and Development issued a report singling out corruption as one of the most important obstacles to economic progress to countries in transition.

Our proposal that the OSCE act to promote integrity and control corruption is founded on the optimistic view that this is a challenge that we can confront, if our governments have the political will to do so. We also believe that the OSCE has an important and differentiated part to play. Most existing approaches to fighting corruption address punitive criminal and civil measures, rather than the broader framework involving the integrity of public officials, in particular those responsible for upholding the rule of law. It is here—in the marshaling of a broad political will and challenging governments to act on their political commitments—that the OSCE excels. All of our countries would gain from better defining what governments should expect of themselves, and what they can properly expect of each other, to promote public integrity and to control corruption. Ultimately, each of our governments stands accountable to its people for how effectively it acts. Setting common norms and principles and then periodically reviewing how they are implemented, as the OSCE has done successfully in so many other fields for so long, are the best ways to empower our citizens to judge our actions.

At our recent regional seminar in Tashkent on rule of law and institution building, numerous NGOs highlighted corruption as one of the most serious problems they deal with on a day-to-day basis. Corruption was not on the official agenda of that seminar, yet time after time Central Asian NGOs repeated the difficulties they encounter in safeguarding their funding and the integrity of their projects. The OSCE must involve itself in this issue—it affects our efforts across the entire range of activities, from human rights to economic development.

We believe the OSCE can and must do more to respond directly to the challenge of corruption. An effective first step would be for the OSCE to identify and then approve a set of OSCE norms for action by governments to promote public integrity and good governance and control official corruption. Such norms could include fair and transparent laws, efficient and independent courts, and impartial prosecutors. A broad degree of international consensus already exists as to the goals governments should seek to attain, and the practices they can use to do so. We believe that regular expert-level discussions, under the auspices of the Permanent Council, could develop specific norms for adoption at the Ministerial level next year. These would become part of our existing review processes in all three dimensions. Political declarations are important, but we hope that at this Summit, our leaders can commit the OSCE to specific and concrete action in this vital field.

Thank you Mr. Chairman.

**CLOSING STATEMENT
DELIVERED BY AMBASSADOR DAVID T. JOHNSON,
TO THE OSCE REVIEW CONFERENCE, ISTANBUL**

November 10, 1999

Mr. Chairman,

The Review Conference we held a month and a half ago in Vienna and the Review Conference we held here treated some similar themes but in significantly different ways. Here in Istanbul, we have concentrated our focus on four themes and considered recommendations about how we as participating States can manage the OSCE to advance our common objectives and our common commitments.

While we have discussed specific subjects and focused on particular topics, there has been a shadow hanging over these deliberations, and that shadow is the Russian military's disproportionate use of the military in Chechnya. We recognize Russia's sovereignty and territorial integrity. We fully share Russian outrage over acts of terrorism, and we respect the legitimate right of self-defense. But, Russia's approach to Chechnya raises serious and widely shared concerns.

First, the current Russian military campaign has featured indiscriminate force against civilians. The administrative borders with Chechnya have been closed, or nearly so, for long periods, trapping displaced persons in a combat zone where frequently they have been victims of rockets, artillery, and air attacks. From our view, the costs of this approach are too high, measured in humanitarian terms, in damage to Russia's international standing, and, more importantly, in complicating the search for a political solution. We strongly urge Russia to exercise restraint, to facilitate the movement of displaced persons and the provision of humanitarian assistance, and to begin a dialogue with legitimate Chechen partners. We call upon Russia to observe its commitments under the OSCE Code of Conduct, and to think seriously about how the OSCE can play a useful role in bringing this conflict to an end and starting a political process. In this connection, we welcome the dispatch this week of an OSCE Chairmanship mission to the North Caucasus.

Second, following the apartment bombings in several Russian cities, local Russian authorities launched a campaign to root out terrorists. But during "Operation Whirlwind," local authorities detained over two thousand individuals and deported many of them, apparently only because their features and the color of their skin marked them as people of Caucasus origin. Let me reiterate that detentions and deportations based on ethnicity are wrong and they have no place in today's Europe. The Chechnya question is a poignant reminder that Human Dimension commitments are fundamental to peace and stability in our region. They define what we aspire to as States. Our common commitment to these core values and our courage to review our success in meeting these commitments sets our organization apart from other international gatherings. In this connection, Mr. Chairman, we welcome President Aliyev's statement yesterday in support of religious liberty for minority groups in Azerbaijan.

In looking further at Human Dimension issues in Istanbul, we focused on the subject of torture. Torture, however revolting a theme for discussion, has to be confronted if we are to eliminate its practice. We found the frank exchanges on this theme encouraging. We applaud those States that acknowledged a torture problem, but more importantly signaled a willingness to tackle it. We were honest about our own

challenges in the United States. We are convinced the NGO community, the medical community, and the international community, including the OSCE, have a role to play in assisting States. Ending impunity for abusers is key; unless the perpetrators of this violence are held to account, we are unlikely to succeed in ending its practice. In view of some of the strong recommendations made here with regard to ensuring safeguards for detainees and facilitating independent investigation of torture claims, we hope that governments will take concrete measures to eliminate torture as a practice. As many delegations noted, commitments have been made and, in most cases, appropriate laws are in place; the challenge is implementation.

We found real value in seeking to address the tragedy of society's most vulnerable members in armed conflict. Children represent our hope for the future. We have an obligation to protect them. At the same time, we know that children were killed or displaced by the thousands in Bosnia and Kosovo; in some cases they were specifically targeted. It is difficult for any of us to forget the photos of Bosniak children killed by snipers while on the playground, deliberately targeted to enhance the shock value of the murder of innocents at play. We need to redouble our efforts to avoid conflicts and when they occur to take every precaution to protect the well-being of children. Allowing seventeen-year-olds to volunteer for the armed forces with the full consent of their parents is not only not the problem, it cheapens the value of children's lives to focus the debate on this issue.

The real story is the pain, suffering, and trauma disproportionately imposed upon young people as victims of war; that is the challenge we must address.

The United States also welcomed the debate on corruption, a subject relatively new to the OSCE. It is evident the scourge of corruption undermines the achievement of commitments in all three dimensions. We appreciate that a number of other organizations already treat this issue in substantive ways. But we believe the OSCE has a unique leadership role to play in combating corruption. As we approach the Summit, this is the right time and the right place to take up this challenge. The OSCE's multi-dimensional approach to security, its inclusive and broad membership, and its tradition of expressing political will through consensus make it the right place. The United States is convinced the most important contribution the OSCE can make now is to establish norms that promote integrity and good governance, and control corruption. We believe our leaders should commit to complete this work for ministerial approval in 2000. We have all seen the utility of establishing norms in the human dimension. These standards establish who we are and what we stand for. We should be prepared equally to establish our clear-cut position on corruption and good governance. Many of you have asked what is the "value added," and the "OSCE role" in this effort. But the leaders of financial institutions, governments under threat from this scourge, businesses trying to deal in a competitive marketplace, and publics victimized by corruption are not asking this: they want help, and they want it now, from every quarter.

The discussion of large missions served as a useful reminder of just what makes the OSCE such an effective and such a different organization. The work of the large missions in recent years has overwhelmed—in terms of resources and attention—the work of the OSCE's other missions and activities. We've invested millions to restore peace and stability in a region plagued by war and human tragedy. Our missions, supported by the work of courageous citizens from across our region, have virtually worked miracles. We need to do a better job of building strong institutions from the ground up and coordinating more effectively with other groups and organizations. The fact, however, that we are able to speak constructively to these shortcomings reassures us that we will do even better in the future.

It is often said of companies and countries that the most successful are the ones that can remake themselves every five to ten years. An organization such as this one with a mission so dynamic must be prepared to innovate and adapt to meet future challenges.

This leads me to the subject of REACT—a concept with which all of you are already familiar. As you have heard me say before, REACT is a concept whose time has come. The OSCE has deployed strong personnel rapidly in the past, but we also know that we can do a better job deploying stronger personnel even more rapidly. REACT can be an invaluable resource upon which the OSCE may draw for a surge capacity to address crises. REACT will also give the OSCE the ability to assist States on a short-term basis. By building a strong training component into the REACT program, we can be certain that those experts we deploy will have an understanding about the OSCE that will make them more effective in the field.

All OSCE states have a stake in this project. It strikes an appropriate balance between the need to strengthen our institutional ability to respond to crises and our national ability to provide qualified personnel. REACT can be a program on the cutting edge of conflict prevention. We will be able to recruit the best and brightest from the NGO community, associations, and our academic institutions. We believe REACT has the potential to become a model for how other organizations recruit and deploy civilian expertise.

Standing up a REACT program will be a training experience in and of itself. The operational plan that we have proposed in the Charter document answers the major questions about REACT implementation. No doubt others will arise as we move forward. What is important is that we begin that process of implementation now. Adoption of REACT at the Summit without a decision to operationalize the program will lead to needless delays and could risk allowing our leaders to make an empty promise. We need to take that step next week to make REACT operational so that implementation can begin on a priority basis. That will mean that staff assembles as of January and that by June the OSCE will be prepared to use REACT to deploy personnel. This program may run across obstacles along the way. But we as an organization are good at learning from our mistakes. Let's commit to starting that learning process now at the beginning of the next year, proving once again our determination and readiness to adapt and change to meet the challenges of the future.

Thank you, Mr. Chairman

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This publication is intended to inform interested individuals and organizations about developments within and among the participating States of the Organization for Security and Cooperation in Europe (OSCE).

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