



**BUDGET REQUEST**

**COMMISSION ON SECURITY AND**

**COOPERATION IN EUROPE**

**FISCAL YEAR 2013**

Commission on Security and Cooperation in Europe  
Budget Request for Fiscal Year 2013

## **I. Budget Authority and Appropriation Request for FY 2013**

The Commission was created on June 3, 1976, pursuant to Public Law 94-304, codified as 22 U.S.C. 3001, et. seq. This statute authorizes and directs the Commission ". . . to monitor the acts of the signatories which reflect compliance with or violation of the articles of the Final Act of the Conference on Security and Cooperation in Europe, with particular regard to the provisions relating to human rights and Cooperation in Humanitarian Fields." Information on the Commission's activities in 2011 is submitted pursuant to the provisions of 22 U.S.C. 3006.

The Final Act was agreed to in Helsinki in 1975 by 35 countries, including the United States, Canada, West and East European states, and the Union of Soviet Socialist Republics. The states which emerged as a result of the breakup of the USSR, Czechoslovakia, and Yugoslavia subsequently joined the Helsinki process, at which time each new participating State signed the Helsinki Final Act and explicitly and unconditionally agreed to all commitments of the Helsinki process. OSCE membership now embraces 56 countries from Vancouver to Vladivostock.

Algeria, Egypt, Israel, Jordan, Morocco and Tunisia are OSCE Mediterranean Partners for Cooperation, and Afghanistan, Australia, Japan, Mongolia, the Republic of Korea and Thailand are Partners for Cooperation. (See Appendix (C) for a list of OSCE participating States and Partners).

As of January 1, 1995, the Conference on Security and Cooperation in Europe (CSCE) was renamed the Organization for Security and Cooperation in Europe (OSCE). The organization is headquartered in Vienna, Austria. Specialized offices of the OSCE are also in The Hague and Warsaw, and the OSCE maintains field offices in a number of other countries. The OSCE Parliamentary Assembly is based in Copenhagen, Denmark.

In accordance with section 3 of Public Law 99-7 (March 27, 1985), codified as title 22 U.S.C. 3007(a), there are authorized to be appropriated to the Commission for each fiscal year such sums as may be necessary to enable it to carry out its duties and functions.

For fiscal year 2013, the Commission requests an appropriation of \$2,579,250 for salaries and expenses, in keeping with the President's budget request for fiscal year 2013.

## **II. Commission Membership**

The Commission is composed of twenty-one Commissioners, nine each from the United States Senate and the U.S. House of Representatives, appointed respectively by the President of the Senate and the Speaker of the House. In addition, there are three Commissioners from the executive branch, one each from the Departments of State, Defense, and Commerce, appointed by the President of the United States.

At the beginning of each odd-numbered Congress, the President of the Senate designates a Senate Member as Chairman and the Speaker designates a House Member as Co-Chairman. At the beginning of each even-numbered Congress, the Speaker designates a House Member as Chairman and the President of the Senate designates a Senate Member as Co-Chairman. (See Appendix (A) for the list of Commissioners in the 111<sup>th</sup> Congress).

### **III. Commission Personnel**

Staff responsibilities for the reporting period are noted in Appendix (B). Over the years, the Commission has benefited from the assignment of a Senior Foreign Service Officer, detailed from the Department of State on a full-time basis. The Government Printing Office also details a printing clerk to the Commission on a full-time basis.

Since its establishment, the Commission has maintained a small but highly motivated and exceptionally capable professional staff. In addition to their expert knowledge in the geographical areas of the OSCE and in the human rights, military security, and economic and environmental dimensions of the Helsinki process, current staff members are proficient in languages including Azerbaijani, Belarusian, Chinese, French, German, Italian, Polish, Portuguese, Romanian, Russian, Spanish, and Ukrainian.

Moreover, due to the extensive experience and service of the Commission staff and their primary focus on OSCE issues, the Commission provides a continuity and unmatched reservoir of institutional knowledge within the U.S. government on such matters, and helps contribute to the development of a consistent and principled policy in keeping with its statutory mandate. This institutional knowledge has been utilized by the Congress and U.S. government agencies, most especially the Department of State, in its preparation for and participation in a wide variety of OSCE meetings, as well as by non-governmental organizations and private sector institutions and think tanks. The OSCE community has also recognized the Commission's unique leadership, knowledge and talent, consulting with Commission staff in preparation for meetings and drafting of documents, and other OSCE-related initiatives.

### **IV. Implementing the Commission's Mandate in the 112th Congress, 1st Session**

Commission engagement at home and abroad offers a unique avenue for promoting U.S. national interests in the security, economic, and human dimensions. The Commission's unique composition allows it to affect both U.S. foreign policy and congressional support for specific policies, while its expert practice of public diplomacy vigorously advances American values, ideals, and principles.

The Commission is mandated to monitor participating States' compliance with provisions of the Helsinki Final Act and subsequent OSCE agreements, with particular attention to human rights. All OSCE commitments, including those in the human dimension have been adopted on the basis of consensus by all participating States. These human rights commitments encompass a broad array of issues, including the freedoms of speech, media, assembly, association and movement; religious liberties; and the treatment of ethnic, religious, and linguistic minorities. In 1991, the participating States at the Moscow Conference on the Human Dimension specifically recognized "the commitments undertaken in the field of the human dimension of the [Helsinki process] are matters of direct and legitimate concern to all participating States *and do not belong exclusively to the internal affairs of the State concerned.*" [Emphasis added.]

Of the 56 OSCE participating States, the Commission pays particular attention to those where

persistent violations of human rights or democratic norms occur (especially states where authoritarian regimes cling to power); to countries and regions in which there is potential, ongoing or residual conflict; and to countries where particular political developments open windows of opportunity to advance specific human rights achievements. Additionally, the Commission has focused on some aspects of the United States' own implementation record, engaging with relevant officials with the aim of bringing laws, policies and practices into conformity with existing OSCE commitments.

The Commission pursues its mandate in a variety of ways. First, specific instances of human rights abuses or shortcomings are often raised with the country of concern. Members of the Commission may engage directly with that country's officials and representatives (at home or abroad), and through correspondence. Commissioners occasionally offer relevant legislation, resolutions and Congressional Record statements. When warranted by human rights improvements, Commissioners draw attention to positive developments as well.

Members of the Commission regularly communicate their views to senior officials at the Department of State and other relevant U.S. government agencies and, when necessary, seek to raise or improve the level of U.S. engagement regarding specific countries, cases or issues, including related OSCE policies. Ongoing staff contact with the U.S. Mission to the OSCE, the State Department country desk officers and human rights officers at U.S. Embassies abroad – posts with noticeably high turnover – helps ensure that these offices are kept informed of longstanding or emerging issues of concern to Commissioners. Significantly, the work of the Commission has resulted in considerable success in helping to resolve individual cases of human rights violations.

Hearings and briefings offer the most public forum to highlight violations of human rights and other OSCE commitments. For certain topics, Administration officials testify on U.S. government policies, and Commissioners have also utilized these hearings to press the executive branch to take more resolute actions where circumstances warrant. These hearings find an audience among other U.S. government agencies, non-governmental organizations, the media, the general public, and among embassy personnel and other officials from OSCE participating States. Webcasting has expanded their reach. Moreover, as a tool for applying international pressure on their own officials, the records of these public hearings and briefings are highly valued by human rights activists throughout the OSCE region. (For a complete listing of Commission hearings, briefings, reports, and articles, see Appendix (D).)

Commissioners or Commission staff members have served as members of U.S. delegations to every major OSCE human rights meeting since the Commission was established, a fact which strengthens the Commission's institutional knowledge and influence. The multilateral context affords the Commission an important venue for advancing its mandate to monitor and promote compliance by OSCE participating States with their freely undertaken commitments. In particular, within the context of OSCE fora, specific violations of commitments are raised directly with the States concerned. Finally, participation in these meetings uniquely enables the Commission to contribute to the process of standard-setting and establishing priorities and goals to advance implementation of the OSCE commitments, and to monitor the organizational development of the OSCE.

Although an independent agency of the U.S. government with Commissioners from both the executive and legislative branches, the Commission's leadership rests in the Congress and its membership is primarily drawn from the Congress. This structure reinforces an understanding in foreign capitals that the Congress and the American people attach significant importance to respect for individual human rights and other aspects of the Helsinki process. The Commission's bipartisan and bicameral nature, its tenure, and its efforts reaffirm that respect for such rights is a matter of basic principle for Americans. Equally importantly, the Commission's work facilitates an understanding by foreign governments of the singular involvement of the U.S. Congress in foreign affairs, an aspect of American politics that is often not well understood overseas.

The Commission continues to be an active and highly effective proponent of public diplomacy, reaching out to the private sector, think tanks, media, public groups and individuals to explain and promote the principles of the Helsinki Final Act and other OSCE documents. Commissioners and staff attended public fora, delivered presentations, lectured at the Foreign Service Institute and other venues, participated in panel discussions, made media appearances in both the domestic and foreign press – especially the Voice of America and Radio Free Europe/Radio Liberty – in an effort to heighten public awareness of Helsinki commitments and of issues involving specific OSCE participating States, and engaged both organizations and individuals in the promotion of democracy, human rights, and the rule of law as essential components of European security and cooperation. Again, these activities reinforce in the public mind the leadership of the Congress on individual rights, issues the American people care about very deeply.

The Commission has been particularly instrumental in introducing private citizens directly into the activities of the OSCE by supporting the inclusion of public members on U.S. delegations to OSCE meetings, seminars and specialized events. With the guidance and assistance of Commission staff, these individuals have made important contributions to these meetings and have acquired for themselves a unique awareness of the value and mission of the OSCE. The Commission has also been the single most active voice for ensuring that the meetings and processes of the OSCE are as transparent as possible, and that non-governmental organizations can have full participation in OSCE human dimension activities.

## **V. Human Rights in the OSCE Region**

### **V.A. Fits and Starts: Belarus, Russia, Ukraine, and Hungary**

The brutal, post-December 19, 2010, election crackdown in Belarus, the country with the worst human rights and democracy record in Europe, elicited strong reaction from the Commission. Throughout the year, the Commission issued press releases and statements addressing the ongoing repressions. A Commission hearing, "Belarus: Ongoing Crackdown and Forces for Change," was held on November 15. The hearing featured Ales Mikhalevich, an opposition candidate for the presidency, who described the torture and ill-treatment that he and others endured in a KGB prison following the crackdown, as well as representatives from Freedom House and the National Endowment for Democracy. On December 19, the anniversary of the crackdown, the Chairman held a press conference at which he called for the release of political prisoners and cessation of repression.

Legislation authored by Chairman Smith, the Belarus Democracy and Human Rights Act of 2011

(BDHRA), initially passed the House on July 6 and was approved by the Senate with two technical amendments on December 14. Final passage by voice vote took place on December 20. The BDHRA strengthens and expands the Belarus Democracy Acts of 2004 and 2006, which the Chairman also authored. In the lead-up to House passage, Chairman Smith chaired a subcommittee hearing in the Committee on Foreign Affairs, and, in April, a mark-up of the BDHRA. Commission staff were involved in substantive preparations regarding the legislation, including statements, press releases, and correspondence. Commission staff also drafted language concerning Belarus for the U.S. delegation to the October OSCE Human Dimension Implementation Meeting and consulted with the State Department and NGOs on policy towards Belarus.

On the Russian front, 2011 began with relative calm internally and in U.S.-Russian relations following the Christmastime ratification of the NEW START treaty by the Senate. While the Kremlin continued its positive rhetoric on the rule of law and human rights, the gap between words and actions widened. Nowhere was this in sharper relief than on the matter of official corruption, widely seen in and outside Russia as a systemic brake on progress – social and economic. The Commission continued its high-profile efforts to seek justice in the case of Sergei Magnitsky, a tax lawyer working for an American firm who was arrested, tortured, and ultimately killed for exposing massive government corruption. The evidence in his case is overwhelming and proves in one case what many suspect in so many other cases of human rights abuses. A major part of the Commission’s Russia strategy was the introduction of legislation that targets specific violators of human rights for travel and banking sanctions. During the spring, draft laws were introduced in both chambers and with broad bipartisan support. At a summer hearing before the House Foreign Affairs Committee, David Kramer, Executive Director of Freedom House (and former Commissioner), a leading NGO in the field of human rights, testified, “...In the absence of accountability in Russia, this draft bill has already done more for the cause of human rights there than anything done by the Obama administration (or by the Bush Administration in which I served).”

Commission leaders also took to the Senate floor and the pages of the Congressional Record to highlight the gap between Russia’s OSCE commitments and behavior. Additionally, the Commission addressed Russia’s compliance through briefings, press releases, and active engagement in the interagency process. Further, the Commission maintained frequent and high-level contact with leaders of Russia’s civil society and political opposition. On more than one occasion, these Russians expressed in writing that the Commission’s focus and moral support has been a powerful motivator of their activity. 2011 came to a close with unprecedented and peaceful street protests in Moscow and across the Russian Federation protesting rampant fraud in the December Duma elections and seeking a greater role for the public in their own government.

The Commission expressed strong concern about the deteriorating situation of human rights and democracy which began with the election of President Viktor Yanukovich in February 2010. By the start of 2010, Ukraine’s Freedom House ranking had fallen from “Free” to “Partly Free.”

The backsliding accelerated in 2011, with the selective and politically motivated prosecutions of high-ranking officials from the previous government, most notably, former Prime Minister and leading opposition figure Yuliya Tymoshenko. Chairman Smith and Co-Chairman Cardin issued a statement immediately following Ms. Tymoshenko’s October 13 conviction to seven years in

prison for executive decisions she made in 2009, expressing dismay and alarm and raising doubts regarding Ukraine's commitments to OSCE human rights, democracy and rule of law standards and suitability to assume the Chairmanship of the OSCE in 2013.

In June, Chairman Smith issued a statement on Ukraine's democratic reversals, noting worrisome trends, including consolidation of power in the presidency, backpedaling with respect to freedom of expression and assembly, pressure on the media, flawed local elections, corruption, and the lack of rule of law and an independent judiciary. The Commission also made these concerns known in Commission hearings, and in direct, private interventions with a variety of Ukrainian senior officials and parliamentarians throughout the year.

### **V.B. Internet Freedom and Freedom of the Press**

The Commission has been actively promoting the fundamental freedom of expression within the OSCE region, with a particular focus on protecting freedom of expression online.

China (creator of the "Great Firewall") and Iran (which crushed the Twitter revolution in 2009) generally come to mind as the two countries that pose the greatest threats to Internet freedom, but disturbing trends in countries that are all members of the Organization for Security and Cooperation in Europe (OSCE) are calling that perception into question.

- Belarus is blocking the social network sites Twitter, Facebook and Vkontakte (the Russian-language Facebook equivalent) or temporarily shutting down opposition Internet sites in order to prevent organization of street protests.
- Even though Russia does not actively censor terms or significantly block access to information on the Internet, it still is a place where bloggers and journalists are fearful. According to the Committee to Protect Journalists, "Online journalists in Russia and throughout the region--whose work appears on the Russian-language Internet known as the Runet--have faced physical intimidation, attacks, and threats for far longer than has been widely noted in either Moscow or the West." Experts say that Runet controls are not only mirroring past oppression, they're foreshadowing the future of Internet control worldwide.
- Uzbekistan, Kazakhstan and Turkmenistan all have significant Internet filtering systems with broad restrictions on what should be considered protected political speech.

In order to draw attention to the issue, the Commission held a hearing on July 15, 2011 entitled, "The Promises We Keep Online: Internet Freedom in the OSCE Region." The witnesses were Dr. Daniel Baer, Deputy Assistant Secretary for Democracy, Human Rights and Labor, Department of State; Ms. Dunja Mijatović, OSCE Representative on Freedom of the Media; The Honorable David J. Kramer, President, Freedom House; Mr. Rafal Rohozinski, Senior Scholar, Canada Center for Global Security Studies and the Citizen Lab (University of Toronto) and Mr. Ivan Sigal, Executive Director, Global Voices.

In December 2011, Chairman Smith introduced in the House the "Global Online Freedom Act of 2011" (H.R. 3605) to address the issue of protecting online freedom of expression through greater diplomatic efforts and by ensuring that U.S. businesses do not cooperate with repressive governments in transforming the Internet into a tool of censorship and surveillance.

### **V.C. Combating Anti-Semitism, Racism, Discrimination and Xenophobia**

The Commission continued to monitor and combat intolerance and discrimination in the OSCE region amidst a rise in prejudice and violence towards Roma, Muslim, migrant and other minority communities, most sharply illustrated by the July 22, 2011, Norwegian tragedy where a lone gunman launched two attacks that resulted in 77 deaths and more than 100 injuries purportedly motivated by his concern that Muslims and migrants in Europe were threatening western civilization and the revelations in November that an underground neo-Nazi cell responsible for killing ten people, mostly of migrant origin, has operated in Germany for over a decade.

In light of the rise of extremist parties and movements and the growth of intolerance fueled by the economic crisis and events in the Middle East, anti-Semitism also remained an issue of concern. On December 2, 2011, the Commission held a Hearing entitled Combating Anti-Semitism in the OSCE Region: Taking Stock of the Situation. The hearing focused on political transitions in the Arab world and their impact on Muslim-Jewish relations in Europe, the importance of engagement with Muslim communities in Europe, growing nationalist and extremist movements that target religious and ethnic minorities, and Holocaust relativism (attempts to conflate other events that entailed great human suffering with the Holocaust). Witnesses also discussed the roles of the OSCE, U.S. government, and Congress in addressing continuing issues of anti-Semitism at home and abroad. Witnesses were: Hannah Rosenthal, U.S. State Department Special Envoy to Monitor and Combat Anti-Semitism; Rabbi Andy Baker, Personal Representative of the OSCE Chair-in-Office on Combating Anti-Semitism; Stacy Burdett, Director, Gov't and National Affairs, Anti-Defamation League; Eric Fusfield, Director, Legislative Affairs, B'nai B'rith International; Mark Levin, Executive Director, National Conference on Soviet Jewry; and Shimon Samuels, Director of International Relations, Simon Wiesenthal Center.

Since 2007, there has been an escalation of violence against Roma, Europe's largest ethnic minority, including by sniper fire, Molotov cocktail attacks, and anti-Roma rioting; anti-Roma riots broke out in 14 Bulgarian cities in October, just before local and presidential elections. The Commission leadership drew attention to on-going efforts to hold perpetrators of this violence accountable, especially in the Czech Republic and Hungary. They also welcomed the Polish parliament's decision to establish August 2 as a day of remembrance for Romani victims of Nazi genocide.

On June 29, 2011, the Commission held a screening of a documentary on school desegregation. The film "Our School" followed three Romani children in a rural Transylvanian village who are among the pioneer participants in an initiative to integrate the ethnically segregated Romanian schools. The event was followed by a discussion with Costel Bercus, Chair of the Roma Education Fund Board, Serban Brebenel, Embassy of Romania, and Mona Nicoara, the film's Director and Producer.

Several other Commission initiatives addressed issues of racism, xenophobia, and efforts to counter discrimination.

On March 24, the Second Annual Transatlantic Minority Political Leadership Conference was held by Members of the European Parliament in cooperation with Commissioner Alcee L. Hastings. The Transatlantic Minority Political Leadership Conference has taken place annually at the headquarters of the European Parliament in Brussels since the seminal Black European

Summit (BES): Transatlantic Dialogue on Political Inclusion, held in 2009. The events focus on Black and ethnic minority political participation in Europe and North America. This year's Conference focused on the social and political inclusion of ethnic and racial minority populations in Europe and the United States. Participants considered the adoption of an EU-U.S. Joint Strategy on Racial and Ethnic Equality, similar to current United States' initiatives with Brazil and Colombia that address issues of inequality and discrimination. U.S. participants included Commissioner Hastings, and Representatives Gregory Meeks and Barbara Lee.

On July 12, the Commission hosted a follow-up meeting between Members of Congress and the European Parliament to discuss draft language for a Joint European Union – United States strategy to address racial and ethnic equality and inclusion as a follow-up initiative of the Transatlantic Minority Political Leadership. Commissioners Alcee Hastings and Steve Cohen joined a September 29 letter to Secretary Clinton requesting the adoption of an EU-U.S. Joint Action Plan on Racial and Ethnic Equality and Inclusion and the development of related department-wide strategy at the State Department.

On September 8, 2011, OSCE Parliamentarians Special Representative on Gender Issues, Hedy Fry, Special Representative on Migration, Kathleen Ferrier, and Special Representative on Mediterranean Affairs, Commissioner Hastings sent the Lithuanian Chair in Office a joint letter requesting that the OSCE, as a Chapter VIII organization of the United Nations, recognize the United Nations designation of 2011 the International Year for People of African Descent (YPAD) and increase efforts to combat racism and xenophobia in the OSCE region. Subsequently, Commission staff participated in the OSCE Supplementary Human Dimension Meeting on Prevention of Racism, Xenophobia and Hate Crimes through Educational and Awareness-Raising Initiatives held November 10-11.

#### **V. D. Trafficking**

The Commission continued to address the worldwide epidemic of human trafficking, including both sex trafficking and various forms of labor trafficking. To this end, Commission staff worked with the ODIHR Anti-Trafficking Unit, OSCE Anti-Trafficking Assistance Unit and OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings Maria Grazia Giammarinaro to influence the direction and scope of their work. Chairman Chris Smith, who serves as the OSCE PA Special Representative on Human Trafficking Issues, advised, through periodic reports and consultations, members of parliament and representatives of the executive branch for countries across the OSCE region on best practices to fight human trafficking.

Trafficking in human beings remains a critical challenge in the OSCE region and a matter of priority for the Helsinki Commission. Unfortunately, victim identification and labor trafficking prosecutions and convictions also slumped in most OSCE countries in the past year. In response to the negative trends, Chairman Smith worked with Vilija Abramikiene of Lithuania and Co-Chairman Benjamin Cardin to offer a supplementary resolution on “Combating Labor Trafficking in Supply Chains” that was adopted at the 2012 OSCE PA Annual Meeting in Belgrade. This supplementary resolution urged member states to prosecute labor trafficking occurring within their borders and to provide protection for labor trafficking victims rescued

within their borders. The resolution also called on member states to ensure that all goods procured by the government are free from raw materials and finished products produced by labor trafficking, and encouraged transparent corporate policy regarding labor trafficking.

In May 2011, recognizing the vulnerabilities of displaced persons as they relate to human trafficking, Commission staff attended the OSCE Special Thematic Event on Internally Displaced Persons and Refugees in Vienna, Austria. On the margins of this meeting, staff held additional consultations with the Special Representative and Coordinator for Trafficking in Human Beings and the OSCE Strategic Police Matters Unit on vulnerabilities associated with displacement. As a follow-up, in June 2011 Commission staff attended the 11<sup>th</sup> Alliance against Trafficking in Persons “Preventing trafficking in Human Beings for Labor Exploitation: Decent Work and Social Justice.” This meeting highlighted labor migration policies and anti-trafficking action, as well as innovative tools to combat trafficking for labor exploitation.

Chairman Smith raised human trafficking concerns in numerous Helsinki Commission hearings throughout the year, as well as held three hearings that focused specifically on human trafficking. In May 2011, Chairman Smith convened a hearing on “Labor Trafficking in Troubled Economic Times: Protecting American Jobs and Migrant Human Rights,” which included testimony from the U.S. Ambassador to Monitor and Combat Trafficking in Persons, the International Labor Organization, the U.S. Department of Labor, the Solidarity Center, and Actress Julia Ormond, who founded the Alliance to Stop Slavery and End Trafficking. The hearing highlighted the importance of government and corporate responsibility for labor trafficking in supply chains. In November 2011, Chairman Smith chaired a hearing on “Human Trafficking and Transnational Organized Crime,” which featured Piero Bonadeo, Deputy Representative to the United Nations Office on Drugs and Crime (UNODC), New York, the United States Department of Justice and Freedom Network USA. In July 2011, Chairman Smith convened a hearing on “Minority at Risk: Coptic Christians in Egypt,” at which he received testimony from Michele Clark, the former Head of the Anti-Trafficking Assistance Unit at the OSCE, regarding her report on the abduction, forced conversion, and forced marriage of Coptic women and girls, who are thereby cut off from their families and communities.

The Commission continued to be engaged in local efforts to combat trafficking for labor exploitation, further solidifying its engagement with the Bureau of International Labor Affairs, United Nations Children’s Fund (UNICEF) and the Protection Project at Johns Hopkins School of Advanced International Studies. Additionally, Commission staff also advised Commissioners throughout the pending reauthorization of the Trafficking Victims Protection Act. Commission staff also advised the development of new legislative initiatives to address trafficking for labor exploitation, specifically working with newly appointed Commissioner Senator Marco Rubio (FL). Commission staff also supported efforts of the U.S. Mission to the OSCE to advance efforts to combat trafficking in consultations with diplomatic delegations. These efforts led to a substantial Commission staff contribution to the development and negotiations of the 2011 OSCE Ministerial Declaration on All Forms of Human Trafficking (MC.DOC/1/11).

## **V. E. Hot and Cold Conflicts and Post-Conflict Progress**

The OSCE focuses significant attention on dealing with various stages of conflict both within and between participating States: early warning, conflict prevention, crisis management, and

post-conflict rehabilitation. In 2011, the Helsinki Commission focused on situations where there was the potential for long-frozen conflicts to reignite, for post-conflict situations to once again turn violent, or for post-conflict human rights abuses to create new conflict.

### ***Kyrgyzstan***

In 2011, the situation in Kyrgyzstan, where the United States has a major air base supporting troops in Afghanistan, remained fragile following a revolution and major inter-ethnic violence in 2010. The system of government in Kyrgyzstan was changed following the ouster of then-President Bakiev in 2010 to give more power to the parliament. Parliamentary elections were held in late 2010, and a presidential election in October 2011. The presidential election – in which a new president was elected to replace the interim president appointed following the revolution - marked the first peaceful, voluntary change of power in Central Asia since the fall of the Soviet Union.

Despite the political progress, there were continued concerns about human rights, ethnic tension, and rising ultra-nationalism. Violence in June 2010 in southern Kyrgyzstan, where there is a large ethnic Uzbek population, left at least 400 dead. Thousands of homes and businesses were destroyed. The situation remained deeply unstable throughout 2011.

In June, the Helsinki Commission held the hearing “Addressing Ethnic Tension in Kyrgyzstan,” to discuss ways rising ethnic tension could be addressed and further violence prevented, and to focus on the report of the International Commission of Inquiry into the Events in Southern Kyrgyzstan in June 2010 (KIC). The KIC report concluded that some acts committed could constitute crimes against humanity if proven in a court of law, and made recommendations to address the current situation and facilitate post-conflict reconciliation. The Chairperson of the KIC, Mr. Kimmo Kiljunen, testified, along with Ambassador of the Kyrgyz Republic to the United States Muktar Djumaliev, Carnegie Endowment for International Peace Senior Associate Dr. Martha Olcott, and Johns Hopkins University (SAIS) Professorial Lecturer Dr. Alisher Khamidov.

In October, Commission staff observed the presidential election as part of the OSCE Parliamentary Assembly election mission, and visited a political prisoner, ethnic-Uzbek human rights activists Azhimzhon Askarov in prison.

In December, Chairman Smith met with Kyrgyz Ambassador Djumaliev to discuss follow-up on issues raised at the hearing, as well as ongoing concerns about the suspension of international adoptions in Kyrgyzstan.

### ***Southeastern Europe/Western Balkans***

During 2011, the countries of Southeastern Europe/Western Balkans continued to make moderate progress in recovering from a decade of conflict which started 20 years ago and caused major human rights violations, economic collapse and fragile democratic transition. All Western Balkan countries, including NATO members Albania and Croatia, have continued their efforts to realize their aspirations for European Union membership, although some made significantly more dramatic progress toward integration than others. The situation in Bosnia-Herzegovina and Kosovo continued to dominate international attention and concern.

Ongoing Commission efforts sought to encourage further progress through U.S. policy as well as OSCE activity, with a particular focus on holding free and fair elections, combating trafficking in persons, encouraging the return of displaced persons, responding to the plight of Roma, and calling for the prosecution of those responsible for war crimes, crimes against humanity and genocide. These efforts were reflected in Commission participation in various seminars, conferences and other events, as well as in engagement with the U.S. State Department, diplomatic representatives of the countries concerned, representatives of OSCE institutions and field missions, various human rights and ethnic non-governmental organizations and the press.

Some Commission hearings, while more broadly focused, covered developments in the Western Balkans as part of the OSCE region as a whole. The Commission did also convene two formal briefings with an exclusively Balkan focus. The first covered “Local Elections and Political Instability in Albania” in early June, featuring Jonathan Stonestreet, head of the OSCE Election Observation Mission in Albania; Rob Benjamin from the National Democratic Institute for International Affairs; and Janusz Bugajski from the Center for Strategic and International Studies. The second was a “Spotlight on Bosnia-Obstacles to Progress and Recommendations for the International Response” in late July, featuring former U.S. Ambassador to Bosnia-Herzegovina Clifford Bond; Kurt Bassuener from the Sarajevo-based Democratization Policy Council and Nida Gelazis from Woodrow Wilson International Center for Scholars.

The year 2011 provided several opportunities for the Helsinki Commission leadership to visit Western Balkan countries and to focus on developments in these countries. For example, during the July OSCE Parliamentary Assembly Annual Session in Belgrade, Serbia, Co-Chairman Benjamin L. Cardin and Commissioner Jeanne Shaheen met with Serbian President Boris Tadic, National Assembly Speaker Slavica Djukic-Dejanovic, chief Kosovo technical talks negotiator Boris Stefanovic, several representatives of civil society and the Romani and Jewish communities in Belgrade. Serbia’s internal progress in its democratic transition was widely acknowledged, while differences regarding regional issues were frankly discussed.

The visit to Serbia also allowed Commissioner Shaheen to visit Bosnia-Herzegovina, where progress in forming a government and adopting political and economic reforms were stymied. Arriving two days prior to the 16th anniversary of the genocide at Srebrenica, the Senator visited the offices of the International Commission on Missing Persons and stood next to Bosniak presidency member Bakir Izetbegovic and U.S. Ambassador Patrick Moon to pay respects as a procession of 613 victims to be buried during a memorial service passed by. She also met with Social Democratic Party Chairman Zlatko Lagumdzija, a group of women entrepreneurs and NGO representatives, and leaders of the international presence in the country.

In October, Chairman Christopher H. Smith along with Commissioners Robert B. Aderholt and Mike McIntyre similarly visited Croatia in conjunction with the OSCE Parliamentary Assembly Fall Meetings. During their visit, they met with Croatian President Ivo Josipovic and Prime Minister Jadranka Kosor to discuss the country’s upcoming elections and pending membership in the European Union. Chairman Smith also visited neighboring Bosnia-Herzegovina, where he met with local leaders to discuss religious freedom issues and with groups engaged in programs to assist vulnerable individuals in the country. The Fall Meetings themselves allowed for a close examination of the situation throughout the Western Balkans, including active Commission

engagement with the heads of OSCE field missions to Albania, Bosnia-Herzegovina, Croatia, Kosovo, Macedonia, Montenegro and Serbia who were all present.

Throughout the year, the Commission leadership also met with numerous visitors to Washington from the Balkans, including Serbian Foreign Minister Vuk Jeremic and Albanian Environment Minister Fatmir Mediu in January, Deputy Albanian Foreign Minister Edith Harxhi in February, Bosnia's Social Democratic Party leader Zlatko Lagumdzija in April, U.S. Ambassador to Albania Alex Arvizu in June, U.S. Ambassador to Bosnia-Herzegovina Patrick Moon in September, Roman Catholic Cardinal Vinko Puljic of Sarajevo in November, and Montenegrin Parliament Speaker Ranko Krivokapic in December.

The Commission leadership commented with public statements and correspondence on Balkan developments during the course of 2011. Perhaps the most significant development eliciting such commentary was the May capture by Serbian authorities of Ratko Mladic, an at-large indictee for war crimes, crimes against humanity and genocide for his leading role in numerous atrocities in Bosnia-Herzegovina from 1992 to 1995, including the Srebrenica genocide. The Commission Chairman and Co-Chairman publicly welcomed the news of Mladic's transfer to The Hague for trial, action they have each vigorously sought for years including through legislation, and Chairman Smith was interviewed extensively by the Voice of America on the issue. Several Commissioners joined a letter to Serbian President Tadic expressing appreciation that Mladic was finally in custody. Similar efforts followed the capture of the last at-large indictee, Goran Hadzic, also in Serbia in July.

### *The Caucasus*

2011 marks the 20th anniversary of the breakup of the USSR. One of the most unfortunate legacies of that historic process is the persistence of unresolved conflicts in the Caucasus, which erupted before 1991 and have had a huge impact on independent Armenia, Azerbaijan and Georgia over the last two decades. Apart from the human cost -- measured in deaths, casualties, disrupted lives and over one million refugees -- the failure to resolve these conflicts has been a constant threat to peace and stability in the region. The Russia-Georgia war of 2008 showed how quickly supposedly frozen conflicts can heat up, becoming the focus of attention of the international community. Moreover, all the countries and peoples of the Caucasus would benefit from economic integration and using natural and human resources for purposes of development. Instead, significant assets are being devoted to military purposes.

Behind these conflicts, two Helsinki principles stand in tension: the right of states to territorial integrity and the right of peoples to self-determination. After two decades of mediation, the contending parties still refer to these two principles as their guiding lights and justification; neither the negotiators nor the international community have been able to bridge the gap.

In December, the Commission held a briefing on the unresolved conflicts in the Caucasus, with Rep. Burgess presiding, which examined the situation in Nagorno-Karabakh, Abkhazia and South Ossetia. The witnesses were Senior Associate at the Carnegie Endowment for International Peace Tom de Waal, Senior Fellow at the Brookings Institution Fiona Hill, and Senior Fellow at the American Foreign Policy Council Wayne Merry. Unfortunately, the prospects for settlement are gloomy. Despite the efforts of the OSCE Minsk Group and the occasional exuberant claims of imminent success, the Nagorno-Karabakh conflict today looks little different than 15 years

ago. In Abkhazia and South Ossetia, things are even worse, in that after the 2008 Russia-Georgia war, Moscow recognized the independence of these two separatist entities.

### ***Transnistria (Moldova-Russia-Ukraine)***

Moldova, which has made steady progress toward greater implementation of OSCE commitments, remains torn down the middle since 1992's armed conflict with separatists – backed by Russia – on the eastern bank of the Dnestr river commonly known as Transdnistria.

In June, the Commission held a briefing to explore near-term prospects for a breakthrough in the Transnistrian conflict. Building upon the impetus from Vice President's Bidens March visit to Moldova, coupled with renewed interest within the Congress and the European Union over the past year, the briefing also examined how the existing security and governance conditions in the region affect the human rights and humanitarian situations on the ground. The Honorable Igor Munteanu, Moldovan Ambassador to the U.S., Mr. Vladimir Socor, Senior Fellow, Jamestown Foundation, Mr. Vlad Spanu, President of the Moldova Foundation in Washington, DC, and Mr. Lyndon K. Allin, Corporate lawyer based in DC and 2008-2009 IREX US Embassy Policy Specialist in Chisinau presented statements for the briefing.

## **V. F. Legacies of the Past**

### ***Northern Ireland***

The Helsinki Commission has focused on Northern Ireland in an ongoing effort to bring closure for past wrongs, and in March 2011 the Commission convened a hearing on “Northern Ireland: Why Justice in Individual Cases Matters” featuring family members of people killed in Northern Ireland and their continued desire to know the truth regarding possible British Government collusion in the murders. The witness list included John Finucane, son of murdered human rights lawyer Patrick Finucane (1989); John Teggert, son of Ballymurphy massacre victim Daniel Teggert (1971); Cairan McAirt, grandson of McGurk's Bar bombing victim Kitty Irvine (1971); and Robert McCord Sr., father of murder victim Robert McCord Jr. (1997) They were joined by Jane Winter, Director of British Irish Rights Watch.

### ***Property Claims***

During the course of 2011, the Commission followed developments leading to the passage of a law on property restitution in Serbia. The law was linked closely to Serbia's desire to make progress in European integration. The Commission heard of numerous concerns with the draft, the chief of which was the exclusion of claims for property confiscated prior to the communist period, and raised these concerns at various levels with Serbian officials. The final version of law did seek to accommodate this and some other concerns.

The Commission leadership also urged the Polish Government to reconsider a decision to shelve work on draft legislation intended to provide some measure of justice to those whose property was wrongly confiscated as part of the persecutions of the Nazi and Communist periods.

### ***Bosnia War Crimes***

While encouraging the people of Bosnia-Herzegovina to look forward, the Helsinki Commission continued its efforts to bring closure to surviving victims of past atrocities. This included public

statements by the Commission Chairman Christopher H. Smith and Co-Chairman Benjamin L. Cardin welcoming the apprehension and transfer to the International Criminal Tribunal for the former Yugoslavia the last two at-large indictees for war crimes, crimes against humanity and genocide, including Bosnian Serb military leader Ratko Mladic, as well as Commissioner Jeanne Shaheen's focus in Sarajevo on resolving missing persons cases and the burial of over 600 victims of the 1995 Srebrenica Massacre. Chairman Smith also made a statement in the Congressional Record remembering the victims of the Omarska concentration camp operated by Bosnian Serb militants in 1992.

### ***Sterilization of Romani Women***

Based on eugenics theories, the Czechoslovak communist state targeted Romani women for sterilization. Although the sterilization policy ended with the fall of communism, the practice continued sporadically in both the Czech and Slovak Republics. The Helsinki Commission has reported on this egregious abuse since the late 1980s and, for over a decade, has urged that the Czech and Slovak Governments implement measures to ensure this practice is ended, acknowledge the past wrongs, and provide a meaningful remedy for victims. In a landmark case in November, the European Court on Human Rights found that the sterilization without informed consent of a Romani woman in Slovakia had violated article 3 of the European Convention on Human Rights, the prohibition on inhuman or degrading treatment, and article 8, the right to family life.

## **VI. OSCE Mediterranean Partners: Implications of the Arab Spring**

The year 2011 was defined by popular uprisings in the Middle East and North Africa that shook the very foundations not just of the states concerned, but the entire region. Movements in OSCE Mediterranean Partner States Tunisia, Egypt, Morocco, Algeria, and Jordan, along with armed uprisings in neighboring Libya and Syria ended the long authoritarian rule of some leaders in the region and prompted substantial governmental restructuring in other states. Ferment continues in some of these states along with Bahrain and Yemen. The consistent theme in all of these cases was the stifling of civil liberties and fundamental freedoms. While implemented differently in each state, these restrictions of political life were accepted by many as a cost for countering destabilizing Islamist and terrorist forces. Commission engagement in recent years through travel to the region, hearings, and other analysis continually characterized the potential of these conditions to ignite the region. In the end, public anger erupted over regimes that had been in power for decades, enriching themselves and their cronies, while most citizens barely scraped by.

Despite Commission and U.S. government efforts, the OSCE was not quick to respond to ongoing changes among OSCE Mediterranean Partners, but eventually sent delegations from the Secretariat and ODIHR for consultations with transitional authorities to explore the potential for OSCE capacity development for institutional restructuring. For the first time, the OSCE Mediterranean Conference agenda focused on fundamental freedoms across all dimensions under the theme "Democratic Transformation: Challenges and Opportunities in the Mediterranean Region."

The OSCE PA managed a quicker response to evolving regional circumstances by convening a special debate on "Current Issues in the Mediterranean" at its annual Winter Meeting in February

2011. Commissioner Hastings delivered keynote remarks during the debate calling for the Lithuanian OSCE Chairmanship to proactively develop proposals for regional support based on OSCE competencies.

During the 2011 OSCE PA annual meeting, held in Belgrade, Co-Chairman Cardin offered a resolution on “Mediterranean Political Transition.” This resolution, adopted and included in the final Declaration, condemned the government sponsored violence against the people of Libya and Syria and called for international action against Syria and access for humanitarian aid; urged the Mediterranean Partners to ensure the protection of minority rights, particularly those of religious minorities, and the establishment of a free and open press; and, encouraged the Partners to consult both the OSCE and the OSCE PA institutional resources on management of peaceful assembly, press freedom, and civil society capacity development. The OSCE PA revisited these themes at its annual Mediterranean Forum at the OSCE PA Fall Meetings, hosted by Croatia. Chairman Smith led the delegation this meeting, at which parliamentary delegations from the Partners called for an OSCE PA and/or OSCE event hosted in a Partner state in the near term.

In the run up to the first free elections in Tunisia following the “Jasmine Revolution” that deposed longtime President Zine el Abidine Ben Ali, the Commission held a briefing in October on “Elections and Political Transition in Tunisia” to discuss Tunisia’s national elections to select a transitional 218-seat “National Constituent Assembly” charged with drafting a new constitution and preparing for presidential and parliamentary elections.

The OSCE PA observed the October 23 Tunisian elections for the Constituent National Assembly, the first of many pivotal regional elections. The Commission sent experts who joined U.S. Representative Betty McCollum among the 75 international election observers of the OSCE PA delegation. Commission staff observed inspirational discipline and enthusiasm in the execution of the elections. Some general capacity issues associated with high voter turnout and new registration technology challenges emerged, but did not detract from the overarching success of the elections. The Tunisian elections demonstrated the potential for citizen empowerment in the region, which was unfortunately not extensively replicated in neighboring states.

In the midst of the regional transition, numerous religious and ethnic minorities faced unique challenges in asserting their political rights. The Commission held two hearings in 2011 focusing on the plight of Coptic Christians in Egypt. The first, in July, “Minority at Risk: Coptic Christians in Egypt,” examined escalating attacks on Coptic Christians and their churches as well as concerns about reports of disappearances, forced conversions and forced marriages of Coptic Christian women and girls. The second Commission hearing on Egypt, “From Arab Spring to Coptic Winter: Sectarian Violence and the Struggle for Democratic Transition in Egypt,” was held in November following the October 9, 2011 brutal attack by the Egyptian military against a peaceful group of Coptic Christians protesting the burning of a church in Aswan. In what has been deemed the “Massacre at Maspero,” referring to the location of the demonstration, 25 people died and more than 300 were injured.

The Commission also examined the implications of the Arab Spring for OSCE Participating States, particularly in Central Asia. At a hearing entitled “Central Asia and the Arab Spring: Growing Pressure for Human Rights?,” the Commission considered whether the factors that

drove the uprisings in North Africa and the Middle East existed in any of the Central Asian states, whether the demand for democracy and human rights that has spread in that region could manifest itself also in Central Asia, and whether the fear of similar uprisings could instead trigger government crackdowns in Central Asia. Witnesses included U.S. Assistant Secretary of State for South and Central Asian Affairs Robert O. Blake, Professor of National Security Affairs at the Strategic Studies Institute in the United States Army War College Dr. Stephen J. Blank, Institute of World Politics Professor Paul Goble, University of Washington Jackson School of International Studies Assistant Professor Dr. Scott Radnitz,, and Sunshine Coalition Uzbekistan representative Gulam Umarov.

## **VII. U.S. Policy towards the OSCE and Helsinki Commission Leadership at OSCE Meetings**

The Commission continues to focus attention on the relationship between U.S. foreign policy, human rights, and the OSCE. Engagement with senior Department of State officials, including the Secretary of State, provides an important avenue for Commissioners to help influence related U.S. policy. In this regard, regular contact is maintained especially with the Bureaus of European and Eurasian Affairs; South and Central Asian Affairs; and Democracy, Human Rights, and Labor.

Similarly, the Commission leadership has placed importance on direct engagement with the top political leader of the Vienna-based organization, having convened a hearing with the OSCE Chairman-in-Office annually since 2001. Consistent with that practice, the Commission held a hearing in February with the OSCE Chair-in-Office Lithuanian Foreign Minister Audronius Ažubalis.

In July, the Helsinki Commission held a hearing on U.S. policy towards the OSCE, including the steps the Organization should take to promote participating States' implementation of their commitments in the three dimensions of security: political-military security, economic security and human rights. It also examined U.S. priorities for the Vilnius Ministerial Meeting, which was held in December 2011. The witnesses were U.S. Assistant Secretary for European and Eurasian Affairs Philip H. Gordon, U.S. Assistant Secretary for Democracy, Human Rights, and Labor Michael H. Posner, U.S. Assistant Secretary for International Security Affairs in the Department of Defense Office Alexander Vershbow, Senior Fellow at the Center for Transatlantic Relations, Johns Hopkins University SAIS, Dr. Michael Haltzel, and Consultant for the Jacob Blaustein Institute for the Advancement of Human Rights Catherine Fitzpatrick.

From September 26 to October 7, the OSCE participating States met in Warsaw, Poland, for the annual OSCE Human Dimension Implementation Meeting (HDIM). The HDIM is Europe's largest human rights gathering, convened to discuss the compliance of participating States, with the full range of human dimension commitments they have previously adopted by consensus.

The HDIM is the only multinational human rights meeting in Europe where non-governmental organization representatives and government representatives have equal access to the speakers' list. The implementation review meetings are intended to serve as the participating States' principal venues for public diplomacy and can be important vehicles both for identifying

continued areas of poor human rights performance and for shaping the OSCE decision-making process with respect to human dimension concerns.

As at past meetings, the Commission's preparations for, contributions to, and participation in the HDIM were substantial. In advance of this meeting, the Commission staff met with Department of State officials regarding the U.S. approach to the meeting, suggested specific human rights concerns to be raised, recommended prospective public members, and provided draft U.S. interventions. In doing so, the Commission was able to draw on its institutional memory of the Helsinki process, its regional expertise, and its specialization in human rights matters to advance U.S. interests. At the meeting itself, Commission staff participated in all aspects of the U.S. delegation's work, including the delivery of U.S. interventions, bilateral meetings with other countries' delegations held to raise specific human rights concerns, meetings with NGO representatives, and consultations on the overall direction of OSCE human dimension activities.

The Helsinki Commission worked to get the issue of International Parental Child Abduction onto the OSCE agenda. The number of international parental child abductions continues to climb, while governments and national courts do not always live up their obligations under the convention. In July, a resolution introduced by Chairman Smith at the OSCE Parliamentary Assembly Annual Session in Belgrade was adopted, urging the OSCE to take up the issue and to promote effective implementation of the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction. The Helsinki Commission then worked with the Department of State to follow-up on the resolution in the OSCE. The U.S. delegation hosted an event in October at the annual OSCE Human Dimension Implementation Meeting to further discuss the issue and as well as a potential OSCE Ministerial decision. The event was well attended, including with representatives from Russia, Poland, Macedonia, Finland, Serbia, and the Czech Republic.

In October, the Commission also held a briefing to regarding Mongolia's bid to seek status as a fully participating State in the Organization for Security and Cooperation in Europe (OSCE). Mongolia has been an Asian Partner for Cooperation with the OSCE since 2004, and has expanded its cooperation with the European Union. Mongolia has also made particular strides in improving rule of law and democracy in its own country, and has stated its intention to abide by OSCE norms. Panelists addressed what Mongolia's bid to join Europe's largest security organization could mean for both Mongolia and the OSCE. They were Khasbazaryn Bekhbat, Ambassador of Mongolia, Terrence Hopmann, Professor, Johns Hopkins University School of Advanced International Studies, and John Tkacik, President, China Business Intelligence.

#### ***The Military Political Security Dimension***

During 2011, the military political security dimension continued to see challenges in conventional arms control, as well as ongoing impasse in the protracted conflicts in a climate of distrust. The continuing presence of Russian forces on the territories of Georgia and Moldova against the wishes of those states continues to challenge the important Helsinki principles of sovereignty and territorial integrity and respect for "host-nation consent." Russia's intransigence on these issues puts trust of Russia into question among many OSCE participating States and continues to impede progress in addressing new conventional arms control and regional security challenges in our area.

More than four years after Russia ceased implementation of its Conventional Armed Forces in Europe (CFE) treaty obligations and after numerous attempts to engage Russia on a framework that would address contemporary conventional arms control challenges, the United States, its NATO Allies, along with Georgia and Moldova ceased implementation of the CFE Treaty with regards to the Russian Federation last November. Pressures on other key Helsinki principles and security agreements have further impeded progress in adapting the CFE and other key confidence and security building mechanisms—the Vienna Document for example—to address new security challenges. Most recently, Russia interrupted implementation of Vienna Document evaluation visits. As a consequence, military transparency has suffered further, with only the Treaty on Open Skies affording any scrutiny of Russia’s force structure. This problem adds to the disconcerting trend of Russian noncompliance with, and a seeming lack of interest in, conventional arms control measures.

In June, Helsinki Commission staff participated in the U.S. delegation to the Annual Security Review Conference which focused on examine efforts to further security in the Mediterranean region. The meeting took stock of the OSCE’s efforts to prevent new conflicts and resolve existing ones, address transnational threats, and further conventional arms control by refining key instruments. Many representatives brought minimal expectations to the 2011 ASRC, and little progress was achieved on concrete collective security issues. Perhaps the major achievement of the meeting was the improved civility in the discourse among representatives of the participating States at odds over security issues.

The U.S. delegation promoted the idea that there should be a Ministerial decision in Vilnius on renewing the OSCE commitment to enhance engagement with Afghanistan, a longstanding priority for the U.S. The United States also expressed support for a ministerial decision on strengthening the OSCE’s conflict management capabilities. During a special session focusing on the OSCE Partners for Cooperation, the United States and the European Union, along with many other delegations supported OSCE assistance for carrying out reforms to strengthen democratic governance to the Partners affected by the “Arab Spring”. Such assistance would be tailored to the specific needs of Partner states which request assistance, not redundant with support provided by other entities.

### ***The Economic and Environmental Dimension***

The Commission’s efforts in the economic and environmental dimension focused on advancing good governance and anti-corruption. Co-Chairman Cardin continued to advocate for greater transparency and accountability in the oil, gas and mining sectors through advocacy during the Securities and Exchange Commission (SEC) rulemaking process for the Cardin-Lugar provision (Sec. 1504) of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

The Commission has been a strong advocate for strengthening of the economic and environmental dimension, and for 2011 the efforts were placed on ensuring a successful Economic and Environmental Dimension Implementation Meeting (held in November in Vienna, Austria.) The meeting was the first of what is hoped to be an annual session devoted to strengthening and ensuring robust implementation of the economic and environmental commitments. Commerce Department Commissioner Miguel Camuñez lead the U.S. delegation to the EEDIM and was a forceful advocate for strengthening anti-corruption and transparency within the OSCE region.

## **VII. The Parliamentary Dimension of the OSCE**

Both Commissioners and Commission staff have continued to participate in the work of the OSCE Parliamentary Assembly, as well as to solicit the involvement of other Members of Congress in these activities. Representation at these inter-parliamentary events demonstrates a solid, ongoing congressional commitment to maintaining and strengthening United States-European relations.

The primary task of the Copenhagen-based OSCE Parliamentary Assembly is to promote parliamentary involvement in the activities of the OSCE and to facilitate inter-parliamentary dialogue and cooperation among parliamentarians from the OSCE participating States. Other important objectives of the Assembly are: to assess the implementation of OSCE commitments by participating States; to discuss subjects addressed during meetings of the Ministerial Council and summit meetings of OSCE Heads of State or Government; to develop and promote mechanisms for the prevention and resolution of conflicts; to support the strengthening and consolidation of democratic institutions in the participating States; and to contribute to the development of OSCE institutional structures and of relations and cooperation with other OSCE institutions.

A total of 320 parliamentarians, including as many as 17 members of the U.S. Congress, can participate in the Assembly's major meetings, which include a Winter Meeting in Vienna, an Annual Session in changing locations, and a Fall Conference/Mediterranean Forum the venue of which also changes from year-to-year. The Bureau, an equivalent to an executive committee, also meets every April and December. Beyond these meetings, parliamentarians also contribute their political and regional expertise by serving as Special Representatives, members of Ad Hoc Committees and participants on election observation missions undertaken by the Assembly throughout the year.

U.S. participation in the OSCE Parliamentary Assembly goes beyond meeting attendance; many Members of Congress have traditionally played an active leadership role in the Assembly. In 2011, Helsinki Commission Co-Chairman Benjamin L. Cardin continued to serve his second 3-year term as one of nine Assembly Vice-Presidents, while Commissioner Robert B. Aderholt concluded his service as Vice-Chair of the "Third" Committee dealing with issues relating to democracy, human rights and humanitarian affairs at the completion of his second term. Chairman Christopher H. Smith has continued to serve as the OSCE PA Special Representative on Human Trafficking Issues, and Ranking House Commissioner Alcee L. Hastings, who served as Assembly President from 2004-2006, has done the same as Special Representative on Mediterranean Affairs.

Helsinki Commission Chairman Smith, along with Ranking Commissioner Hastings and Commissioner Aderholt and Representative Jim Costa, represented the United States at the Winter Meeting held in Vienna, Austria, on February 24 and 25, 2011. Commissioners were engaged on a wide range of human rights, institutional and regional issues. Chairman Smith made a presentation in his capacity as OSCE PA Special Representative on Human Trafficking highlighting the OSCE's role in promulgating norms for enforcement and increasing

international cooperation, and encouraging parliamentarians to promote efforts like the Airline Ambassador's Child Trafficking Initiative. Commissioner Hastings made a presentation on reforming the OSCE in light of a colloquium he chaired on the subject in Washington during his service as OSCE PA President, and as the OSCE PA Special Representative on Mediterranean Affairs delivered keynote remarks on the current situation in the Mediterranean which encouraged OSCE assistance to the people of Egypt, Tunisia and other Partner states during a time of transition. As Vice-Chair of the Third Committee, Commissioner Aderholt reported on progress in implementation of the recommendations adopted at the previous year's Annual Session in Oslo, Norway, including efforts to protect investigative journalists. Smith and Hastings also raised human rights concerns in a discussion of the situation in Belarus, while Aderholt called for authorities in Kyrgyzstan to hold those responsible for violence and human rights abuses accountable and Representative Costa suggested measures to respond to violence in Libya.

The Assembly's 20<sup>th</sup> Annual Session took place in Belgrade, Serbia, from July 6 to 10, 2011. Helsinki Commission Co-Chairman Benjamin L. Cardin and Commissioner Jeanne Shaheen were able to participate despite a U.S. congressional schedule that precluded House Members from traveling to the meeting and curtailed Senate attendance to only three of the session's five days. Despite these limitations, the U.S. Delegation remained active, introducing three resolutions of its own among the 26 that were considered and adopted, working closely with the delegation of the Netherlands on a fourth. Co-Chairman Cardin's major initiative was a resolution on Mediterranean Political Transition, which directs the OSCE and its participating States to make their expertise in building democratic institutions available to Mediterranean Partner States (Algeria, Egypt, Israel, Jordan, Morocco and Tunisia). While ultimately unable to attend, Commission Chairman Christopher H. Smith introduced two resolutions which passed with assistance from other delegations: the first dealing with Combating Labor Trafficking in Supply Chains that urges governments to ensure that all goods they procure are free from raw materials and finished products produced by trafficked labor and to press corporations to independently verify that their supply chains are free of exploitation; and he second focusing on International Parental Child Abductions that presses OSCE States to become parties to the 1983 Hague Convention on the Civil Aspects of International Child Abduction and to implement its provisions. While also unable to attend, Ranking House Commissioner Alcee L. Hastings collaborated with OSCE PA Special Representative on Migration Kathleen Ferrier of the Netherlands on countering racism and xenophobia in Europe with measures to foster inclusion of affected communities, noting particularly that 2011 was designated the International Year for People of African Descent. Supported by Senator Shaheen, Co-Chairman Cardin covered several smaller and more detailed issues with amendments.

In addition to the formal proceedings of the Annual Session, Cardin and Shaheen met with President Boris Tadic and other officials and activists in Serbia, and the delegation co-hosted the showing of a feature film on two Jewish sisters in Serbia who escaped the Holocaust during World War II. Senator Shaheen also made a one-day visit to neighboring Bosnia-Herzegovina, where ethnically based political differences continue to hamper government formation and the political and economic reforms necessary for progress on European integration.

The Helsinki Commission was represented at several other meetings of the OSCE Parliamentary Assembly. In April, Commissioner Aderholt participated in the meeting of the Bureau, the

Assembly's central supervising body, in Copenhagen, Denmark. Chairman Smith and Commissioners Aderholt and McIntyre also represented the United States at the OSCE Parliamentary Assembly's October "Fall Meetings" in Dubrovnik, Croatia, to discuss developments in Southeastern Europe, cooperation in the Mediterranean region and efforts to resolve Nagorno-Karabakh conflict between Armenia and Azerbaijan. During the meeting, the Commissioners also were able to meet with Croatian President Ivo Josipovic and Prime Minister Jadranka Kosor, and Chairman Smith traveled to Medjugorje in neighboring Bosnia-Herzegovina to discuss a variety of social and religious freedom issues.

Helsinki Commission staff also continued to participate in OSCE PA election observation missions, including to Kazakhstan, Kyrgyzstan, Russia and Tunisia in 2011. For Tunisia, staff also facilitated the visit of Representative Betty McCollum who joined the observation effort.

## **Hearings, Briefings, Digest Articles and Congressional Delegations in 112<sup>th</sup> Congress, 1st Session**

### **A. Hearings**

Lithuania's Leadership of the OSCE (February 16, 2011)

Northern Ireland: Why Justice in Individual Cases Matters (March 16, 2011)

Central Asia and the Arab Spring: Growing Pressure for Human Rights? (May 11, 2011)

Labor Trafficking in Troubled Economic Times: protecting American Jobs and Migrant Human Rights (May 23, 2011)

2050: Implications of Demographic Trends in the OSCE Region (June 20, 2011)

Addressing Ethnic Tension in Kyrgyzstan (June 22, 2011)

The Promises We Keep Online: Internet Freedom in the OSCE Region (July 15, 2011)

Minority at Risk: Coptic Christians in Egypt (July 22, 2011)

U.S. Policy and the OSCE: Making Good on Commitments (July 28, 2011)

Human Trafficking and Transnational Organized Crime (November 2, 2011)

Belarus: The Ongoing Crackdown and Forces for Change (November 15, 2011)

From Arab Spring to Coptic Winter: Sectarian Violence and the Struggle for Democratic Transition in Europe (November 15, 2011)

Combating Anti-Semitism in the OSCE Region: Taking Stock of the Situation Today (December 2, 2010)

Conflicts in the Caucasus: Prospects for Resolution (December 7, 2011)

## **B. Briefings**

Another Brick in the Wall: What do Dissidents Need Now from the Internet? (May 18, 2011)

Local Elections and Political Instability in Albania (June 1, 2011)

Prospects for Unfreezing Moldova's Frozen Conflict in Transnistria (June 14, 2011)

Documentary Screening and Briefing on Roma School Desegregation (June 29, 2011)

Spotlight on Bosnia – Obstacles to Progress and Recommendations for the International Response (July 26, 2011)

U.S. Cooperation in the Fight Against Alcoholism: A Glass Half Full? (August 2, 2011)

Russia's Upcoming Elections and the Struggle for Public and Competitive Politics (September 22, 2011)

Mongolia Moves Toward Europe (October 12, 2011)

Elections and Political Transition in Tunisia (October 13, 2011)

Human Rights Play on Magnitsky Murder (November 16, 2011)

## **C. Digest Articles**

Belarusian Regime Resolutely Dashes Any Hopes for Democratic Liberalization (January 6, 2011)

The Year in Review: The 2010 Supplementary Human Dimension Meetings (January 28, 2011)

Canada Considers Next Steps in Extractive Industry Transparency (February 4, 2011)

Commemorating International Roma Day (April 8, 2011)

The OSCE 2011 Human Dimension Implementation Meeting (December 6, 2011)

## **Congressional Delegations**

### *February*

Chairman Chris Smith, Congressman Alcee Hastings, Congressman Robert Aderholt, Mark Milosch, Fred Turner, and Ronald McNamara to Vienna, Austria, to participate in the Winter Meeting of the OSCE Parliamentary Assembly.

### *March*

Congressman Alcee Hastings, Mischa Thompson and Alex Johnson to Brussels, Belgium to attend the German Marshall Fund annual Brussels Forum and Transatlantic Conference on Minority Political Leadership.

Chairman Christopher Smith and Kyle Parker to Prague, Czech Republic, to attend the OSCE meeting “Conference on Anti-Semitism in Public Discourse.”

### *April*

Congressman Robert Aderholt and Fred Turner to Copenhagen, Denmark, to participate in the OSCE’s Parliamentary Assembly Bureau Meetings.

### *May*

Chairman Chris Smith and Mark Milosch to Rome, Italy to participate in a conference on public-private partnerships in combating modern day slavery.

### *June*

Chairman Chris Smith and Mark Milosch to Brussels, Belgium, to meet with legislators from other OSCE countries to advance human trafficking, child abduction, and other human rights issues.

### *July*

Co-Chairman Benjamin Cardin, Senator Jeanne Shaheen, Ambassador Cynthia Efirid, Robert Hand, Alex Johnson and Fred Turner to Belgrade, Serbia, for the OSCE Annual Parliamentary Session.

### *October*

Chairman Chris Smith, Congressman Robert Aderholt, Representative Mike McIntyre, Robert Hand, Fred Turner and Alex Johnson to Croatia to attend the Fall Meetings of the OSCE Parliamentary Assembly.

## **Staff Delegations**

### *January*

Shelly Han to Toronto, Canada, to attend a roundtable discussion held by the Publish What You Pay Coalition of Canada.

### *February*

Fred Turner to Germany to hold meetings and consultations with the Ministry for Foreign Affairs, staff of the Bundestag, and NGOs.

Shelly Han to Paris, France, to attend the Extractive Industries Transparency Initiative (EITI) board meeting, and the biannual conference in addition to holding related meetings.

Janice Helwig to Uzbekistan and Turkmenistan to participate in the U.S. delegation to the Annual Bilateral Consultations (ABCs), and hold consultations.

### *March*

Alex Johnson to Zagreb, Croatia, to attend the Counter Corruption Conference held by the Bureau of European and Eurasian Affairs and the Defense Department's George C. Marshall European Center for Security Studies in Garmisch-Partenkirchen, Germany (Marshall Center) in cooperation with the Bureau of International Narcotics and Law Enforcement Affairs (INL).

Janice Helwig to Kyrgyzstan to hold consultations with embassy officials and travel to Osh.

### *April*

Janice Helwig and Shelly Han to Kazakhstan to observe the presidential elections as part of the OSCE Parliamentary Assembly election observation mission.

Ambassador Cynthia Efird to Druskininkai, Lithuania, to participate in the Second Preparatory Meeting for the 19<sup>th</sup> OSCE Economic and Environmental Forum, as well as to consult with relevant OSCE officials in Vilnius.

Erika Schlager to Bratislava, Slovakia, to speak at the Department of State's training conference on Romani issues for human rights officers, and other human rights consultations.

### *May*

Shelly Han to Ulaanbaatar, Mongolia, to attend the OSCE Asian Partners Conference as well as hold meetings with government officials.

### *June*

Winsome Packer to Vienna, Austria, to attend the OSCE Annual Security Review Conference.

### *August*

Fred Turner to India to participate in the German Marshall Fund Congress-Bundestag Forum on issues in Indian politics, economics and society.

*September*

Winsome Packer to Bosnia-Herzegovina and Austria to hold meetings on the humanitarian demining efforts.

Ambassador Cynthia Efird, Erika Schlager, Janice Helwig, Alex Johnson, Kyle Parker, and Mischa Thompson to Poland to be members of the U.S. delegation to the 2011 OSCE Human Dimension Implementation Meeting.

*October*

Janice Helwig to Vienna, Austria, to participate in discussions on modalities for the Human Dimension Implementation meeting and to hold consultations with government and OSCE officials.

Janice Helwig and Shelly Han to Kyrgyzstan to observe the presidential elections as a part of the OSCE Parliamentary Assembly election observation mission and to hold consultation with Embassy officials.

Shelly Han to Vienna, Austria, to participate in the Economic and Environmental Dimension Implementation Meeting of the OSCE.

Alex Johnson to Budva, Montenegro, to attend the 2011 OSCE Mediterranean Conference.

Alex Johnson and Marlene Kaufman to Tunisia to participate in the OSCE Parliamentary Assembly election observation mission.

*November*

Mischa Thompson to Vienna, Austria, to attend the OSCE's Supplementary Human Dimension Meeting (SHDIM) on racism, xenophobia and hate crimes.

Ambassador Cynthia Efird to Russia to participate in the OSCE Parliamentary Assembly election observation mission.

Shelly Han to Ashgabat, Turkmenistan, to participate in the OSCE conference on energy security.

*December*

Ambassador Cynthia Efird, Alex Johnson, Janice Helwig and Fred Turner to Vilnius, Lithuania to participate in the OSCE Ministerial Council and to attend the OSCE PA Bureau Meeting.

Appendix (A)

Commission on Security and Cooperation in Europe

**112<sup>th</sup> Congress**

*Legislative Branch Commissioners*

United States Senate

Benjamin L. Cardin, Maryland

*Co-Chairman*

Sheldon Whitehouse, Rhode Island

Tom Udall, New Mexico

Jeanne Shaheen, New Hampshire

Richard Blumenthal, Connecticut

Roger F. Wicker, Mississippi

Saxby Chambliss, Georgia

Marco Rubio, Florida

Kelly Ayotte, New Hampshire

United States House of Representatives

Christopher H. Smith, New Jersey

*Chairman*

Joseph R. Pitts, Pennsylvania

Robert B. Aderholt, Alabama

Phil Gingrey, Georgia

Michael C. Burgess, Texas

Alcee L. Hastings, Florida

Louise McIntosh Slaughter, New York

Mike McIntyre, North Carolina

Steve Cohen, Tennessee

*Executive Branch Commissioners*

Michael H. Posner, Department of State

Alexander Vershbow, Department of Defense

Michael C. Camuñez, Department of Commerce

Appendix (B)

COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
(2011)

Staff Members

Angel Colón-Rivera	Policy Advisor Labor Trafficking, Housing Rights, Displaced Persons
Cynthia Efird	Senior State Department Advisor
Orest Deychakiwsky	Policy Advisor Belarus, Bulgaria, Romania, Ukraine, NGO Liaison, Security Officer
Shelly Han	Policy Advisor Economics, Environment, Energy Security, OSCE Asian Partners for Cooperation, Labor Migration, Trade, Good Governance
Bob Hand	Policy Advisor Albania, Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Slovenia, Serbia, Kosovo, OSCE Parliamentary Assembly
Janice Helwig	Policy Advisor Afghanistan, Central Asia, Policing, Combating Sexual Exploitation of Children
Alex T. Johnson	Representative of the Helsinki Commission to the US Mission to the OSCE Environmental Human Rights, Environmental Justice Policy, Trafficking in Persons, OSCE Mediterranean Partners
Marlene Kaufmann	General Counsel
Mark S. Milosch	Chief of Staff
Ronald McNamara	Policy Advisor Greece, Cyprus, Media Freedom, OSCE Institutions
Michael Ochs	Policy Advisor Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan
Winsome Packer	Policy Advisor Security Issues

Kyle Parker	Policy Advisor Russian Federation, Duma-Congress Inter-Parliamentary Exchange, Estonia, Latvia, Lithuania, Moldova
Daniel Redfield	Office Manager
Erika Schlager	Counsel for International Law Czech Republic, Hungary Poland, Slovakia, Romani Minority Issues, OSCE and International Legal Issues, Domestic Compliance Issues
Josh Shapiro	Staff Associate
Neil Simon	Communications Director
Harold Smalley	Printer/Proofreader (Detailee from the Government Printing Office)
Mischa Thompson	Policy Advisor Tolerance; Racism, Anti-Semitism, Xenophobia; Western Europe
Fred Turner	Deputy Chief of Staff
<i>(Vacant)</i>	<i>Policy Advisor</i>
<i>(Vacant)</i>	<i>Policy Advisor</i>
<i>(Vacant)</i>	<i>Counsel</i>

## Appendix (C)

### OSCE Participating States as of January 2011

Country	Participating States
Albania	admitted as observer on June 20, 1990; admitted as fully participating State on June 19, 1991
Andorra	admitted as new participating State on April 25, 1996
Armenia	admitted as new participating State on January 30, 1992
Austria	original participating State
Azerbaijan	admitted as new participating State on January 30, 1992
Belarus	admitted as new participating State on January 30, 1992
Belgium	original participating State
Bosnia-Herzegovina	admitted as new participating State on April 30, 1992 (previously participated as part of Yugoslavia, an original participating State)
Bulgaria	original participating State
Canada	original participating State
Croatia	admitted as observer on January 31, 1992; admitted as fully participating State on March 24, 1992 (previously participated as part of Yugoslavia, an original participating State)
Cyprus	original participating State
Czech Republic	admitted as new participating State on January 1, 1993 (previously participated as part of Czechoslovakia, original participating State)
Denmark	original participating State
Estonia	admitted as new participating State on September 10, 1991
Finland	original participating State
France	original participating State
Georgia	admitted as new participating State on March 24, 1992
Germany	originally participated as two separate countries, the Federal Republic of Germany and the German Democratic Republic; participation as single country began with German unification on October 3, 1990
Greece	original participating State
The Holy See	original participating State
Hungary	original participating State
Iceland	original participating State
Ireland	original participating State
Italy	original participating State
Kazakhstan	admitted as new participating State on January 30, 1992
Kyrgyzstan	admitted as new participating State on January 30, 1992

Latvia	admitted as new participating State on September 10, 1991
Liechtenstein	original participating State
Lithuania	admitted as new participating State on September 10, 1991
Luxembourg	original participating State
Macedonia	admitted as observer as of April 1993; admitted as new, fully participating State on October 12, 1995 (previously participated as part of Yugoslavia)
Malta	original participating State
Moldova	admitted as new participating State on January 30, 1992
Monaco	original participating State
Montenegro	admitted as new participating State on June 26, 2006 (previously participated as part of Yugoslavia, and then as part of Serbia and Montenegro)
Netherlands	original participating State
Norway	original participating State
Poland	original participating State
Portugal	original participating State
Romania	original participating State
Russian Federation	original participating State as the Soviet Union; Russia succeeded to the Soviet Union's seat on January 11, 1991
San Marino	original participating State
Serbia	originally participated as Yugoslavia; suspended from participation in decision making on May 12, 1992; suspended from participating in meetings on July 7, 1992; re-admitted as new, fully participating State November 10, 2000; renamed Serbia and Montenegro on February 4, 2003; Montenegro separated from Serbia by referendum in May 2006
Slovak Republic	admitted as new participating State January 1, 1993 (previously participated as part of Czechoslovakia, an original participating State)
Slovenia	admitted as an observer on January 31, 1992; admitted as new, fully participating State March 24, 1992 (previously participated as part of Yugoslavia)
Spain	original participating State
Sweden	original participating State
Switzerland	original participating State
Tajikistan	admitted as new participating State January 30, 1992
Turkey	original participating State
Turkmenistan	admitted as new participating State January 30, 1992
Ukraine	admitted as new participating State January 30, 1992
United Kingdom	original participating State
United States	original participating State
Uzbekistan	admitted as new, fully participating State January 30, 1992

### OSCE Mediterranean Partners for Cooperation

Algeria	affiliated with the Helsinki process since 1973
Egypt	affiliated with the Helsinki process since 1973
Israel	affiliated with the Helsinki process since 1973
Jordan	admitted as a Mediterranean partner for co-operation on May 22, 1998
Morocco	affiliated with the Helsinki process since 1973
Tunisia	affiliated with the Helsinki process since 1973

### OSCE Partners for Cooperation

Afghanistan	admitted as a Partner for Cooperation on April 3, 2003
Australia	admitted as a Partner for Cooperation on January 1, 2010
Japan	affiliated with the Helsinki Process since July 10, 1992; formally designated Partner for Cooperation on December 7, 1995
Mongolia	admitted as a Partner for Cooperation on December 2, 2004
Republic of Korea	formally designated Partner for Cooperation on December 7, 1995
Thailand	admitted as a partner for co-operation on Nov. 9, 2000