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“U.S. Foreign Policy and the OSCE: Shared Core Values”

Introduction

Chairman Cardin, Co-Chairman Hastings, Members of the Commission: Thank you very much for inviting me here today to discuss U.S. policy and the Organization for Security and Cooperation in Europe. The OSCE remains one of the top three key European institutions with which the United States engages, alongside the EU and NATO. While NATO and EU enlargement have perhaps enjoyed more prominence in recent years, the OSCE nonetheless remains an essential venue for dialogue, cooperation and democracy promotion precisely with those countries that are not yet members of, or do not intend to become, members of these two other organizations. The OSCE’s comprehensive approach to security offers a vehicle for engagement across the political-military, economic, and human rights dimensions. That it is a process, and that such a process takes time, does not lessen its important or the necessity for sustained U.S. engagement.

The Helsinki Final Act says that promoting democracy and respect for human rights is fundamental to achieving sustainable security in Europe and Eurasia. It links security *among* states to respect for human rights *within* states. OSCE’s core values are among the reasons this organization has a central role to play in advancing President Obama’s and Secretary Clinton’s foreign policy strategy.

Indeed, the remarkable success of the Organization during many of the past 35 years is proof of what the participating States can achieve when we implement commitments based on shared values and objectives. Improvements in the lives of our citizens in the OSCE area are the result of hard work, conviction and persistence, and I would like to thank the Helsinki Commission members and staff for partnering with us in this endeavor. Our cooperation is only increasing. I especially appreciate the institutional knowledge and abiding dedication to human rights that the Helsinki Commission team brings to our joint efforts.

The Helsinki Final Act has long stood as a beacon for the silenced, the trafficked, the disenfranchised and the displaced. The OSCE is among the most effective – and cost effective – international organizations working on human dimension issues today. The OSCE’s eighteen field missions in the Balkans, Central Asia,

Eastern Europe and the Caucasus, and the Office of Democratic Institutions and Human Rights (ODIHR) are the front line of this work. They continue to be instrumental not only in helping new democracies build sustainable political institutions and vibrant civil societies, but also in addressing a myriad of critical needs when they arise, from border monitoring to crisis prevention to combating human trafficking and corruption. More widely known, of course, is OSCE's election monitoring expertise, its historic efforts to promote basic freedoms and human rights, including religious freedom and freedom of the media, association, and assembly and its groundbreaking work in combating anti-Semitism and other forms of intolerance.

We look forward to Secretary Clinton's participation in the Athens Ministerial in December, which would be the first time since 2004 that the Secretary of State has participated in such a meeting. In Athens, we will highlight the accomplishments of the OSCE, and work to rejuvenate the OSCE itself through revitalizing its contributions in each of its three dimensions of security – the human dimension; political-military aspects of security; and economic and environmental issues. The “Corfu Process,” inaugurated by the Greek OSCE chairmanship to take a fresh look at the OSCE itself and European security more generally, is at the center of that revitalization effort.

We will continue to press for the re-establishment of an OSCE field presence in Georgia, the mandate for which does not prejudice Georgia's territorial integrity. We will also continue our efforts to advance the OSCE-Afghanistan border security initiative by gaining agreement to pursue technical assistance in northern Afghanistan. We expect the Ministerial to endorse future OSCE work on media freedom, rule of law, gender equality, energy security, counterterrorism and police reform consistent with respect for human rights, as well as on combating trafficking and hate crimes. It is our hope that the Euro-Atlantic family will not only renew its commitment to OSCE's core values at Athens, but also begin to chart its future in engaging on new and old security challenges and putting at its helm in 2010 the organization's first-ever Central Asian Chair-in Office (CiO).

European Security Proposals and the Corfu Process

In June, the Greek CiO launched the “Corfu Process” as a structured dialogue among all participating States. The process offers an opportunity to review the state of play in European security, including the implementation of existing commitments, as well as a chance to identify new challenges and discuss ideas for reinvigorating or re-inventing the mechanisms we have available for dealing with

traditional and new challenges. In 2008 Russian President Medvedev called for a fresh look at European security institutions. We strongly believe that any dialogue must take place primarily within the OSCE and build upon existing institutions. Most importantly, such a dialogue should be based on the OSCE's comprehensive concept of security, which encompasses all three dimensions of security: human, economic/environmental, and political-military. There have been six Corfu sessions in Vienna so far, with several more to follow before the Athens Ministerial.

The United States participates actively in this broad dialogue and we are open to ideas for improving European security. We hope that a substantive agenda can be agreed in Athens that will enable us to take further, more detailed and concrete work in the following year. If the Corfu dialogue identifies a worthwhile substantive agenda at the Athens ministerial, we would expect even more fruitful discussions next year under Kazakhstan's chairmanship. This is an open-ended dialogue at the moment, the outcome of which is not pre-ordained.

As for ongoing work in each of OSCE's three dimensions, allow me to say the following.

Human Dimension

The OSCE's democracy promotion efforts are one of its true success stories. The Office for Democratic Institutions and Human Rights (ODIHR) is engaged in promoting democracy and human rights in many contexts. Although ODIHR has been under attack from some, its election observation methodology remains the "gold standard" in the field, with OSCE election observation missions generally enjoying worldwide respect for their objectivity and credibility. The means by which ODIHR carries out its democratization mandate is fully transparent: procedures are spelled out in online handbooks, reports are publicly available, and procedures are linked to core OSCE consensus commitments. We support the practice that election monitors from any single country should not exceed ten percent of an election mission's staff and will press back against any attempt to undermine ODIHR election observation.

The promotion and protection of human rights and fundamental freedoms is central to the OSCE's mission and is critical to promoting the rule of law, democratization and conflict prevention. One of the most important, and most moving, activities ODIHR coordinates is the annual OSCE Human Dimension Implementation Meeting (HDIM) in Warsaw. We value the HDIM as an opportunity to focus on

human rights issues exclusively, and as an important occasion on which NGOs, speaking outside of the confines of governmental control, can directly express their concerns and criticisms to participating States. In some cases human rights defenders risk their lives, the safety of their families, and their own personal freedom to call authoritarian regimes to account. A record number of over 300 NGOs also participated in this year's HDIM, showcasing the OSCE's special ability to promote civil society through active cooperation. We are grateful for the participation of the Helsinki Commission staff as part of the United States delegation.

Russia and a number of participating States that host OSCE field missions have continued to criticize the work of ODIHR. They assert that there are "double standards" on human rights and complain about ODIHR's alleged "interference" in domestic issues, or that there is a "lack of balance" in the OSCE's activities. They have singled out for special mention the OSCE's election-related activities, specifically its election observation procedures, and asserted that a lack of standardized election criteria (i.e., uniform one-size-fits-all criteria that would not take into account the size of a country or the complexity of monitoring a particular election) have led to politicized election assessments. Some OSCE states have increased their efforts to try to prevent access by NGOs to OSCE review meetings.

The United States strongly disagrees with these criticisms and works actively to counter any efforts to undermine the objectivity and independence of ODIHR and its election observation mission. Supported by the vast majority of participating States, we have stressed continuously that there are no OSCE double standards on human rights. All OSCE participating States signed on to the same commitments to respect fundamental freedoms and human rights and to hold free and fair elections. We all need to stand by them.

The OSCE is actively engaged in combating intolerance and discrimination. The United States has provided significant financial and political support for that work. The Chairman-in-Office has three personal tolerance representatives who work to raise governments' awareness of the need to combat intolerance and discrimination. ODIHR has also organized and supported tolerance-related programs and projects in the fields of legislative reform, law enforcement training, capacity-building for NGOs, education on the Holocaust and anti-Semitism, and all forms of anti-ethnic, racial or religious prejudice, including intolerance against Muslims.

The OSCE continues to be the pre-eminent Europe-wide institution for confronting the trafficking-in-persons. The OSCE's geographic breadth helps to address the transnational nature of the problem, with much front-line work taking place in OSCE's field operations. The Chairman-in-Office's Special Representative and the OSCE Anti-Trafficking Assistance Unit (ATAU), as well as ODIHR, all work to combat trafficking through specialized police training, legislative advice, and other assistance. Secretary Clinton, Under Secretary Otero, Ambassador CdeBaca and I remain resolute in confronting the problem of trafficking in persons through multilateral fora such as the OSCE, as well as through bilateral engagement.

Political-Military Dimension

OSCE's work in the political-military dimension has for decades been another of the organization's hallmarks. The pol-mil side of OSCE is diverse, encompassing complex agreements on arms control and confidence building, such as the CFE Treaty and the Vienna Document, and issues of shattering immediacy, such as the protracted conflicts in Nagorno-Karabakh, Moldova, and, of course, Georgia.

Traditional arms control and confidence building measures remain a foundation of the long-term security of the OSCE region. OSCE's Vienna Document promotes military transparency and openness through a rich catalog of measures, ranging from on-site inspections to sharing of defense budgets. Arms control is one area where significant differences have emerged among OSCE member states. Russia's decision to "suspend" its implementation of the Treaty on Conventional Armed Forces in Europe (CFE) on December 12, 2007, has raised serious concerns among its CFE partners and within the OSCE as a whole. It is fair to say that virtually all the members of the OSCE regard CFE's system of equipment limitations, data exchange, and verification as a cornerstone of European security, whether or not they are parties to the Treaty. Many OSCE participating States have said they would like to join the CFE regime when that becomes possible. The United States will continue to try to find a way forward, working with our NATO Allies, Russia and other Treaty partners, that addresses the concerns of all, and preserves the important benefits of this Treaty.

OSCE plays a central role in our efforts to find peaceful solutions to the protracted conflicts within the OSCE region. The United States is a Minsk Group co-chair, working to make progress in Nagorno-Karabakh; we are an observer in the 5+2 mechanism set up to address the Transnistrian conflict; and we are engaged on a constant basis in efforts to build a stable and secure future for Georgia.

The OSCE Mission to Georgia was closed in June of this year. It was the first OSCE field operation to be closed without host country consent. There is no glossing over this: Russia's unwillingness to agree to a status-neutral mandate for continuing the mission in Georgia led to its withdrawal. The United States believes that was a serious mistake, which heightens tensions and the potential for further conflict. Over and over again, members of the OSCE Mission provided timely and impartial reporting on incidents in the South Ossetian region. That type of reporting is now impossible: members of the European Union observer mission in Georgia are not allowed into the areas of conflict in South Ossetia and Abkhazia. Despite this, the OSCE has continued efforts to reduce tensions in the region, and furthered international efforts through the Geneva process to develop incident prevention and response mechanisms and facilitate the safe, voluntary return of internally displaced persons. The Greek Chair-in-Office is looking into possibilities for returning an OSCE presence to the region. But it is our firm view that a robust OSCE presence throughout Georgia, including South Ossetia and Abkhazia, active in all three dimensions of security, would be a source of transparency, stability, and conciliation throughout the region. We continue to urge the Russian Federation to meet its 2008 cease-fire commitments, and to join other OSCE participating States in supporting a Mission in Georgia.

The OSCE's work on counterterrorism is too little recognized. OSCE works with other international organizations to help train regional authorities to implement tougher security and counterterrorism practices in areas such as law enforcement, shipping, and document issuance. The United States and Russia have cooperated closely on two high-level Public-Private Partnership (PPP) conferences in a continued effort to explore ways for governments to cooperate closely with the private sector and civil society to combat terrorism. The main focus of OSCE's counterterrorism efforts has been to promote norms and standards in four important areas: protecting critical infrastructure, partnering with civil society in countering violent extremism and radicalization, addressing conditions conducive to the spread of terrorism, and combating terrorist financing. In February next year, the State Department will sponsor a conference in Vienna that will bring together energy security experts from OSCE capitals to discuss new ways of combating multi-faceted terrorist threats to critical energy infrastructure.

On border security, the OSCE developed a set of sixteen projects related to Afghanistan and its Central Asian neighbors and worked in 2008 to find new ways to facilitate capacity-building for border services and to reinforce cross-border cooperation in the OSCE region. We have yet to reach consensus on two border security projects within Afghanistan and hope that Kazakhstan will renew efforts

for the OSCE to work inside Afghanistan's northern border to strengthen border controls and reduce trafficking in drugs, weapons, and other illicit goods.

The OSCE's Forum for Security Cooperation (FSC) is developing a set of best practices guides for national implementation of the provisions of UN Security Council Resolution (UNSCR) 1540, which is aimed at preventing the spread of weapons of mass destruction and related materials. To better monitor the weapons trade in recent years, the FSC actively reviews implementation of the documents it has adopted which are aimed at controlling stockpiles of small arms and light weapons (SALW) and conventional ammunition, including export controls for man-portable air defense systems (MANPADS) and exchanges of national practices on arms brokering and end-use certificates and related mechanisms.

Economic and Environment Dimension

The OSCE has been a catalyst for regional cooperation on a broad array of economic and environmental activities, including good governance, water resource management, migration assistance, and disposal of hazardous waste. The United States supports the OSCE's efforts to play a complementary role – through its field missions and along with other international organizations – in confronting emerging trans-boundary challenges, such as energy security and environmental protection. The 2008 Ukrainian-Russian gas crisis highlighted the need for continued OSCE involvement in energy security issues. In July 2009, the United States co-sponsored, in collaboration with Russia and the European Union, a two-day OSCE conference in Bratislava to help fulfill a mandate on promoting an energy security dialogue within the OSCE region. The Athens Ministerial will provide an opportunity to advance this work, and we will advocate incorporating transparency and energy infrastructure protection initiatives into the discussion.

Efforts beyond the OSCE Region

We greatly appreciate the OSCE's recent efforts outside the region itself, with and within Afghanistan, such as the recent ODIHR Election Support Team (EST) mission deployed for Afghanistan's August Presidential and Provincial Council elections. The EST will re-deploy for the November 7 Presidential run-off and will produce a report that outlines a set of recommendations for future elections in Afghanistan several weeks after the second round. There is scope for additional cooperation in other areas outside the OSCE region. For example, in late 2004, the Palestinian Authority requested the OSCE to provide assistance for its January 2005 elections, and the OSCE responded by sending a Training Needs Assessment

Team, resulting in a number of recommendations to the Palestinian Authority on how to improve the conduct of elections. We believe ODIHR's encouragement of democratization in areas of instability is money very well spent.

Kazakhstan as OSCE Chair-in-Office

The United States stands ready to assist Kazakhstan in its goal of a successful term as Chair-in-Office. There are frankly many challenges, but also promising opportunities. It is critical that the Chair of the OSCE meet the high standards of democracy and fundamental human rights upon which the OSCE is based. Only if this occurs will Kazakhstan's chairmanship of the OSCE – the first from Central Asia – be beneficial both for the OSCE and for the countries in the region. The United States generally supports Kazakhstan's goals for its Chairmanship, that include a focus on Afghanistan (an OSCE Partner State), protracted conflicts, border management, transportation, tolerance, and human trafficking. At the same time, we are urging Kazakhstan – in line with the commitments it made in Madrid in 2007 – to be proactive in its approach in protecting the organization's human rights and democratic commitments, and to demonstrate its willingness to protect those commitments at home.

Unfortunately, there remain key areas in which Kazakhstan's domestic legislation and practices on democracy and human rights fall short of OSCE standards, notably with respect to key portions of its media law, election law, and the law on political parties. Kazakhstan has not held an election that the OSCE has deemed fully to have met OSCE commitments and international standards. Kazakhstan also has not taken action to reduce criminal liability for defamation. We have deep concerns about the fairness of the judicial proceeding in the recent conviction, upheld on appeal, of prominent human rights activist Yevgheniy Zhovtis on charges of vehicular manslaughter. We continue to have, intensive discussions with the Government of Kazakhstan to encourage authorities to implement democratic reforms in line with their Madrid commitments.

Conclusion

The OSCE's record on the promotion of democracy, human rights, fundamental freedoms, together with its efforts in building civil society is second to none. The OSCE's multidimensional approach to security is directly relevant to the transnational issues we face as we work together to build a democratic, prosperous, and secure Trans-Atlantic community. Decades ago the CSCE spoke up for the rights of Soviet dissidents who could not find a voice for themselves. Today

ODIHR supports those in OSCE participating States who wish to promote democracy and entrench human rights and the rule of law. Much remains to be done.

I would like to thank the Commission for inviting me here today to discuss the United States' continued support for the OSCE's vitally important work. Thank you, Chairman Cardin, Co-Chairman Hastings, Members of the Commission, and your outstanding staffs for your stalwart support of the OSCE's multidimensional approach to security and your continued dedication to the ideals and values of the OSCE – a crown jewel of multilateral diplomacy.

