



HELSINKI COMMISSION HEARING

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SECURITY AND COOPERATION IN EUROPE

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Mr. Chairman, I greatly appreciate the opportunity to testify here before you today and to contribute to what I believe is a discussion of tremendous importance. The Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR) has played a critical role in advancing democratic ideals in the former Soviet Union since its inception in 1990. Since 1996, the OSCE/ODIHR has observed nearly 50 separate elections in 14 of the 15 former Soviet republics. By contributing to the institution of free and fair elections in the former Soviet space, the OSCE/ODIHR has helped many of these countries throw off the yoke of totalitarianism and embrace a democratic future. Through its efforts to safeguard one of the most fundamental aspects of any functioning democracy, free and fair elections, the OSCE/ODIHR has helped millions of people to choose their own leaders and impact the future of their country.

We live in a time in which the spread of democratic freedoms and ideals play an increasingly important role in world affairs. Under President George W. Bush, U.S. foreign policy has embraced democratic change as a critical factor in ensuring not only its own national security interests, but also in helping to ensure peace and prosperity throughout the globe.

For those of us in the field of democracy development, this shift is as intuitive as it is revolutionary. When a country abandons authoritarian traditions and works toward democratic transition, the resulting increase in stability, prosperity, and personal freedoms benefits not only the citizens of that country, but the citizens of the world. This is precisely why the work of the ODIHR is so critical, and why I believe it is even more relevant today than ever. This is especially true in the former Soviet Union, where many regimes have learned to hide behind an illusion of free and open elections to legitimize their increasingly authoritarian rules. Fraud, voter and candidate intimidation, and the use of administrative resources are regularly employed to manipulate election outcomes. If left unchecked, this manipulation allows corrupt regimes to maintain or even tighten their grip on power through a process meant to ensure government accountability and transparency - the free choice of an informed electorate. The ODIHR, together with organizations like the International Republican Institute, combats this tendency through well-informed and well-documented observation and analysis of elections throughout the former Soviet space.

The important role played by the ODIHR was perhaps most clearly demonstrated during the Ukrainian presidential elections of 2004. In Ukraine, a corrupt regime that had lost the confidence of the population nonetheless tried to force upon voters its vision for the country's future through

the election of a hand-picked candidate. Efforts to control the outcome of the election through widespread fraud and intimidation were thwarted in part by the efforts of election observers who documented and publicized the government's attempts to steal the election in favor of their preferred candidate. In so doing, the OSCE/ODIHR helped give Ukrainians back the voices they had lost, and inspired them to take back their country from a government that had long ago ceased to be accountable to them. The OSCE's conclusion that the Ukrainian election fell far short of international standards also played a critical part in galvanizing international condemnation of the election results and spurred calls for the election to be re-contested. As a result of these efforts, the election results were overturned, a new vote took place, and the true will of the Ukrainian people was made evident.

Unfortunately, the important efforts of the OSCE/ODIHR in counteracting electoral abuses have not been universally welcomed. The Russian Federation has emerged as a dissenting voice within the organization, especially after the so-called "colored revolutions" toppled pro-Kremlin governments in Georgia, Ukraine and Kyrgyzstan. The Kremlin disagreed with Western assertions that the votes in each of these three countries had been rigged, and maintained instead that the mass protests that followed the elections were the result of Western political machinations. Given the OSCE's critical role in recording and disseminating evidence of systemic fraud, Russia began to view the OSCE as less of an impartial observer and more a part of a concerted effort by the West to undermine Russian influence in the former Soviet Union. Publicly, Russia began expressing concern that the OSCE/ODIHR had overstepped its bounds and was interfering in the domestic affairs of sovereign nations.

Russian President Vladimir Putin himself has implied that the ODIHR needed to be reigned in. In February 2006 he stated, "the OSCE was founded as an organization for security in Europe and not just for settling conflicts in the post-Soviet territory." The Russian Federation was especially critical of the role of the OSCE in pointing out election shortcomings in Kazakhstan and, most recently, Belarus.

Russian Foreign Minister Sergei Lavrov said that the OSCE had decided well ahead of time that the election in Belarus would not meet even basic standards, and that this conclusion resulted in biased observations and analysis of the actual election. I would strongly object to any categorization of the OSCE election observation as representative of bias or a double-standard, as the Russian government has claimed. In actuality, the OSCE/ODIHR prevents the application of double standards by providing a measured and objective assessment of elections according to an accepted list of standards. OSCE election observers represent a broad spectrum of nationalities, which prevents the interests of a single country from influencing the mission's conclusions.

In 2005, Minister Lavrov renewed Russian demands that the OSCE undergo fundamental reforms, especially in the sphere of election observation. Their proposed reforms would have undermined the very standards that have made the ODIHR's work so effective in the past. One of the most potentially damaging reforms was to prohibit OSCE missions from releasing even a preliminary report of their findings without approval from the OSCE Permanent Council. First of all, this would have introduced a lengthy delay in a process where time is of great importance – if the OSCE findings are not made immediately available, international and even domestic focus on the issue is lost, and with it, the opportunity to demand action and a redress of complaints. Second of all, the unanimous vote required by the Permanent Council could have given any country the opportunity to "veto" election findings. It seems obvious to many of us that this process would

lead to exactly that kind of politicization of OSCE election observation that Russia claims it is trying to prevent. While I applaud OSCE/ODIHR's attempts to continue to engage Russia in its mission by including Russian citizens in election observation missions and providing training to Russian election observers and officials, I must also warn against allowing the actions of one country to dilute or even counteract the important work of OSCE/ODIHR.

Unable to impose what it describes as "reforms" on the larger OSCE body, the Russian government has taken other steps to maintain a status quo in the former Soviet Union that it believes is in its national interests. Perhaps the most concrete examples of this are the efforts of election observers associated with the Commonwealth of Independent States (CIS), based in Minsk. CIS observer missions, with support from Russia, have released findings that often directly contradict those of the OSCE/ODIHR mission. For example, a CIS observer mission to the March 19, 2006, Belarus presidential election, led by CIS Executive Secretary and former Russian Interior Minister Vladimir Rushailo, found that the election complied with international standards – by any objective assessment, this statement has no basis in fact. I find it difficult to believe that free and fair elections can be held in a climate of fear and intimidation, where opposition forces live in fear of harassment, detention, or violence. Rather, the conclusions seem intended to circumvent the role of the OSCE as an independent arbiter of election standards and aggravate perceptions of a Western bias. It seems evident that it was the CIS observers, rather than those of the OSCE, who saw the election observation as a political opportunity in which the interests of a foreign state trumped the rights of citizens to freely and openly elect their president.

Efforts like this are not only detrimental to the continued development of democracy in the former Soviet Union, but also undermine the credibility of the CIS member countries, especially Russia, as impartial observers and supporters of democratic ideals within their territories. Russia is attempting to portray itself as a different kind of democracy, an alternative to the West in the Eurasia region, but its actions suggest it is more interested in promoting the rule of corrupt, Kremlin-friendly regimes than the will of the people.

In summary, we applaud the efforts of ODIHR since its creation, and we maintain that in a rapidly changing world, the ODIHR's work has become more important than ever. The ODIHR's increasing relevance is especially evident as it seeks to promote democracy in the Eurasia region. As the region's Soviet past becomes more and more distant, there are countries whose commitment to democratic values and freedoms becomes more tenuous. Their attempts to circumvent government accountability through electoral manipulation must not stand, and ODIHR has the ability and expertise to expose sham elections and must continue to do so. Furthermore, the OSCE/ODIHR must not allow itself to be held hostage by countries who find their conclusions to be politically inconvenient – the ODIHR was created through an agreement by all member countries to uphold basic tenets of democracy and human rights, and these are the standards it must maintain. Thank you.