



## HELSINKI COMMISSION HEARING

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UNITED STATES COMMISSION ON  
SECURITY AND COOPERATION IN EUROPE

# Testimony :: Hon. Benjamin Cardin

Ranking Member - Commission on Security and Cooperation in Europe

I welcome today's focus on the situation in the Balkans. While the situation varies from one country to another, all have made some progress toward European and Euro-Atlantic integration. Still, problems remain, and I want to encourage not only the authorities but the people -- from Croatia to Albania -- to take additional reform measures.

I say this not only so they can "join the club", be it NATO, the EU or both. I say this, because these same reforms that will improve the eligibility of countries for integration will also lead to the real improvement of the daily lives of the citizens of those countries. As an active member of the Helsinki Commission, I have focused considerably on the economic dimension of the OSCE, and through this work it becomes obvious how organized crime, official corruption and the absence of the rule of law not only threaten human rights but thwart economic development, including foreign investment, as well. None of the countries we are examining today have scored well on Transparency International Corruption Perceptions Index, ranking no higher than 70<sup>th</sup> and mostly well below that of 158 countries surveyed in 2005. I will continue to encourage the OSCE Participating States to sign, ratify, and implement the new United Nations Convention against Corruption.

This will be the subject of the work in the Second Committee of the OSCE Parliamentary Assembly annual session, scheduled for early July in Brussels. The committee members are focusing on improving regional economic integration, particularly in the Balkans. The resolution we will consider in Brussels notes that "creating common interests and de facto solidarities...dissuade States from resorting to force in order to settle their differences."

As Chairman of the committee, I am also working to have the Assembly address corruption through initiatives to change parliamentary immunity laws. By depriving public officials of the ability to use their status as elected officials as a shield against prosecution for criminal acts, we help ensure greater integrity. Good governance, particularly in national representative bodies, is fundamental to the healthy functioning of democracy.

I will be sure to bring the transcript of today's hearing to the attention of my fellow parliamentarians from the countries concerned. In the meantime, I hope to hear how United States policy is helping these countries to advance toward full integration in Europe. I also hope our experts provide insight on what more can be done, as I am particularly interested in ideas to help the Romani communities and others who are economically disadvantaged and deprived by discrimination and intolerance of the opportunity to better their lives.

Beyond greater opportunity, I have strongly felt that the people of the Balkans also need greater justice. For that reason, I have been a strong proponent of full cooperation by all states with the International Criminal Tribunal for the former Yugoslavia, based in The Hague. Whatever criticisms one may have regarding the tribunal's work, the precedents it has set is one of the few positive developments that has come from the aggression and genocide of the 1990s. While far from certain, no ruthless thug anywhere around the globe can completely rule out the possibility of being held accountable in a court of law for the horrendous crimes he or she committed or helped to orchestrate.

As the tribunal seeks to implement its completion strategy, it is important to realize that this strategy is really the responsibility of all. Justice is not something the UN member-states delegated to the tribunal; the tribunal is merely a tool through which the member-states seek justice. Justice will not be complete, most of all, if Ratko Mladic and Radovan Karadzic and other indictees remain at large. The Serbian Government and Republika Srpska authorities in Bosnia must do more in this regard. I am sure that, if there is sufficient will, we can bring these war criminals to justice. Until there is, I continue to support the effort to condition U.S. assistance to Serbia, which remains in the Foreign Operations Appropriations bill passed by the House last week.

The completion strategy also means other governments must do their part. I am particularly concerned that Russia is a haven for persons indicted by The Hague. One such person believed to be in Russia is Vlastimir Djordjevic, who has been accused of organizing the murder of three Albanian American brothers arrested by Serb authorities in 1999. Their bodies were found in a mass grave in 2001.

I hope that the United States has raised this issue with Russian authorities and will continue to do so, including at the G-8 summit.

I also hope that the United States is devoting sufficient resources to locating at-large indictees. While our intelligence resources are in heavy demand in combating terrorism, I believe we have an interest in seeing this effort completed the right way -- with indictees in The Hague. And until they are in The Hague, the United States, its friend and allies should ensure that the tribunal remains adequately funded.

Finally, I think it is important to note that some cases are being handed to war crimes chambers in the courts of the countries of the region. This is a welcomed development; everyone agrees that justice is best served closer to home. These chambers deserve continued international support as well.

I look forward to hearing from our witnesses today.