

# **OSCE Human Dimension Implementation Meeting**

## **Warsaw, Poland, November 12-28, 1997**



**October 28, 1997**

**Briefing of the  
Commission on Security and Cooperation in Europe**

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## **ABOUT THE ORGANIZATION (OSCE)**

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

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

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

## **ABOUT THE COMMISSION (CSCE)**

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

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

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

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

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TUESDAY, OCTOBER 28, 1997

COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
WASHINGTON, DC.

The briefing convened at 2 p.m., on Tuesday, October 28, 1997, in room 340, the Cannon House Office Building, Michael Hathaway, Chief of Staff of the Helsinki Commission, presiding.

Mr. **Hathaway**. Good afternoon. On behalf of Chairman D'Amato, Co-chairman Smith and the entire Helsinki Commission, welcome. I am Mike Hathaway, the Chief of Staff of the Commission. I will moderate today's briefing.

With me at the dais are Secretary Rudolph Perina from the Department of State; Ms. Holly Cartner of Human Rights Watch Helsinki; and Mr. Adrian Karatnycky of Freedom House.

On November 12th, in Warsaw, Poland, the Organization for Security and Cooperation in Europe will convene a meeting on the implementation of human dimension issues. This meeting will run through November 28th. The meeting will examine the actual compliance, or lack thereof, of the OSCE's 55 participating states with their Helsinki obligations. The Commission will be an active participant on U.S. delegation to this meeting. Chairman D'Amato announced at the end of our last hearing on September 18th that he would lead a Commission delegation to this meeting. We are working to put together this delegation now and expect to be at the meeting on the 13th and 14th of November.

We have convened this briefing today to provide information to the public about the U.S. approach to the meeting, and to hear from two highly respected non-governmental organizations regarding issues they believe should be taken up at Warsaw. The already established agenda at Warsaw will cover a broad range of issues, including freedom of religion, media, association on assembly, the prevention of torture, international humanitarian law, tolerance and non-discrimination, national minorities, and the plight of Roma.

With strong U.S. leadership, the Warsaw meeting will provide for open international discussion of areas of poor human rights performance by OSCE participating states. Our aim is to encourage improved implementation of their human dimension obligations by those countries.

Significantly, the Warsaw meeting also provides an opportunity for non-governmental organizations to voice directly their own concerns. As many of you know, NGOs are allowed to take the floor and criticize state practices during the formal meetings.

Over the past few years, and particularly after the OSCE review conference in Vienna last Fall, the Commission has become increasingly concerned about the quality of the Human Dimension Implementation review process, and by the relatively bureaucratic approach to human rights problems that many OSCE countries advocate and have adopted.

We believe naming names and having candid discussions with the representatives and responsible governments are key to maintaining the Helsinki process' viability as a principal international tool for resolving human rights problems.

We welcome the State Department's selection of Secretary Rudolph Perina as head of delegation. We think his appointment asserts the United States commitment to this implementation review meeting, and will contribute to a successful meeting in Warsaw.

Prior to being named head of U.S. delegation for the Warsaw meeting, Rudolf Perina was Senior Deputy Assistant Secretary of State for European and Canadian Affairs. He also served as Chief of Mission of the U.S. Embassy in Belgrade from 1993 to 1996. He's also a veteran of many previous meetings in the Helsinki process.

Holly Cartner joined the staff of Human Rights Watch Helsinki in 1990 and now serves as its Executive Director. In that capacity she conducts advocacy at the OSCE, the United Nations, and the Council of Europe, and implements special advocacy projects in Bosnia-Herzegovina, Turkey and Uzbekistan. Ms. Cartner is currently on the Executive Committee of the International Helsinki Federation.

Adrian Karatnycky is President of Freedom House, an organization that promotes democracy, civil society and the rule of law, and monitors human rights around the world. He coordinates Freedom in the World, Freedom House's annual survey of political rights and civil liberties. Mr. Karatnycky has been a public member of the U.S. delegation to CSCE meetings in Moscow in 1991, and Helsinki in 1992.

Now, each of our distinguished guests will make any prepared statements they may have, starting with Secretary Perina. Then we will open the briefing to questions from the audience.

I also want to recognize the presence of one of our commissioners, Congressman Ben Cardin, who may also be with us in Warsaw as part of our congressional delegation. Thank you.

Secretary Perina.

**Mr. Perina.** Thank you very much. I'm very pleased to be here. I think one of the objectives of this kind of a meeting is really to hear your views, the views of the non-governmental organizations, just as we are in a stage of preparing our position papers and our strategy for the Warsaw meeting. So I don't want to speak for a very long time. I just have some initial comments to share with you, and then I hope that we will be able to have sort of a discussion here this afternoon, and, as I say, some back and forth, and I would very much be interested in your views and your concerns, because that is really the substance of what we're going to be doing out there in Warsaw.

I see, as I look around the audience, many old friends, friends whom I have known for a long time, but also many new faces. It was mentioned that I have some experience in OSCE. Let me just tell you my first OSCE-CSCE meeting was the Belgrade Implementation Review meeting back in 1977. That was the first one I participated in. Afterwards, I participated in the Paris Human Dimension Implementation Review meeting, the London Information Forum. I worked on CSCE for 4 years in Vienna as the Deputy Head of our CSBM, what later became our overall CSCE delegation. I worked on the Paris Charter. I was the Deputy Head of Delegation at the Helsinki Summit. Most recently I worked on the Lisbon Summit and participated there.

I don't say that to let you know either how old I am or how much I've traveled, but rather

to show you that I've worked on CSCE for a long time.

I have to tell you I am a real believer in CSCE. I've seen it from the very difficult beginnings we had shortly after 1975, and I have seen how far we have come. I have seen that CSCE does have impact, OSCE does have impact. It is a process. It does not have overnight results. But the tools that we have developed in this process are essentially very effective ones. I think CSCE played an historic, still unwritten role during the time of the cold war, and it has a vitally important role now, although in some ways different but in some ways very similar.

One of the key similarities that still exists is that it's concerned with the human dimension of activities, and the process of implementation review, which is vital and has always been vital to CSCE ever since the Belgrade review meeting where we started this process.

Now, with regard to what we're going to try to do specifically in Warsaw; let me just outline two general objectives to get the discussion doing. First of all, I agree very much that we want to reinvigorate this process. OSCE is now engaged in a lot of things: election monitoring, election supervising, missions to very many countries, arms control.

In this whole process, sometimes it has happened that the old core of OSCE has tended to become overlooked, or somehow perhaps to become bureaucratized. For reasons that I'll still mention later, we cannot allow this to happen.

And, as a consequence, we're going out to Warsaw with a real determination to reinvigorate this entire process in a number of ways. We are going to speak very forcefully, very clearly. We are going to name names where appropriate. We're going to use all the means at our disposal to really make this a meeting that is significant, that has impact, and that governments and capitals take notice of, and that sends a message to people. We think that is very important. We think we have some things going for us that will make this possible.

There is a new Director of the ODIHR office, which is sponsoring this conference. I think he also is aware of the need to invest new energy and new determination into this entire process. So I think that would be very useful.

We want to engage the press to take notice of this conference. Sometimes looking at last year, the attention frankly was disappointing to the important issues that were raised there. We want to change that.

Also last year some of you may have been there; the meeting was essentially held in Vienna. This bureaucratically somehow works against it. You need to take people out of their usual day to day context where they're involved with other issues and all of the other matters that are dealt with in Vienna, and take them to another city, and put them into a context where the objective is just to deal with one issue--well, with one set of issues, which is the human dimension, so that you don't have this as a part-time effort. We're going to do that.

We've also made some structural changes. I understand last year there were some problems. There sometimes wasn't enough time at some of the sessions to address issues that people wanted to address. We're going to--we've made efforts, and I think that is being corrected also.

So I think all of these things are going to be a big help to us. But, of course, a lot depends on the dynamics of the meeting itself. We're going to have early meetings with many of our close friends and allies in Europe to try to develop a coordinated position and a coordinated strategy here. We're going to have bilateral meetings also with many of the countries whose practices will come up for discussion and for criticism there, to give them fair warning and to

see if perhaps privately we can also have some impact. Given the range of issues we're going to adjust our tactics to individual countries. But we are determined to make this an important and useful meeting.

The second major point I would like to make just at the outset is the importance of public involvement in this process, of the involvement of the non-governmental sector. This is also a long tradition, as you all know, in OSCE, and an extremely useful one, because it shows all of the participants in these meetings that these are not just bureaucratic concerns, that these are not just concerns of a certain number of governments, but that they are widely shared by the public and the public that counts is the foreign policy establishment and the community and organizations such as yourselves, which are involved in these issues.

So, again, this year we're going to have public members. I hope we're going to have a good selection of public members on our delegation. And, very frankly, we hope that a lot of non-governmental organizations can participate.

I have to tell you honestly there was some disappointment last year that not as many organizations participated in the meeting as some people had hoped. We also hope that some of the new organizations in the newly independent states can participate. Sometimes this is a question of money, of finances. I hope that some of you perhaps in your dealings have links and relations to organizations in the newly independent states; and to the degree possible, if you can help them financially to attend the meeting, that would be very useful. There is a fund within OSCE designed to help official delegations from the newly independent states to attend these kinds of OSCE meetings. But it is not possible to extend this to private organizations. So this would be a very important contribution also that could be made by your organizations.

For those of you who may be going to Warsaw, our delegation will be in close touch with you. We look forward to a lot of cooperation. We will have facilities that we could mention afterwards, if you're interested, regarding what specifically we are doing to make this easier for non-governmental organizations. We hope to see as many of you as possible there.

The OSCE, it is also unique in this, in that it does give non-governmental organizations a direct role at the table. I can think of no other diplomatic process which allows this, so it's an important aspect of which we should be taking advantage.

A final point, and I've probably gone past my 10 minutes, we have to be realistic here. As I said, I'm a great believer in OSCE, but one has to look at the long term, like they say about the stock market. We cannot expect miracles overnight, and probably we will not achieve any miracles in Warsaw. But when one looks at the long-term process, enormous changes have been made. You all know that we are living in almost a different world than we were in 1975. We are for the first time living in a world where basically there are no competing ideologies and no competing empires within Europe. All of the countries of Europe, even some of those who are the worst violators of human rights, profess to share the same ideology, the same views, the same values and the same commitments.

So really more than ever, the issue has come down to implementation, and to looking at what people do, what governments do, and not what governments say. This is really why I think implementation review is perhaps more important now than it was in the days of the cold war when much of the discussion was essentially ideological. It isn't ideological. It is about the real practicalities of what is done on the ground. That is why we need something like the implementation review that gives us 3 weeks in a certain context to look at these

things in significant detail, and sometimes in almost excruciating, boring detail, and point out to governments where their behavior is not consistent with what they are professing. It's a new stage, but a vitally important one. When I get to Warsaw--this is not original--but I hope to put a big sign on our delegation wall that says: It's the implementation, stupid. Because that really, I think, is a vital aspect of OSCE now, even more so in some respects than in the past.

So this is just a rough, a broad outline of how we are approaching this. But in terms of the specifics, in terms of the substance, probably most of you can guess the issues we will be dealing with. They will not be a surprise. But nonetheless I look forward very much to hearing your views, the views of our other speakers still. We are taking careful note of everything that will be said here today. We will reflect it as best we can in Warsaw.

Thank you very much.

Mr. **Hathaway**. Thank you, Mr. Secretary.

Ms. Cartner.

Ms. **Cartner**. I want to thank the Commission and the Secretary for inviting me here today to speak on some of the issues that are of concern to Human Rights Watch Helsinki, and that will hopefully be addressed in the implementation meeting in Warsaw.

I will try to give a very short overview of some of our most current concerns in the region, and then if I have a few minutes at the end I may speak about one particular OSCE mission, that in Bosnia.

Some of the most basic human rights continue to be violated in the Helsinki regions. Torture and other cruel and inhumane treatment remain routine in quite a few of the countries, and I will name names: Armenia, Azerbaijan, Georgia, Russian, Turkey and Uzbekistan, just to name a few. In Turkey, for example, electric shock, squeezing of testicles, suspension by the limbs, blindfolding and stripping naked are some of the common methods of interrogation that are used, especially by the anti-terror police. Similarly, in Russia law enforcement agencies continue large-scale use of torture during criminal investigations. Torture occurs usually in the first hours or days of detention, when detainees are completely isolated from the outside world, because police refuse to grant them access to a lawyer or to their families.

Little progress has been made in eradicating torture in these countries, in large part because there isn't the political will to hold torturers accountable for their crimes, and because confessions extracted under torture continue to be routinely admitted into evidence by national courts, and convictions are obtained with little or no corroborating evidence.

Police brutality and violations of due process are also chronic problems. During 1997 police used excessive force to break up peaceful demonstrations in Belarus, Bulgaria, the Federal Republic of Yugoslavia, Georgia and Macedonia. In a number of these countries there were deaths due to ill treatment in custody.

Police harassment and brutality is often directed at the region's most vulnerable groups, such as ethnic and regional minorities, the homeless, refugees and homosexuals. Before Moscow's 850th anniversary celebration, for example, police violence and predatory behavior increased noticeably against Caucasians, Central Asians, Third World refugees and the homeless.

The independent media continues to face unrelenting pressure from governments in the region. Perhaps it's a tacit acknowledgment of the media's growing strength and power in

many of the countries, and of the increasing difficulty of silencing media that's now bolstered by advanced technology. Journalists are regularly harassed, ill-treated by the police, and sometimes face criminal prosecution and even imprisonment. For example, in Croatia two journalists from the independent Herald Tribune, charged under a law forbidding defamation of top government officials, again face trial after the appeals court overturned their September '96 acquittal. In Armenia, local journalists report that security forces confiscate broadcast material and use arbitrary detention and threats during questioning to discourage the broadcast of any material or publication that would be embarrassing or critical of the government.

The result has been to encourage journalists to engage in self-censorship, especially on issues related to corruption and national security policy.

As many of you know, religious persecution appears to be increasing in the region, as attempt to protect their privileged position from the influx of nd discriminatory law was signed earlier this Fall by President Yeltsin, revoking almost all rights for minority religious groups existing in Russia for less than 15 years.

In Bulgaria and Greece the government refuses officially to register certain religious groups who, in some cases, also report discrimination and attacks by the police.

Similarly, we have received reports that Scientologists and other rimation in employment, access to public facilities and various forms of harassment from government officials.

In other countries in the region, governments are taking steps to counter the perceived threat of Islamic Fundamentalism. In Turkey the civilian government, under severe pressure from the military, sought to close controversial state-supported religious schools, and has stepped up efforts to ban the Islamic Welfare Party.

Similarly, in Uzbekistan, independent Islamic figures are the targets of constant government harassment, although it is unclear whether they are targeted primarily because of their religious beliefs or because they also represent an alternative political force that is therefore a threat to the government.

Violations of association and expression are too numerous to mention here, but I would like to note one important and disturbing trend. Human rights activists continue to face government repression. Although Turkey has a dedicated and vocal human rights community, human rights activists were arrested during the past year, and human rights publications were banned. Two of Turkey's most prominent human rights organizations faced criminal prosecution during 1997.

Local authorities carried out a disturbing wave of repression against human rights activists in the Russian provinces as well. At least four activists were arrested and charged with crimes that are believed to be motivated solely by the government's desire to silence its most forceful critics.

I would just note that in Turkmenistan the situation remains so repressive that no groups and no individuals are able to monitor human rights at all.

On a positive note, there appears to be much less armed conflict in the Helsinki regions than there has been in previous years. Over 30,000 NATO troops continue to hold the peace in Bosnia, and cease-fires that were negotiated in previous years throughout the region continue to hold. In the past year there's even been progress on some of the more long-term conflicts in the region, including most notably Northern Ireland. In June the inner-Tajik talks brought a formal end to the 5-year civil war in Tajikistan. However, the peace remains

extremely fragile. Fighting continues to erupt sporadically, and serious human rights abuses continue to threaten the prospects for long-term peace.

Despite the gains that have been made in the area of conflict resolution, the need to address human rights concerns, and especially issues of accountability in order to create a stable long-term peace in many of the former areas of conflict remains an unanswered challenge to the OSCE.

Despite the formal end to many of the region's conflicts, countries continue to struggle with the human, political and economic aftermath of war. Persons responsible for abuses during armed conflict continue to exert political and economic control, and their ongoing influence hampers efforts to return displaced persons to their homes, as well as to build state institutions that would protect and guarantee individual human rights. Bosnia is perhaps the best case study, but there are similar concerns in areas such as Abkhazia, Nagorno-Karabakh, south Ossetia and Chechnya.

Discrimination based on race, ethnicity, sex and sexual orientation is common throughout the region. Ethnic and racial minorities are often the victims of police ill treatment and state-sponsored discrimination, in areas such as education and employment.

I will only note a couple of the many examples here. The government of Slobodan Milosevic continues to persecute ethnic Albanians, Hungarians, Moslems, Turks and Roma to varying degrees. The most severe abuse occurs in the southwest of Kosovo where according to local human rights organizations several ethnic Albanians died at the hands of the police during the past year. At least 200 Albanians are currently in Yugoslav prisons for political reasons, after trials that were fraught with due process violations. The politically controlled courts consistently reject overwhelming evidence that torture was used by the police and investigators to extract confessions.

Similarly, ethnic Albanians in Macedonia face discrimination along with ethnic Turks and Roma, and are grossly underrepresented in state structures such as the police, even in areas where they constitute a clear majority of the local population.

Roma continue to face pervasive mistreatment by the police, racially motivated attacks by private individuals with state complicity, as well as discrimination in housing, education, employment and in access to public establishments. In Bulgaria, for example, one of the most serious incidents took place on July 20th in Sliven, where four teenage boys beat a 41-year-old woman to the ground and repeatedly kicked her, all in the presence of her 12-year-old son. The woman fell into a coma during the attack and died the next day. The oldest boy is alleged to have told investigators that he killed the woman because he hates gypsies.

Similarly, many of you may have seen the recent New York Times article about a young Roma boy who was beaten to death by a Skinhead gang in Serbia. Such reports are all too common throughout the region.

In Romania, although to a lesser extent than in previous years, Roma villagers continue to be attacked by their Romanian neighbors and the state's response remains inadequate. On January 16th and 17th, for example, between 50 and 100 ethnic Romanians, reportedly armed with pistols and shotguns, chased Roma out of the town of Tinganu, near Bucharest, and vandalized their homes. Typically, although three individuals were arrested in connection with the attack, no charges were filed against them, and they were soon released. Two police officers who allegedly did nothing to halt the violence were cleared of any wrongdoing.

Roma also continue to face systematic discrimination and racially motivated violence

and police brutality in countries such as the Czech Republic and Hungary, and in the Czech Republic continue to face the brunt of a discriminatory citizenship law.

In addition to rampant persecution of ethnic and racial minorities throughout the region, discrimination and police abuse against homosexuals was reported in several countries. In Bulgaria, on March 5th, police raided the Flamingo gay bar in Sofia, beating up and harassing several people, some of whom were then taken to the police station and handcuffed for long periods of time. Article 200 of the Romanian penal code, which previously outlawed all homosexual conduct, was amended slightly in September 1996 to punish only homosexual conduct, quote, title remains a concern, because private homosexual conduct that becomes public may still be prosecuted, and also because advocacy of gay rights and homosexual rights may be covered under the law.

We welcome the recent OSCE conference held in Warsaw in October to highlight the commitments undertaken in the Vienna and Moscow concluding documents to promote women's rights. It is our hope that the conference will lead to concrete steps to remedy human rights abuses against women in the OSCE region.

Although women face widespread discrimination and are routinely denied equal protection of the law in many Helsinki countries, I'd like to focus on two issues of concern. First, women victims of crimes, such as domestic violence, rape and forced prostitution face enormous obstacles in trying to obtain justice for the crimes against them. State structures such as the police, prosecutors and forensic medical investigators often do more to impede than facilitate prosecution.

Women also face severe abuses in conflict and post-conflict situations in the Helsinki region. In the countries of the former Yugoslavia, for example, not all of the concerns raised by women are gender-specific. However, there is evidence of discrimination against women in the allocation of reconstruction aid, and a concern that there may be less commitment by the international community to obtaining international criminal justice for human rights and humanitarian law violations committed against women during the conflicts.

Refugees and asylum seekers often exist in a bureaucratic limbo without any concrete legal status, making them more vulnerable to police abuse, harassment and discrimination in host countries. In Russia, for example, police refuse to register refugees from outside the CIS, exposing them to routine beatings, extortion and eviction by the police.

In EU member states, there continues to be an effort to enforce ever more restrictive asylum policies, including limiting access to asylum procedures, deporting asylum applicants during the appeals process, and interpreting the refugee convention in an unduly restrictive manner. This tends to undermine international protection for refugees, and has led in some cases to reform.

During the past year there's been a notable deterioration in respect for fundamental human rights in several countries in the region. Most of these have come under intense criticism by the international community, including the OSCE. In Belarus the government has cracked down further on civil society, using brutal police tactics, criminal prosecution and arbitrary fines. The independent media, including in particular the Russian broadcast media, were the targets of systematic government harassment.

Similarly, Slovakia's human rights record has continued to deteriorate this year. Journalists, international organizations and even President Kovac continue to complain about the government's pervasive control of the state media, and there were frequent reports of

state tolerated and even sponsored ethnic discrimination.

However, it should also be noted that certain countries, generally considered to have an acceptable human rights record, continue to disregard certain human dimensions commitments. As I mentioned earlier, ethnic discrimination, especially against Roma, is prevalent in both the Czech Republic and Hungary, and the member states of the European Union have adopted numerous provisions that undermine refugee protection. Yet the policies of these countries are too frequently not scrutinized.

If the OSCE is to function as a standard setting and implementing body throughout the region, it must do more to ensure that human dimensions commitments are respected in all the countries of the region, not only primarily in those of the former communist bloc.

Thank you.

Mr. **Hathaway**. Thank you.

Mr. Karatnycky.

Mr. **Karatnycky**. I'm grateful for this opportunity to talk about a process that is central to the Congress's and administration's commitment to the deepening of democratic reform in Central and Eastern Europe, and the Eurasian states of the former USSR. I'll concentrate on developments in those countries in my remarks, although time permitting I may talk a little bit about Turkey.

The Warsaw meeting of the OSCE has the potential to play an important role in contributing to the improvement in human rights and democratic freedoms of hundreds of millions of citizens within 55 OSCE countries. However, that process of democratization and improvement is infinitely more complex than any of us envisioned when we had the first wave of the collapse of the old statist, authoritarian, and totalitarian regimes first in '89 and later in '91. Today we see very divergent evolutions in the nature of the countries in the former Soviet and Soviet bloc space of Central and Eastern Europe, and the new independent states. Much of the promise occasioned by the collapse of the old Communist systems clearly is not being realized.

At the same time in Washington and within the policy community there is a kind of a false model, I believe, that is operating. Inside the Beltway the conventional wisdom is that we are doing our job in situ. budget austerity leads to the withdrawal of resources and presence in a region in which transitions are not heading the way that we predicted. Kind of an early desire to kind of opt out of many of these countries occasioned by simply the process of conducting free and fair elections constitutes a kind of an absolution of responsibility in the deepening of the democratic culture of these societies.

So what we are getting, and I think I will try to address in my topography of the region, is what some have called illiberal democracies. I'd like to talk a little bit about that.

Institutions such as the ODIHR and the OSCE can contribute toward separating the wheat from the chaff, and assisting policymakers from established democracies in shaping their democracy building and initiatives programs. I think there is a compartmentalization of donor activity among the OSCE countries. It would be important to have donors that shape initiatives to open up these illiberal societies in a coordinated fashion. In return, it ought to be mandatory to have high level USAID representation at a meeting of the ODIHR and that of either major OSCE country.

I don't want to force somebody from AID to travel to Warsaw. That would be in violation of the Helsinki principles. Still, it seems to me that it is an appropriate place to have a

systematic discussion of democracy initiatives both from private donors and government actors. After all, the ODIHR meeting is where testimony about on the ground realities is being gathered and can be assessed comparatively.

I fully agree with Holly Cartner's excellent litany of the issues and priorities in the region, as specific issues in need of attention.

But I'd like to talk a little bit about the broader view of topography of the former Soviet bloc, and give you an aerial snapshot of what is occurring in democratic and civil reform.

Since 1995 Freedom House, with the support in this case of USAID, has been producing an annual report on the state of democracy, civil society, human rights, and economic freedom throughout the former Soviet Union and Central Europe. The latest study, called Nations in Transit, 1997, describes and evaluates in comparative fashion 47 areas of political process, civil society development, independent media, rule of law, governance and public administration, privatization, macroeconomic reform. With the help of an eminent group of scholars we try to rate these countries relative to one another and to see what kinds of correlations there are.

I would say that the findings from our most recent study show that in the eastern half of the OSCE region there is a growing differentiation, even polarization in the types of polities that are emerging.

Of the 25 countries that we surveyed in our last study, which was published in the middle of 1997, we excluded Bosnia at that point and the former Yugoslavia, but included Croatia and Macedonia, and all of the former Soviet and Central and East European countries. Eighteen were judged electoral democracies, meaning countries where there had been reasonably competitive elections. We found these were free societies in most of the Central and Eastern European states, and in the Baltic states. Of the 12 non-Baltic successor states of the USSR, only 5 had anything resembling what could be called electoral democratic procedures; that is Ukraine, Russia, Moldova, Georgia and Kyrgystan. So 7 of the NIS states had not had free and fair elections and were not led by democratically elected leaders, although many were led by leaders who used appeal to referenda, and I would say elections conducted in an unfree and unfair process that gave them a certain kind of presumed mandate to dispose of their opponents. Indeed, such processes have often emboldened them to be, I would say, even more harsh in their treatment of their citizens, because they claim to act on the basis of some kind of a public mandate, a mandate of public approval.

Thus, despite the common origins of the democratic and political revolutions in '89, and in the ferment that issued from the collapse of the Soviet coup in 1991, and the emergence of independent states, and despite the high-minded statements of many of the leaders of these countries and their intentions to build more open societies, 7, approaching 8 years after the collapse of the Berlin Wall, we now have three types of countries that could be called consolidated democratic states with market economies, transitional states and consolidated autocracies.

One way possible of moving human rights and democratization out of the ghettos is in the ODIHR, the OSCE process and in the thinking of many of our policymakers, would be for policymakers to try to recognize the cross-cutting relationships between democratic transformation, rule of law, and effective free market systems.

Some of the societies that I call transitional polities undergoing economic transformation are moving in the right direction, others moving in the wrong direction. Many of these

countries have substantial problems--Turkey, Russia and others that Holly Cartner alluded to--are precisely within this transitional category; that is, they are societies in which there is enough public engagement in the political process that allows for the significant constructive pressure to be exerted.

I am arguing that it is these areas where there is the greatest opportunity for concerted engagement on the part of the democracies and concerted pressure through the OSCE process, and for a bilateral diplomacy and other forms of multilateral engagement.

Now the third category is really the toughest, the repressive autocracies and statist economies. I have a handout made at the beginning of 1997 that attempts to rate these countries it has been distributed here. There are four countries that we can say have had consolidated autocracy and consolidated states economies: Belarus, Tajikistan--where maybe there will be a political opening as a result of the cease-fire and perhaps an opening in terms of the integration of the warring, conflicting sides in that civil conflict--Uzbekistan and Turkmenistan. It seems to me that in terms of influencing those countries what we are left with is really the bullypulpit: Naming names, moral pressure, to the extent that it is possible, some forms of economic pressure.

In the other countries, there is the broad range of consolidated democracies which are the Czech Republic, Hungary, Poland, Slovenia, Estonia, Lithuania, Latvia. The third category is societies that all have substantial problems and civil liberties problems and so on. It's in these transitional, middle area from Russia, Moldova, Slovakia, Bulgaria, Romania, Ukraine, Macedonia, Croatia, Albania, Armenia, Kirgistan, Georgia, Kazakhstan, Azerbaijan that deserve attention. I think that there is enough social space and public space that allows for effective use of external pressures after collaboration with some form of civil society, for bolstering an independent press or at times very active and influential press. But it seems to me in these transitional countries we have the greatest opportunity to harmonize both resources, aid and assistance, private and public, collaboration among our democratic allies and the like.

I wanted, in my remarks, to create another way of trying to think about this process, to urge the people who are responsible for the guidance of the OSCE process, in Congress, at the interagency level and in the executive branch to think of new ways of getting out of that deadlock and of creating greater impetus in the process.

I would say that for the governments of established donor democracies that are committing resources to overcome the problems that Holly Cartner has outlined, and building and to help build tolerant and vibrant free market democracies, it's this middle category of nations in transition where the issue of eventual transformation and the direction, the vectors of that transformation are still unresolved. They are the countries that are most susceptible to pressure, change and constructive engagement.

One way that the OSCE process, in fact, could become more relevant in this regard is if it became a focal point for greater coordination of strategies and resources among donor countries and among private donor institutions interested in the promotion of democracy, human rights and the opening up of economic systems. It would also probably be helpful if systematic and significant reports issued from this process of ODIHR meetings and then were widely distributed to the donors.

I would argue that the CSCE continues to play an important role in monitoring elections, in its interventions to reduce inter-ethnic conflicts, in its efforts to combat racial and

religious discrimination. I am struck by the idea that if you did some assessment of public attitudes, and certainly within the elites of the transitional community, you would find that the OSCE process is taken seriously. The, you know, broad community of democratic nations has a high moral authority and certainly the moral judgments of established democracies have a very important role to play among transitional societies with the publics, with the NGOs, with the media, and in many cases with the leaders of these countries who don't want to be left behind in terms of the economic opening up of the world. I think that the more the OSCE can link itself to both this donor dimension and also to the link between a democracy, rule of law, and economic success, the greater, I think, the more it can be a reinvigorated process.

So I thank you for your attention, and I'm ready to turn it over to you, Mr. Hathaway.

**Mr. Hathaway.** OK. Thank you, Mr. Karatnycky.

I'm now going to open the briefing for questions from the floor. Since we are making a record of this briefing and intend to publish it, I would like to ask anyone who has a question to please identify himself or herself when you ask the question, presuming that you want to be named in the record of the briefing. Would someone have a question for our panel?

**Questioner.** I'm Adrian Karmazyn with Voice of America Radio. My question is about the situation in the Ukraine over the past year or more. There have been a lot of reports about journalists either being beat up or killed. I'm wondering how can this issue be addressed in this Warsaw forum. Is it something that you bring up and the government can say, , but we can't.that question.

**Mr. Karatnycky.** I know that a lot of the killings of journalists in Ukraine are linked to investigations of corruption. It seems to me that here is another area where there could be more systematic and coordinated activity. There is a mantra in Washington of pressing governments to be more forthright in investigating corruption. Yet journalists, who are about the only independent actors conducting that kind of activity, are being bludgeoned and murdered in these countries, which I think is allowing corruption to continue and also I think creating a climate of fear and keeping states from addressing economically sensitive issues. It seems to me that the more such issues are addressed in a coherent and comprehensive way, the more pressure can be exerted. If economic and aid discussions held between the Ukrainian government and the U.S. Government, for example, or among other west European donors and agents and active forces in Ukrainian society--if those such connections are made more comprehensively, there probably would be a greater commitment from the Ukrainian government, under that kind of pressure, to forthrightly investigate these things, and possibly to find some leads in the killings.

**Questioner.** I'm Jason Agru. I'm with the General Counsel's Office, and I was wondering has there been any adjustments in the format in the time limits, and maybe you also could speak to Warsaw. I know in 1995 the media had a tendency to stop that.

**Mr. Perina.** Yes, well, I wasn't at the 1995 meeting, but I'm aware of this problem. I heard about it. We have tried to address it by striking a different balance between the two working groups which were set up. There will be two working groups, one which deals with the real, the implementation review issues and then another working group which really deals with issues that are also dealt with in Vienna, mechanisms and procedures and institutions and so on. We have tried this year to strike a better balance between those two; well, a balance that will be reflective of the needs that we have, in other words, that there be

enough time to allow for the specific implementation review, which is what I consider is really the core of this meeting. I don't know if all of you have seen the work program, which I think was distributed of how the various sessions will go, and what the agenda topics of the various sessions will be. I'm not totally sure of how this differs from the previous year, but I know that there have been some adjustments in trying to address this concern.

**Questioner.** I'm Laszlo Pasztor from the National Federation of American Hungarians. I attended meetings of the CSCE and OSCE in the last 10 or 11 years, and first of all I'd like to thank the Helsinki Commission that they are sending us their, in time, information about this upcoming Warsaw meeting. We deeply appreciate it.

I would like to mention that today around 1:30, when I was leaving my office to come over here, I received a letter, a package from ODIHR, OSCE, and was so--I shook it a little bit, I couldn't read that big package of information, that at that time was submitting certain things for distribution of October the 15th, and I received it today. So I got actually two copies for our federation.

So I thought that one thing maybe this (off mike) may be able to clear up this Warsaw meeting, that even the ordinary mission of the OSCE may be kind of put in place of mailing by regular surface mail something (off mike) NGO, certified airmail, because it took actually over 3 weeks for that package to get from Warsaw, from the ODIHR to us here in Washington.

As an example of how important it is that the NGOs speak up, last year at the Vienna review meeting I asked for the floor, and I brought it to the attention to the attendees that the three countries that I was following very closely how they all see it, letters of request are honored by the government. (Off mike) in Hungary, Slovakia and Romania. In spite of the fact that the letter requested that the governments notify their NGOs, none of these countries notified their NGOs. Indeed, from America--I myself as dealing with the (off mike) human rights issues, I had to call Bratislava, Bucharest and Budapest and they got the information from us, thanks to the CSCE, because we got the information here in time, and in the proper way.

The good news, I got the information already from Hungary, that the Hungarian government this year informed the NGOs, and they were so happy, and then they are talking that last week was verified for me to speak up last year in Vienna because this year they got almost at the same time as we got it from you, they got it from the Minister of Foreign Affairs in Budapest.

I'm planning to be in Warsaw, and I hope that I can work as in the past with the American delegation and try to do our best on the NGO part to make the OSCE and the ODIHR process a success.

**Mr. Perina.** Thank you. Well, we will certainly look into this problem of the mailings. That should not happen. We will raise it with the ODIHR people.

**Mr. Donegan.** If I might add, if you're concerned about the registration deadline, simply faxing that back to ODIHR will suffice. Even though it's past the 15th, you can still register, so it's not too late.

**Mr. Perina.** We will take care of that.

**Mr. Hathaway.** Any further questions?

**Questioner.** I would like to address--I'm Edward Chaszar, representing the National Committee of Hungarians from Slovakia here in (off mike). I'd like to address my question to

Mr. Perina. The Helsinki Commission just issued about 3 weeks ago a 41 page report, called *Human Rights and Democratization in Slovakia*. It's an excellent report. But what will the United States delegation do when they hear the representatives of the Slovak government rejecting this reform as they do all the time; they say everybody has the wrong information about Slovakia, that things are not as it is presented by the European Commission or the Council of Europe, or the Helsinki Commission here in the United States. So they keep denying all these dismal record, which is here in black and white, and the record of human rights, minority rights. What do you think is available to the United States and to other OSCE countries which are trying to steer Slovakia and some of the other countries, which are mentioned here, back to the path of democracy?

Mr. **Perina**. Well, that's--it's a very good question, and let me just say that the excuse of rateusiness. All of the human rights violators use this at one point or another, and basically it's a very flimsy excuse. Increasingly I would say it's an unsustainable one. It may have been sustainable in the old days when you could draw an iron curtain across part of the world and lock out people and lock out journalists and lock out visitors and not allow anybody to come to verify this information. There are some countries, I would say, that are still attempting to do that. But very few countries want to pay the price of such self isolation, and of putting themselves in that position.

So increasingly these things can be refuted. What is important is to have enough time, and to go over it in detail. I mean, if somebody says this person is not arrested or this person was not harassed,ave embassies in most of these countries. We have contacts in most of these countries. We can find out whether that is true or not. It is increasingly difficult for these countries just to deny facts and deny reality.

But one has to have the opportunity to really go over the nitty gritty of these issues, to look at specifics, to look at names, to look at cases, not just to speak in generalities. Then to follow up, when we have information to press the government, well what happened to this person, where is he, why is he in jail, if he's not in jail where is he. These kinds of things can be pursued, and it's harder and harder for governments to offer this kind of an excuse.

So while I agree with you it exists and people try to use it, it's--it is by no means as effective as it was in the past. We live in too small a world, and by and large most of the borders in Europe today and in the world are too permeable to allow that sort of an escape.

Mr. **Karatnycky**. Can I say something that underscores the point? I do think that there is something to be said for the fact that thus far Slovakia, with all the pressures on the press and so on, has had relatively competitive elections. I think that these kinds of condemnations by Western agencies, international agencies, human rights groups and so on, do permeate the broader public. I think that in a context where a vote still matters, there may be some significant influence brought to bear on some of these societies.

Since many of these societies, and not just their leaders, want to be integrated into European structures, the shock of not being in the first tier of NATO enlargement, the condemnations by the Council of Europe, by the OSCE and so on for certain ethnic practices and as well as for certain curtailments of the rights of press freedoms and other thing, I think have an effect on the people of Slovakia. I think that these kinds of OSCE meetings in the context of this category of countries, are more important than they were in the days of the Iron Curtain.

**Questioner**. I am Istvan Gereben. I was the Executive Secretary of the Coordinating

Committee of Hungarian Organizations in North America from 1972 to its dissolution in 1990. I would like to make an observation, and then I would like to ask a question.

I am not in a position to share Secretary Perina's optimism about homogeneous ideology within the OSCE community. I think, and I will demonstrate, that my disagreement is substantiated by facts. There are attacks on the basic tenets of democracy within the OSCE community.

Recently, Mr. Sandor Csuri, a very prominent Hungarian writer, in an interview conducted at the conclusion of the fifth congress of the Democratic Alliance of Hungarians in Romania, and published in the October 8, 1997 issue of the Hungarian language daily *Romaniai Magyar Szó (Hungarian Voice in Romania)* said, possible only in circumstances where the peoples have one culture.

This statement would not warrant our attention if Mr. Csuri would have made it as a private citizen. Everyone has the right to express his or her opinion, even if that opinion is based on ignorance, prejudice, ill-conceived nationalism or outright racism. But Mr. Csuri uttered his words as the president of the World Federation of Hungarians, an organization which claims to represent 15 million Hungarians living in the world, an organization which is one of the very few non-governmental organizations in Hungary attending the OSCE conferences, which receives the overwhelming majority of its funds from the Hungarian government.

What is it that Mr. Csuri really says with his statement? Does he mean that in Romania democracy cannot gain grounds until the traditions and culture of the Hungarian minority in that country is fully absorbed or eradicated? Or Hungary cannot become a true democracy until it fully destroys the culture of its numerous ethnic minorities, including the large Roma community?

What specifically disturbs me is that there is no response to Mr. Csuri's statement. There are no responsible statements of disassociation regarding his requirements for the viable implementation of democracy, on the part of the Hungarian government, or the World Federation of Hungarians, or the general Hungarian public which indicates to me that this mentality developed some intimidating nature lately not only in Hungary, but in other countries of Eastern Europe as well. We should address this problem. We should respond to this challenge. If we do not, then the masses of these countries become more confused about democracy. If we fail to respond to this challenge we will help to create a false picture of what democracy really is and what the Helsinki process is about.

I don't know how to handle this issue in Warsaw or after Warsaw or before Warsaw. I know only what I can do. I can call the attention to this because this is [off mike] attack on the tenets of the Helsinki Final Act from within, and I think that we should have to make our opinion very clear that we've observed it, and that we vehemently disagree with it.

**Mr. Perina.** Well, you raise a very complex and interesting point. It really reminds me of the very useful concept that Mr. Karatnycky mentioned in his presentation of illiberal democracy and the growth of illiberal democracy.

Let me say, first of all, I spent my last overseas assignment in Serbia during the Bosnian conflict, and I certainly know of the illiberal, intolerant, authoritarian views which exist in Europe, and particularly of course exist in the Balkans and in the former Yugoslavia. This is, they are in their most extreme in certain parts of Europe, and in the Balkans in particular, but more broadly there is a disturbing trend, European wide, even in parts of

Western Europe, of this kind of a manifestation of illiberal democracy, of decreasing tolerance, particularly for other ethnic groups, but really for anyone different.

There's no question that this exists, and that it is a concern to us, that it's something we have to watch very closely and we have to address. I think in the individual issues that we will be taking up in Warsaw, many of them come back to various aspects of this fundamental problem.

I would still argue, though, that my point, which I think you were disagreeing with, is valid in that there are no overtly competing ideologies in Europe today, which is a difference from the situation 10 years ago. Even some of the worst human rights offenders, and I dealt with them in Belgrade, still profess to share our values, our commitments, our view of democracy, our view of a free market economic system--by our own Western sense, not in an American sense--and profess to espouse the liberal democratic values represented by the West.

This does make things more complicated, but, it increases the importance of looking at implementation and of distinguishing between what governments profess and what they do, because if you listen to what governments profess, we would think we live in a perfect world today, and of course we do not.

So that is why we have to look at the implementation, and I think that's exactly why a meeting like Warsaw is important, to point out to governments that we see the discrepancies, we see the inconsistencies and the contradictions, and these are a matter of international concern.

**Mr. Karatnycky:** Could I just add something? It's a very interesting comment that most of the leaders in this region and around the world profess to espouse certain types of democratic values without qualification. We still have one of them, Jiang Zemin traveling in this country, who qualifies this democracy as a socialist democracy, but in the region, the OSCE region, these kinds of contrary ideas are not espoused.

But there are only two reasons why these leaders do this in their dialog with Americans and with the West. One is to confuse us or to put us off our guard, or to relieve pressure, which means that pressure does have some kind of an impact. The other is to deceive their own populations, which is to say that there are growing democratic expectations among these populations. That, I think, is the universality that is alluded to when we speak about the end of ideology, that is to say that there is this widening of democratic expectations. So I do think that there is a powerful force at work which can be harnessed in the service of liberalizing these societies, with a small es.

At the same time, democratization carries with it a measure of appeal to demagoguery, and we've seen that as well. So we get the good with the bad. Overwhelmingly I think that there is more room to maneuver in terms of improving constructively, improving the lives of people in such countries, given this set of democratic expectations in most of these countries.

If it's the same Sandor Csuri who was involved in past escapades in Hungary, you know, there's a limit to that kind of nationalist political appeal. It didn't allow his ideology to be triumphant in the internal political debate in Hungary. Presumably that's a healthy sign, that these ugly ideas of racialism and ultranationalism have a very limited appeal, and under economic difficult circumstances they seem to rise, but they tend to reach a limit of 10 or 15 or so percent of the electorate in countries like France and Britain and the like, and as Hungary's economy strengthens and stabilizes there will probably be an upper limit to the

appeal of these ugly ideas.

**Questioner.** May I add a suggestion? I probably should emphasize that Mr. Csuri is the leader of the President of the World Federation of Hungarians, which organization will represent itself as a non-governmental organization at the Warsaw meeting. If he has such a misconception of democracy, and seemingly his organization does not find anything objectionable about it, I don't know that what can I suggest that what should or should not be done in this respect in Warsaw. However, I am deeply disturbed that after 7 years of exposure to democracy, to its principles and institutions, there are prominent public figures in Eastern Europe who have such a misunderstanding of what democracy is and how democracy works, and what human rights really mean.

Probably I am a little (off mike) but when it comes to democracy I am.

Mr. **Hathaway.** OK. Any additional questions?

Mr. **Perina.** Well, why don't you give us the reference, and if this gentleman or his organization is represented in Warsaw, I guarantee you I will ask him about it.

**Questioner:** I will be more than happy to.

**Questioner:** May I just add something? That organization (off mike) represented by the President Austrian, American and Hungarian Federations, Mr. Korpus. I don't know that I was aware of the statement by Mr. Csury, and I would like to see the full text before my reaction (off mike) and this is what we (off mike.) I talked to these people in Budapest, and they are working with the Americans and with the other NGOs, you know, and I don't think that they knew of this statement (off mike.)

**Questioner:** I don't care who is represented (off mike); the organization has views on democracy which is inflammable. That's my point.

Mr. **Hathaway.** Well, if there are no further questions, we have reached the appointed end of this briefing. I'd like to thank the distinguished panel for coming, and for giving us the benefits of their views, and the audience for their questions. Thank you.

[Whereupon the briefing was concluded at 3 p.m.]