

Commission on Security and Cooperation in Europe

Budget Request for Fiscal Year 2008

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Commission on Security and Cooperation in Europe Budget Request for Fiscal Year 2008

I. Budget Authority and Appropriation Request for FY 2008

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."

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 break up 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. In 2006, Montenegro asserted its independence from the state union of Serbia and Montenegro and was admitted as the newest participating State, bringing total membership to 56 countries.

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

While the enlargement of the European Union has resulted in a certain political consolidation among some of the OSCE participating States, the increase in the number of participating States from the original 35 to the current 56 has contributed to a simultaneous competition among domestic and foreign policy objectives in the expansive OSCE region.

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.

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 2008, the Commission requests an appropriation of \$2,370,000 for salaries and expenses, in keeping with the President's budget request for fiscal year 2008.

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 110th Congress.**

III. Commission Personnel

The Commission's staff presently consists of eighteen permanent staff positions. Staff responsibilities 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, economic and legal dimensions of the Helsinki process, current staff members are proficient in languages including Azerbaijani, Belarusian, French, German, Polish, Romanian, Russian, Spanish, and Ukrainian.

Moreover, due to the extensive service of the majority of the staff and their primary focus on OSCE issues, the Commission provides a continuity and unmatched reservoir of institutional knowledge within the U.S. Government, 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 the drafting of documents, and other OSCE-related initiatives.

IV. Implementing the Commission's Mandate in the 109th Congress, 2nd Session

The Commission has the responsibility, the international credibility, and the expertise to make a significant difference on issues that potentially threaten peace, security, and stability in the expansive OSCE region stretching from Vancouver to Vladivostok. 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. These human rights commitments encompass a broad array of issues, including the freedoms of speech, press, assembly, association and movement; religious liberties; and the treatment of ethnic, religious, and linguistic minorities. In the wake of the failed 1991 coup attempt in Moscow, the OSCE participating States 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."

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 improvements.

The shock waves from the three "color" revolutions (Georgia's "Rose" revolution, 2003; Ukraine's "Orange" revolution, 2004; and Kyrgyzstan's "Tulip" revolution, 2005) continue to influence all post-Soviet countries, especially those in Central Asia. There have been no more such events, partly because the authorities everywhere in that region have taken steps to preempt them. Yet politics, domestic and regional, continue to play out in several countries in the shadow of official fear of a possible popular uprising.

Protracted conflicts in the OSCE region, such as in Transdnistria, Chechnya (where the most egregious violations of international humanitarian norms in the region are occurring), and areas of the Caucasus, also present significant ongoing challenges.

The Commission pursues this mandate in a variety of ways. First, specific instances of human rights abuses or shortcomings are raised with the country of concern. Members of the Commission intercede directly with that country's officials and representatives (at home and abroad), and through correspondence. Commissioners 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 communicate their views to the Department of State and other relevant U.S. Government agencies and, when necessary, seek to raise or improve the level of official U.S. engagement regarding specific countries, cases or issues, or on 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 issues of concern. This, in turn, strengthens the human rights reports issued by the Department of State. Significantly, the work of the Commission has resulted in considerable success in helping to resolve individual cases of human rights violations, and in ameliorating specific problems in this fashion.

Hearings and briefings offer the most public forum to highlight violations of human rights. 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 necessary. 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. 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 in countries which violate human rights. **(For a complete listing of Commission hearings, briefings, reports, and articles, see Appendix (D).)**

Commissioners or Commission staff members have served as members of every U.S. delegation to every major OSCE 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 consistently 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 provided by the Congress. This structure reinforces an understanding in foreign capitals that the Congress and the American people attach high priority to respect for individual human rights. The Commission's bipartisan and bicameral nature, its tenure, and its relentless 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. (In fact, no other legislature of any other OSCE country has a body analogous to the Commission.)

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 documents. Members 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 the 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. Under 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 appropriate OSCE activities.

The Commission's Internet web site <www.csce.gov> has been a portal for public diplomacy and serves as an important distribution point for the Commission's message at home and abroad. Commission publications – including hearing and briefing transcripts, articles, reports, press releases, and Congressional Record statements – may be viewed online by country, issue, or date. The website also allows access to an extensive archive of materials on the Helsinki process.

An increasing number of individuals and officials around the globe have subscribed to receive Commission materials via the Internet. The Commission continues its outreach to U.S. Government employees, foreign government officials, non-governmental organizations, scholars and other individuals monitoring the countries and issues central to the Commission's mandate. The Commission has bolstered its utilization of information technology to enhance its automated e-mail distribution system with the aim of offering a more effective, user-friendly message delivery system. The subscriber base has expanded significantly as a result of these initiatives. Data collection reveals a diverse audience for Commission materials extending well beyond the OSCE region.

A. Basket I – Principles, Military Security and Emerging Threats in the OSCE Region

The Commission monitors implementation of the fundamental commitments of the Helsinki Final Act, including those provisions in the field of military security.

From its inception in the early 1970s, the Helsinki process – which includes the original Conference on Security and Cooperation in Europe, follow-up activities after 1975 and, since 1995, the Organization for Security and Cooperation in Europe – has been a multilateral, politically binding security arrangement. The original focus was on enhancing security through transparency. Confidence- and Security-Building Measures (CSBMs) – such as prior notification of troop maneuvers and observation of military exercises – form the core of this work on military aspects of security, overcame barriers of secrecy and diminished the threat of surprise attack or misunderstanding of military activity.

Having addressed successfully the challenges of the Cold War, the OSCE has maintained its relevance by combining a uniquely comprehensive definition of security with flexibility and innovation of response, which includes maintaining an active dialogue on security issues, addressing issues like the trade in small arms and light weapons as well as excess stockpiles of arms and ammunition, addressing regional conflicts and training civilian police. Many of these activities are integrated into a larger OSCE effort to combat terrorism.

The underlying principle of security in the OSCE region is that true stability is based on upholding the human rights and fundamental freedoms of the individual. Besides human rights, the principles encompass key aspects of relations between states which have gained new urgency in the post-Cold War period: refraining from the threat or use of force; inviolability of frontiers; territorial integrity of states; peaceful settlement of disputes; non-intervention in internal affairs; equal rights and self-determination of peoples; cooperation among states; and fulfillment in good faith of obligations under international law. Traditionally, the OSCE has worked to develop agreements that increase confidence and cooperation between states, forming a web of mutual interests that is not easily broken.

In 2006, the OSCE focused its attention on several areas for enhanced dialogue, including on Military Doctrine, rapidly deployable forces and various aspects of the illicit trade in small arms and light weapons. Work in the later area led to two separate decisions at the Brussels Ministerial at year's end, one specifically on illicit trafficking of small arms and light weapons by air and one encouraging further efforts to implement existing OSCE provisions regarding such arms and weapons as well as conventional weapons stockpiles.

The Helsinki Commission continued to encourage OSCE work on a wide-range of security issues. First and foremost, the Commission continued to focus on frozen conflict areas, particularly the instability created in Georgia and Moldova by Russia's lingering military presence in those independent participating States. In conjunction with the signing of the Agreement on Adaptation of the Treaty on Conventional Forces in Europe (CFE) in 1999, and in light of realities associated with the break-up of the Warsaw Pact and the demise of the Soviet Union, Russia made parallel commitments (adopted at the 1999 Istanbul Summit) to withdraw Treaty-Limited Equipment as well as military personnel from Moldova, to withdraw or destroy excess equipment and munitions, and to close two bases and to negotiate the future of remaining Russian bases and facilities in Georgia. To date, these commitments remain unfulfilled; accordingly, NATO allies have been unwilling to ratify the Agreement on Adaptation which would bring the revised treaty into force. Russian intransigence on its Istanbul commitments has, in turn, created a stumbling block to progress on other issues at several OSCE Ministerial Council meetings. At hearings held in 2006 with senior U.S. policymakers and the Chair-in-Office, Commissioners continued to press for implementation of Russia's Istanbul commitments and progress on frozen conflicts.

OSCE dialogue in 2006 on the topic of non-proliferation of weapons of mass destruction reflected many concerns raised with earlier encouragement by the Helsinki Commission on implementation of what were almost forgotten OSCE pledges, as well as ongoing work in the United Nations and other international bodies.

Helsinki Commission staff attended the OSCE Annual Security Review Conference (ASRC), held in Vienna in June 2006. Originally a high-profile U.S. initiative in the security dimension, the ASRC in 2006 discussed a variety of topics, mainly serving as a forum for an exchange of views rather than producing new initiatives. The Commission has suggested efforts to invigorate the conference, including by opening it to greater participation by security-oriented experts and scholars who may have fresh ideas for OSCE activity worthy of consideration.

Helsinki Commission efforts have also noted the close link between security and human dimension issues, which came to the fore in a report from the Bush Administration in March 2006 on links between Belarus and rogue regimes throughout the world. Mandated by the Belarus Democracy Act passed by Congress in 2004, the unclassified portion of the report clearly indicates a pattern of Belarusian sales or delivery of weapons or weapons-related technologies to states of concern, including Iran, Syria and Sudan.

While Europe continues to face its own security problems, including those posed by international terrorism, the Commission also sought to promote the OSCE experience on military-security issues and in dealing with new threats in other regions of the world, particularly in Asia and the Middle East. This has been raised in the course of discussions on the staff level as well as in Commission leadership meetings with U.S. State Department officials. The challenge, however, has been to encourage governments and the public in these regions, to take ownership of any new diplomatic initiatives in this regard.

B. Basket II - Cooperation in the Field of Economics and the Environment

The Commission has been instrumental in advancing U.S. initiatives within the OSCE aimed at combating corruption, responding to environmental disasters and outlining a broad approach on the critical issue of energy security. These issues will continue to be a focus of the Commission's work in 2007, with expected new emphasis on other issues such as immigration/labor migration and environmental security.

The theme of anti-corruption and promotion of the rule of law was advanced during the 15th Annual Session of the OSCE Parliamentary Assembly held in Brussels, Belgium, in July 2006. As Chair of the Assembly's Committee on Economic Affairs, Science, Technology and Environment (the 2nd Committee), Commissioner Cardin introduced a resolution calling for limited immunity for parliamentarians. The measure was aimed at countries in the OSCE region (such as Russia) where liberal immunity laws allow parliamentarians a "get out of jail free card" for their criminal activities. The resolution was adopted by the Parliamentary Assembly and included in the concluding declaration. The Parliamentary Assembly also adopted language urging Parliamentary Assembly delegates to work in their own countries to ratify the 2005 United Nations Convention against Corruption, a measure that was also promoted by the U.S. delegation. In addition, the Committee discussed the issue of energy security and sustainability from the aspect of consumer countries and supply countries, as well as coordination of disaster relief. Commission staff will continue to support the work of the 2nd Committee on these and other issues as preparations are made for the OSCE Economic Forum in May 2007 in Prague and the OSCE Parliamentary Assembly 16th Annual Session in Kiev in July 2007.

The 14th OSCE Economic Forum, "Transportation in the OSCE area: Secure transportation networks and transport development to enhance regional economic co-operation and stability," was convened in Prague, Czech Republic, May 22-24, 2006. The Forum focused on answering the question of what role the OSCE could play in transportation security by helping to secure borders and enhance economic cooperation. Given that a number of other multilateral agencies such as the World Customs Organization and the United Nations Economic Commission for

Europe have existing programs in OSCE participating States, one of the identified areas of unique contributions of the OSCE was OSCE-initiated transport activities and their contribution to confidence-building and the solution of unresolved conflicts. One example was the OSCE role in helping to rehabilitate the Trans-Caucasian Highway as a way to decrease tension in the Georgia/South Ossetia area.

The newly re-named Economic and Environmental Forum (EEF) is focusing on the broad topic of environmental security for 2006-2007. Specifically, the EEF is addressing the issues of land degradation and water management. The Commission has been actively engaged with the Department of State in seeking public members from the United States to participate on the U.S. delegation to the EEF meetings. Members of the U.S. delegation participate fully in all aspects of the Forum by actively engaging in discussions and by networking with business representatives and government officials from the participating States.

The Commission has also worked to support greater economic development and cooperation within the OSCE region and with its partners. In April 2006, Commission Chairman Senator Sam Brownback spoke via video to a conference in Kabul, "Partnership, Trade and Development in Greater Central Asia," designed to encourage greater trade and deeper regional economic ties. Chairman Brownback also addressed a meeting of the U.S.-Azerbaijan Chamber of Commerce meeting in Washington, DC, and remarked on the completion of the Baku-Tbilisi-Ceyhan pipeline and the pivotal role Azerbaijan plays in securing energy supply.

C. Basket III - Protection of Human Rights

1. Regional Developments

Southeastern Europe

Countries of southeastern Europe formerly part of the former Yugoslavia – Bosnia-Herzegovina, Croatia, Macedonia and Serbia-Montenegro as well as U.N.-administered Kosovo – continued their slow but steady progress in recovering from a decade of conflict which caused major human rights violations, economic collapse and fragile transitions to democracy. Commission activities in 2006 sought to encourage further progress, with a concentration on particular areas of concern: 1) efforts to combat trafficking in persons; 2) laws and practices regarding religious freedom; 3) encouraging the return of displaced persons, especially those comprising ethnic minorities; 4) responding to the segregation of, and discrimination against, Roma; 5) cooperating in the prosecution of those responsible for war crimes, crimes against humanity and genocide; and 6) undertaking reforms needed for European integration, especially NATO membership. Some of these issues were also raised by the Commission regarding other countries in the region as relevant, including Albania, Bulgaria, Greece, Romania and Slovenia.

In addition to specific actions noted below, these issues came up regularly in Commissioner meetings and correspondence with high-level officials and prominent persons from these countries, which in 2006 included the President of Bosnia-Herzegovina, Bosnian politicians who subsequently were chosen to be included in the country's new leadership, the President of Serbia, Serbian Orthodox and Roman Catholic clergy from the region, the Speaker and Members of the

Albanian Parliament the political advisor to the chief prosecutor at the International Criminal Tribunal for the former Yugoslavia, and a variety of political activists and diplomats.

Human rights in Kosovo remained the major regional concern for the Commission in 2006, even as the international community as a whole moved closer to considering the question of Kosovo's future status. The Commission's approach could be generally described as "status-neutral," advocating OSCE norms in Kosovo regardless of status outcome. The Commission Co-Chairman stressed this point in noting the passing early in 2006 of Kosovo's President and long-time leader, Ibrahim Rugova. The continued plight of Serb communities living in isolated enclaves came up in several meetings Commissioners had with Serbian Orthodox Clergy from the region. The Commission also encouraged continued progress in finding a suitable outcome of the efforts to relocate about 600 displaced Roma living, since 1999, in U.N.-operated camps in northern Kosovo known to be suffering from severe lead exposure. While a new site was found, it proved difficult initially to convince Romani families rightly distrustful of the international community to move, and concern was expressed that the new location would, like the previous camps, become more than a short-term place of refuge while the original Romani neighborhoods were not rebuilt but left as rubble.

In addition to Kosovo, the Commission provided its expertise to congressional efforts to support constitutional reform in Bosnia-Herzegovina, which resulted in the introduction of passage in March 2006 of S. Res. 400, supporting reform which advances the principles of democracy and tolerance as a unified Bosnia's integration into Euro-Atlantic institutions. Bosnia's parliament in the end rejected a package of constitutional amendments due to a separation between those opposing more far-reaching measures and those opposing anything less, exacerbated by upcoming elections, but the process of debate and negotiation was itself a useful exercise for the country. Subsequently, the Helsinki Commission leadership engaged in dialogue with those Bosnians who were particularly opposed to the compromise package of amendments. It also maintained close contacts with the Bosniak-American community.

Commission staff participated in the observation, under OSCE auspices, of two polling events in Southeastern Europe. The first was the referendum on independence held in Montenegro in May 2006. According to the agreement establishing the state-union between Serbia and Montenegro formed to replace the Yugoslav state, Montenegro was entitled to declare its independence after holding a popular referendum on the issue. The population of the relatively small republic was sharply divided on the issue, but those advocating independence squeaked across the 55-percent threshold in a referendum that was deemed essentially to meet international norms. Helsinki Commissioners subsequently co-sponsored and helped to pass H. Res. 965, commending Montenegro for holding a successful referendum and welcoming the new state in international organizations.

The second event in which two Commission staff participated was the international observation of the parliamentary elections in Macedonia in July 2006. This republic of the former Yugoslavia has faced particular internal challenges, including a brief conflict in 2001, transitioning to a democratic state in a region wracked by war and ethnic cleansing, with Kosovo on its northern border a major consideration but sensitivities in its relations with other neighbors also a concern. As Macedonia has moved toward Euro-Atlantic integration, the successful

holding of elections was considered a major hurdle for the country. There were numerous problems, particularly in certain regions of the country, but the conduct of the elections was sufficiently good that its integration efforts were able to proceed. Of greater difficulty were subsequent political developments following the formation of a new government which the leading political party from the country's Albanian community was ultimately not asked to join. This has caused additional turbulence which could eventually slow Macedonia's pace of reform.

While not scheduled until 2007, the Commission staff focused on the Albanian local election process toward the end of the year. Concerns regarding this process, expressed publicly as well as in communication with senior Albanian politicians, encouraged contending political factions first to postpone the elections and then to take additional action to bring practices closer to OSCE recommendations.

Other activities related to Southeastern Europe undertaken by the Commission included efforts to maintain the conditionality on assistance to Serbia, especially the link to Belgrade's cooperation on war crimes issues. House Commission leaders urged appropriators of foreign operations to maintain this conditionality. While Serbia saw considerable progress relative to past performance 2005, the failure to apprehend key persons indicted for war crimes, crimes against humanity and genocide, in sharp contrast to other countries in the region, compelled the Congress to maintain the conditionality for yet another fiscal year. Meanwhile, the inability of the State Department to certify Serbia's cooperation forced the suspension of assistance other than that targeted to humanitarian or democracy-building efforts.

These and a host of other regional issues were the combined focus of a Commission hearing in June 2006 entitled "Human Rights, Democracy and Integration in South Central Europe," which featured a key State Department official to discuss developments in terms of U.S. policy as well as a panel of experts on the region as a whole or on the important issues of the plight of the Roma and religious liberty. Much of the discussion focused specifically on Kosovo as the desired time for taking decisions on status approached, but the hearing accomplished its objective of looking at the region in a comprehensive manner. In an extensive December 2006 *Congressional Record* statement, outgoing Helsinki Commission Co-Chairman made a similar effort, noting how in his 12 years of Commission leadership Southeastern Europe had moved from genocide and ethnic cleansing to Euro-Atlantic integration despite lingering problems that require continued international focus.

Ukraine and Belarus

Throughout 2006, the legacy of Ukraine's November 2004 Orange Revolution showed mixed results. Ukraine's political scene was tumultuous, yet democratic. In contrast to the first 13 years of its independence, Ukraine became "free," and not merely "partly free," according to Freedom House's widely respected "Freedom in the World" report. Perhaps the strongest testament to the efficacy of the Orange Revolution were the clean March 26th elections, which stood in sharp contrast to the flawed first rounds of the Ukrainian presidential elections that ushered in popular revolt 16 months earlier.

Helsinki Commissioner Representative Alcee Hastings, President of the OSCE Parliamentary Assembly, was appointed by the OSCE Chair-in-Office to lead the OSCE observation mission. Speaking on behalf of the OSCE and other European institutions, Mr. Hastings pronounced the elections “free and fair,” the first such appraisal among the 12 former Soviet republics (outside the Baltic states). Commission staff observed the elections as part of the OSCE Parliamentary Assembly in the Kyiv and Cherkasy regions.

Despite the real progress made in Ukraine, many of the promises of the Orange Revolution are only partially fulfilled. The rule of law, including a truly independent judiciary, remains to be consolidated. Corruption, though not quite as egregious as in past years, remains a serious problem. As a result of the inability of formerly allied pro-Orange political forces to put aside their differences, Viktor Yanukovich, the man President Victor Yushchenko defeated during the Orange Revolution, became prime minister in August. An intense power struggle between the two Viktoros ensued and remains unresolved, somewhat diminishing Ukraine’s pro-Western foreign policy orientation.

In neighboring Belarus, attempts at a democratic revolution were trampled upon by the repressive regime of Aleksandr Lukashenka, Europe’s last dictator. Delivering the conclusions of the OSCE’s election observation mission to the March 19 Belarus Presidential elections, Helsinki Commissioner and OSCE Parliamentary Assembly President Alcee Hastings reported that the election did not meet OSCE commitments: there was not a level playing field and that actions by state authorities amounted to a pattern of intimidation. The state-controlled media granted Lukashenka extensive and favorable coverage, while virtually ignoring the other three candidates. Belarus also failed to live up to its international commitments by arbitrarily preventing 19 members of the OSCE PA delegation from participating in the election effort. This included two Helsinki Commission staffers who had previously observed elections in Belarus.

The Lukashenka regime’s wholesale arrests of more than one thousand opposition activists and dozens of Belarusian and foreign journalists, before and after the elections, and violent suppression of peaceful post-election protests underscored the contempt of the Belarusian authorities toward their citizens. In an expression of strong support for an independent, democratic Belarus, the Belarus Democracy Reauthorization Act (BDRA), sponsored by Co-Chairman Christopher H. Smith, passed the House by a vote of 397-2 and by the Senate under Unanimous Consent in the final hours of the 109th Congress (P.L.109-480). The BDRA provides funding for democracy building activities, non-governmental organizations, independent trade unions and entrepreneurs and international exchanges, as well as international broadcasting into Belarus and contains Sense of the Congress language on targeted sanctions against the Lukashenka regime and its supporters.

The OSCE’s efforts to monitor elections through its Office for Democratic Institutions and Human Rights continued to be challenged by Moscow, which claimed that the process was “out of control” and observers were biased against Russia and the Commonwealth of Independent States. The OSCE’s monitoring of March 2006, presidential elections in Belarus were denounced by Moscow as showing “clear bias’ against the Lukashenka government. The U.S. Government has announced its willingness to consider some changes in the OSCE monitoring regime, with the proviso that they improve, rather than impede the procedure’s effectiveness.

Russia

The Russian human rights picture continued to reflect the Putin administration's deep suspicion of independent societal groups that are active on issues perceived as controversial by the Kremlin. Interestingly, at a private meeting with Commission staff, a veteran human rights activist from Moscow stated that although law enforcement authorities and counter-intelligence agencies were tightening the screws, "the threads are starting to wear out."

The wording of the restrictive and regressive "non-governmental organization law," with provision for aggressive government monitoring and auditing of non-governmental organization activities, leaves a Damocles' sword still hanging over non-governmental organizations in a system subject to political pressure and not distinguished by firm legal norms. Contrary to what some observers had feared, there was not a massive closure of "opposition" non-governmental organizations in the wake of adoption of a series of amendments to existing legislation governing non-governmental organizations, promulgated in early 2006.

Nevertheless, serious concern remains with respect to implementation of these measures. On February 6, 2006, the Commission held hearings with State Department officials and private experts on the non-governmental organization law and its implications for human right in Russia and implications for U.S.-Russia relations. One prominent non-governmental organization that was dissolved by a court order was the Russian Chechen Friendship Society (RCFS). The executive director of the RCFS was convicted in March 2006 for allegedly "inciting ethnic hatred" based on his publication of articles written by Chechen separatist leaders. The RCFS was dissolved on the basis of provisions of the non-governmental organization law, stipulating that persons convicted of "extremism" may not hold leadership positions in a non-governmental organization. In another disturbing case, the respected human rights group Memorial was recently approached by the Moscow regional procuracy and told to hand over documents related to their publication, a year earlier, of a handbook on seeking redress through the European Court of Human Rights.

On July 27, the Commission held a hearing devoted to human Rights and U.S.-Russian relations. The Commission heard from the U.S. Commission on International Religious Freedom, the National Endowment for Democracy, and from a diverse panel of prominent Russia experts from the private sector. (See also Sec. IV.C.2, Religious Liberties, below.)

Perhaps the most striking blow against human rights was the cold blooded murder of crusading journalist Anna Politkovskaya, prompting a Commission statement expressing sorrow and outrage at her tragic death. (Ms. Politkovskaya testified before the Commission in September 2003 and Commissioners recommended her for the Organization for Security and Cooperation in Europe's Parliamentary Assembly Prize for Journalism and Democracy for her reporting from Chechnya, an honor awarded to her in 2004.) Politkovskaya, who had been an outspoken critic of Moscow's policies in Chechnya, was murdered near her Moscow apartment in October 2006. She had been subjected to various threats against her life since 2001, and in 2004 suffered what appeared to be a case of poisoning. In the latter case, results of tests taken at a Moscow hospital mysteriously disappeared.

Politkovskaya was the 13th journalist to be slain, contract style, during the Putin administration. In 2006, the Committee to Protect Journalists ranked Russia the third deadliest country in the world for journalists.

During a February 2006 visit to Chechnya, UN Commissioner for Human Rights Louise Arbour said she was “deeply disturbed by accounts of torture and kidnappings” taking place in the region. According to official Russian statistics, Chechnya currently has 2,736 persons registered as missing as of September 2006. The European Court of Human Rights in Strasbourg has received hundreds of petitions from residents of Chechnya claiming to have suffered human rights violations at the hands of Russian forces and pro-Moscow paramilitaries. Several of these cases have been adjudicated in favor of the plaintiffs.

Russia continues to experience violence against ethnic minorities – domestic and foreign – by “skinhead” types and racist thugs. In March 2006, the Russian Federation’s ombudsman for human rights criticized some law enforcement authorities and regional leadership for condoning ethnically based violence. A January 2006 Commission press release condemned the attack by an armed assailant on a Moscow synagogue in which several worshippers were wounded. Based on media reports and other non-governmental reporting, it would appear that Russian authorities are beginning to take this issue seriously.

As part of its putative war against terrorism and extremism, Moscow has detained hundreds of alleged Moslem “extremists” among its citizens, and extradited some to Uzbekistan for alleged complicity in crimes committed during the May 2005 uprising in Andijon. In one prominent case of 13 Uzbeks detained in Russia, Commissioners wrote to a local court urging that it uphold Russia’s international commitments regarding the extradition of individuals to a country where they may be subjected to torture (according to the U.S. Department of State’s 2005 Country Reports on Human Rights Practices, the torture of detainees by Uzbekistani security forces is systematic). These individuals are still in custody in Russia pending an appeal before the European Court of Human Rights and Commission staff continues to monitor their status.

There are numerous electronic and print media outlets in Russia. Many of these are controlled or influenced by one or another layer of government; however it is possible to obtain a wide range of viewpoints and stay informed. The nationwide television networks, from which most Russians get their news, rarely question federal government policies.

May 12, 2006 marked the 30th anniversary of the founding of the Moscow Helsinki Group, originally founded to promote compliance with the Helsinki Final Act. The celebratory events were attended by two members of the Commission staff, and a congratulatory note from several members of the Commission was read to the assembled guests. During their visit to Russia, staff members also held meetings with senior officials from the Presidential Administration, Foreign Ministry, and Duma as well as discussions with human right's activists and religious leaders.

Russian authorities continue to disregard a 1991 Russian court ruling ordering the return of the Schneerson Collection of rare books, archives and manuscripts concerning Chabad philosophy and Jewish religious law and tradition the Lubavitcher Chasidic Jewish community in the United

States. During their May trip to Moscow, Commission staff visited the collection at the Russian State Library's Oriental Centre and expressed concern on the part of Congress that the collection be returned to its rightful owners. (The Commission had held a hearing on the Schneerson Collection in 2005.)

Central Asia

The Commission continued to pay particular attention to the human rights situation in Central Asia, where “strongman” regimes have become entrenched. Unlike in 2005, when Kyrgyzstan had its “Tulip” revolution, there were no revolutionary events in the region in 2006. Each of the five Central Asian states continued along familiar patterns, in which super-presidents dominate the political arena. Only at year’s end was there a bombshell, when Turkmenistan dictator Saparmurat Niyazov died on December 21.

In Kyrgyzstan itself, where a protest movement in February-March 2005 ousted a corrupt leader (Askar Akaev), the bloom has faded on the Tulip Revolution. Ever since, Kyrgyzstan has veered between being – and being perceived as – a democratic icebreaker in Central Asia and a failed/failing state. The country has muddled through a series of crises which created an impression of anarchy. Kurmanbek Bakiev’s victory in a reasonably fair presidential election in July 2005 was followed by a breakdown of order, several high-profile contract killings and frustrated expectations of political and economic reform. Corruption is rampant and as elsewhere in Central Asia, reportedly centered around the leader’s family.

Still, Kyrgyzstan is the only country in the region which Freedom House deems “partly free.” Bakiev is not all-powerful: parliament, especially its opposition factions, can be unpredictable and rambunctious. Moreover, opposition movements and civil society have established a tradition of forcing political change through street protests. Since late 2006, two such episodes have resulted in constitutional amendments. The first (November) transferred considerable power from the president to the parliament; in December, after the government resigned, Bakiev managed to reverse some of these losses via new amendments.

However, the possibility of instability is ever-present in Kyrgyzstan. After the government resigned in December 2006, Bakiev was unsuccessful in gaining parliamentary approval of his Prime Minister Felix Kulov and after two rejections, nominated someone else. Kulov has now joined an opposition movement which openly aims to remove Bakiev from power. Events in the only country in Central Asia where the U.S. has a military base remain unpredictable.

Nevertheless, there is a political process in Kyrgyzstan, however unruly. In a Congressional Record statement in December, Co-Chairman Smith congratulated Kyrgyzstan on trying to resolve state-society issues without resorting to violence.

In Uzbekistan, President Islam Karimov has ruled since 1989 and maintained Soviet-era censorship and barred political opposition since 1992. Claiming that the danger of Islamic radicalism necessitates strict control of society, Karimov has created a repressive police state. The country’s dreadful human rights record continued to deteriorate in 2006 after a government massacre of demonstrators in Andijon in May 2005, the subject of a Commission hearing,

briefing, and other initiatives. Since then, the regime has intensified its crackdown on civil society. Tashkent has refused calls by Washington and the European Union for an independent investigation, claiming that only terrorists and policemen died. The OSCE' Office for Democratic Institutions and Human Rights and Human Rights Watch, however, maintain that hundreds of unarmed people were massacred.

In November 2006, Karimov submitted two bills to parliament which purportedly aim to give political parties a greater role in parliament and parliament a greater say in the election of the prime minister. Also, Tashkent agreed to "discuss" Andijon with EU experts. In return, the EU did not expand the sanctions imposed on Uzbekistan, merely extending them for another six months.

Since the Andijon massacre, U.S. relations with Uzbekistan have been in a deep freeze, with Tashkent accusing Washington of trying to "export democracy" and orchestrate a revolution in Uzbekistan. Most U.S. Government-funded and U.S.-based non-governmental organizations have been expelled. At the same time, Tashkent's relations with Moscow and Beijing, which both supported Karimov's tactics in Andijon, have grown much closer. In December 2006, Russia received basing rights at a military airfield in Uzbekistan.

The Commission was active in advocating for the rights of refugees who fled Uzbekistan after the Andijan massacre for the temporary safety of Kyrgyzstan. In January, the Commission leadership wrote the Kyrgyz President urging him not to forcibly return Uzbek refugees to Uzbekistan. When four Uzbek refugees were returned in August, the Commission leadership issued a statement condemning the Kyrgyz Government for violating its international commitments. Commission leadership also sent letters to Russian officials in June and August about Uzbek refugees in deportation hearings, urging them to respect international norms on refugee returns. In August, the Commission issued a press release welcoming the decision by Russian authorities to suspend the extradition to Uzbekistan of 13 Central Asian refugees who have been granted refugee status by the United Nations High Commissioner for Refugees.

At year's end, Uzbekistan may stand at a fork in the road. President Karimov's term comes to an end in 2007 and he cannot run again. Presidential elections are likely in December. Karimov has to decide this year whether to amend the constitution to extend his term in office or to stage a succession to a trusted person – if he can find one.

In 2006, Chairman Brownback discussed the situation with the ambassador of Uzbekistan to the United States. Co-Chairman Smith gave an address in May at a Carnegie Endowment conference on "Uzbekistan after Andijon." The Commission followed up with a briefing in July, examining the prospects for change in Uzbekistan.

In August, Commissioners wrote to Turkmenistan President Niyazov to protest the imprisonment of Ogulsapar Muradov, a journalist for Radio Free Europe/Radio Liberty. Tragically, Ms. Muradov died under suspicious circumstances while in custody, prompting Commissioners Chris Smith, Pitts and McIntyre to introduce a congressional resolution, H.Con.Res. 486, on Turkmenistan, urging the government to institute democratic reforms and respect human rights.

In September, Commissioners Chris Smith, Pitts and McIntyre wrote Members of the European Parliament urging them not to establish a trade agreement with Turkmenistan.

Saparmurat's Niazov's death was the biggest news in Central Asia in 2006. Under his megalomaniacal misrule, Turkmenistan was one of the most repressive countries in the world and the most isolated OSCE state, virtually a post-Soviet North Korea, with a similar cult of personality. His death offers no guarantees of liberalization but at least there is a chance that a more rational leadership in Ashgabat will pay attention to the public's needs, as opposed to the president's ego.

Commission staff met with the Turkmen ambassador in December to discuss Turkmenistan after Niyazov.

Kazakhstan allows opposition to function, but has yet to hold an election that meets OSCE standards. No critical voices are permitted in the electronic media and Kazakh authorities have selectively used civil and criminal libel cases to punish political opponents and harass opposition newspapers. There is limited freedom of association and assembly.

Moreover, in recent years, two opposition leaders were murdered. Zamanbek Nurkadilov was found shot three times, once in the head, in November 2005. His death was subsequently declared a suicide. The other, Altynbek Sarsenbaiuly, was killed in February 2006 along with two bodyguards on a road outside Almaty.

In 2006, Nazarbaev moved to unify all pro-government parties; his daughter Dariga's *Asar* Party was incorporated into *Otan*, along with the Civic Party and the Agrarian Party. The situation of opposition parties is less clear. Previous Speaker of Parliament and Nazarbaev's No. 2 in *Otan*, Zharmakhan Tuyakbai, defected after the last parliamentary election and ran for president against Nazarbaev in December 2005. Several opposition parties, such as Atameken and Alash, remain unregistered.

Kazakhstan continues to pursue its bid to chair the OSCE in 2009, which United States has not supported. Helsinki Commissioners wrote to express their views on the subject to Secretary Rice and Commissioners and staff followed up with Kazakh Government officials. Although a decision on the 2009 chairmanship would normally have been taken at the 2006 Ministerial, in the absence of consensus the decision was postponed. Chairman Brownback met with the Kazakh ambassador several times to discuss Kazakhstan's bid and how a program of serious reforms could help Astana gain U.S. backing.

Tajikistan, where scores of thousands were killed in a civil war in the 1990s, remains the only country in Central Asia where the government was forced to come to terms with opposition parties as part of a peace settlement. Tajikistan is also the only country in the region where an Islamic party functions legally, and where opposition parties have representatives in government. But President Imomali Rakhmonov has been consolidating his grip on power. To remove potential challengers, his government has also jailed opposition figures.

In October, the Commission held a briefing on “Democracy in Tajikistan: Preview of the Presidential Election,” as well as wrote the President of Tajikistan urging him to ensure that the election meets OSCE norms.

In November 2006, Tajikistan held its fourth presidential election, in which incumbent Rakhmonov easily won over four other competitors. Commission staffers participated in the OSCE Election Observation Mission. The conduct of the campaign and the Election Day provided the international community with an opportunity to gauge Tajikistan’s commitment to democratization; the result was a mixed picture that displayed fundamental problems that must be addressed before Tajikistan can meet OSCE standards of free and fair elections. As for Rakhmonov, thanks to constitutional amendments he forced through in 2004, he can now extend his tenure in office until 2020.

Also problematic are the conditions under which media can operate in Tajikistan. In January 2006, the BBC was suspended; in August the Tajikistan Government denied the BBC a license to conduct FM broadcasts in Dushanbe and Khujand. In October, the authorities blocked several internet sites.

On several occasions during the year, Commission staff met with Tajik Embassy representatives to raise concerns about these issues and religious freedom in Tajikistan.

Chairman Brownback introduced the Silk Road Act II, S. 2749, which was a follow-up to his Silk Road Act of 1999. The bill aimed to take account of the changes in the world since then, such as September 11 and the liberation of Afghanistan from Taliban rule, and to craft legislative initiatives to incorporate the Silk Road countries into the world economy, promote regional economic coordination and assist in the development of democratic governance and market economies.

Co-Chairman Smith introduced the Central Asia Democracy and Human Rights Promotion Act, H.R. 5382, and Commissioners Pitts and McIntyre joined as cosponsors. The bill would provide specific foreign assistance to support democratization and human rights in all five countries, while conditioning all non-humanitarian U.S. assistance to the individual governments of Central Asia, both economic and military, on whether each is making “substantial, sustained and demonstrable progress” toward democratization and full respect of human rights in keeping with their OSCE commitments.

Finally, in September the Commission held a hearing on “The Shanghai Cooperation Organization: Is it Undermining U.S. Interests in Central Asia?” Since its inception five years ago, the Shanghai Cooperation Organization has been touted by its members – Russia, China, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan – as a multilateral, regional security and economic organization which is “not directed against any states and regions.” SCO member states, some of which have endured terrorist attacks, have sought to develop a unified approach to combating terrorism, and member states have cooperated with the United States in this regard.

Nevertheless, some analysts fear the SCO will be used as a way to limit the United States’ influence in the region, and indeed the grouping has called for the closure of U.S. bases there.

As an alliance of authoritarian states, it also supports the current repressive and less reformist policies of the Central Asian governments which contravene their OSCE human dimension commitments.

The Caucasus

Unresolved conflicts (Nagorno-Karabakh, Abkhazia and South Ossetia) persisted in the three Caucasus countries of Armenia, Azerbaijan and Georgia, but no major outbreaks of military hostilities took place. International mediators of the Nagorno-Karabakh dispute were hopeful about prospects for a settlement in 2006, when no elections were scheduled. But in 2006, despite the continuation of negotiations and the highly publicized meeting between Armenian President Robert Kocharian and Azerbaijani President Ilham Aliev in Rambouillet, France, no breakthroughs were achieved. OSCE mediators continue to speak of progress, even though analysts generally assume it will be much harder for the parties to make compromises that involve concessions before facing the voters in elections in both countries in 2007 and 2008.

In April, Chairman Brownback met with Azerbaijani Foreign Minister Mamediarov to discuss prospects for a settlement in the Nagorno-Karabakh conflict.

Since dramatically coming to power in the November 2003 Rose Revolution, President Mikhail Saakashvili has shaken up Georgia's domestic politics, reforming Georgia's economy and combating corruption. In the last three years, he has gained a commanding position; opposition parties, which have little representation in parliament, accuse Saakashvili of running roughshod over dissenting viewpoints.

In 2006, Saakashvili forced through constitutional amendments which lowered the number of deputies from 235 to 150 in the next parliamentary election. Parliament is now debating electoral thresholds for parties, currently set at 7%. The amendments also changed the election date so that the presidential and parliamentary elections will be held on the same day in October 2008. In this way, the parliament's mandate was extended while the president's was curtailed. Opposition activists believe Saakashvili is seeking to exploit his own unquestioned popularity to help his National Movement retain its dominance in parliament.

Throughout 2005 and 2006, Georgia sought, with U.S. backing, to broaden international arbitration of its longstanding conflicts with the secessionist regions of South Ossetia and Abkhazia beyond the existing OSCE and UN arrangements, which have been vulnerable to Russian manipulation. Moscow has rejected these overtures. Although Tbilisi has presented a peace plan for South Ossetia, the authorities of that region refuse to consider it and observers worry about the possibility of violence.

Perhaps most important, the UN is expected to make a decision in 2007 on the question of independence for Kosovo. Moscow has argued that granting independence for Kosovo would set a precedent for breaking off South Ossetia and Abkhazia from Georgia (even though Russia's neighbors, especially Kazakhstan and Ukraine, would be horrified by the precedent). Tbilisi seeks support from all quarters for the proposition that all conflicts are unique and that its own separatist regions cannot become independent.

Throughout the year, Russian pressure on Georgia remained constant and even intensified. After Tbilisi briefly arrested, and then expelled, several Russian “diplomats” for conspiring with Georgian assets to destabilize the situation, Russia withdrew its ambassador and launched a trade embargo, banning Georgia’s famed wine and mineral water, as well as ceasing flights.

While international financial institutions praised continuing economic growth in Armenia in 2006, the fundamental relationship between state and society remained unchanged. Opposition parties have been unable to rouse popular backing to unseat President Robert Kocharian’s regime. In July 2006, Defense Minister Serzh Sarkissian – widely viewed as Kocharian’s successor – joined the ruling Republican Party. All eyes are now on the May 2007 parliamentary elections, which are seen as the bellwether for the 2008 presidential election, when Kocharian must step down. Apparently hoping to ensure his continuing influence on Armenian politics, Kocharian has allied himself with Prosperous Armenia, which along with the Republicans, is expected to dominate the next parliament.

According to OSCE observation missions, Armenia has a poor record on elections. Even Foreign Minister Vardan Oskanian has cited corruption and the ability “to hold free and democratic elections” as among the “internal challenges” that face Armenia. In addition, other former officials, such as Former Speaker of Parliament Artur Baghdassairan, whose Orinats Yerkir (Country of Law) party was expelled from Kocharian’s governing coalition in May, has publicly charged that Armenia “suffers from an undemocratic political system and widespread corruption.” Armenia’s former human rights ombudsman, who was dismissed in January 2006, said in November that “[h]uman rights are violated everywhere, on a daily basis and in all spheres.”

Of particular concern is state control of media. Two independent television companies, Noyan Tapan and A1+, which lost their licenses in 2001 and 2002, remain off the air, despite criticism by OSCE and the U.S. Government. Their efforts to regain their license have been in vain. Editors of opposition newspapers as well have complained on ongoing pressure by state bodies and lawsuits.

OSCE monitors concluded that the November 2005 parliamentary election in Azerbaijan, despite some improvements, failed to meet “a number of OSCE commitments.” Ultimately, opposition candidates won only a few of parliament’s 125 seats and the election failed to bridge the deep divide between government and opposition, perpetuating and worsening Azerbaijan’s poor record on elections. Opposition parties were significantly weakened by the election and have since ceased to exert much influence on the political process.

While Heydar Aliev ruled (1993-2003), Azerbaijan’s parliament was a rubber-stamp institution. His son and heir, President Ilham Aliev, appointed a younger Speaker of Parliament in 2006 but there has been little indication of change in the executive-legislative relationship. The ruling Yeni [New] Azerbaijan Party faithfully follows the cues of the presidential apparatus. In general, the accession of Ilham Aliev has not been accompanied by political liberalization. He has emphasized economic growth based on oil revenues while replacing many lower level officials with his own loyalists.

Moreover, pressure on the independent and opposition media have continued, in the form of lawsuits and physical attacks. In March, the editor and founder of the newspaper Boyuk Milat was sentenced to a one year imprisonment for libeling a newly elected Member of Parliament. The OSCE Office in Baku and the OSCE Representative on Freedom of the Media expressed deep concern over the severity of the sentence. Summer 2006 saw the beginning of a new wave of prosecutions, with prominent journalists and some newspapers facing criminal and civil defamation cases. The OSCE Representative on Freedom of the Media in October 2006 asked President Aliyev to pardon the imprisoned journalists and reform the defamation law. Aliyev subsequently did pardon two jailed journalists. But in November, the police evicted Azadliq, an opposition newspaper, from its premises, along with the Turan news agency and the Yeni Nesil Publishing House, as well the Institute for Reporter Freedom and Safety. In a letter to President Aliyev of November 26, 2006, the OSCE Representative on Freedom of the Media expressed his concern and asked the authorities to stop the deterioration of the situation for the independent media.

Most Azerbaijanis get their news from electronic media, not the press. Especially troubling, therefore, are the problems of ANS TV, the only semi-independent station in Azerbaijan, which was taken off the air in fall 2006 but restored after much international pressure. At the moment, a new tender for their license has been announced. It is unclear if the station will survive or if it will be bought by new management, less inclined to air critical news and views.

In April, Chairman Brownback addressed a conference organized by the Azerbaijan Chamber of Commerce, in which he stressed the need for democratization in Azerbaijan, as well as the equitable distribution of oil revenues among the population.

2. Other Areas of Concern

Religious Freedom

Throughout 2006 the Commission continued to closely monitor developments affecting the rights of individuals to freely profess and practice their religion or belief. In this regard, the situation in Central Asia remains particularly poor. Instances of government authorities arresting or harassing individuals for religious activities persist in Uzbekistan and Turkmenistan. For the first time, the State Department designated Uzbekistan a “Country of Particular Concern” because of its egregious violations of religious freedom, a step Commission leadership had supported for some time.

The Uzbekistani Government continues to interfere with certain Muslim groups, especially those operating independent of direct government control. Since the Andijon massacre in 2005, a troubling degradation in religious freedoms has occurred in that country. Areas of concern include: the jailing of thousands on behalf of their Islamic affiliations or beliefs; police raids against unregistered religious communities; huge fines against non-Muslim religious leaders and their communities for religious activities; changes to the Criminal Code and the Code of Administrative Offences to increase penalties for the “illegal” production of religious literature;

the banning of all non-Orthodox and non state-controlled Muslim activity in the western most province of the country.

Likewise, practices in Turkmenistan continue to fall short of OSCE commitments, despite a brief season of reform. Religious practice is heavily regulated to ensure state control and unregistered religious activity remains illegal. Some religious leaders face internal and external travel bans, and the former grand mufti remains jailed. Registration remains a problem for religious groups, especially some Russian Orthodox congregations, the Armenian Orthodox Church, the Catholic Church and Shiite religious groups. Commission staff raised with the Turkmen Embassy the importance of continuing the reforms in this area.

There was a significant focus on religious freedom in the Russian Federation in 2006. While religious freedom in Russia is generally protected at the federal level, some religious groups, particularly unregistered ones, face obstacles at the local level to the free practice of religion. Seemingly uncoordinated problems faced by these communities range from acts of violence to prohibitions on public meetings. Although authorities have returned many properties used for religious services, Orthodox Christians, Jews, Muslims, and Buddhists continued to pursue property restitution cases. In March, the House passed a resolution (H.Con.Res. 190) sponsored by Co-Chairman Smith on religious freedom in Russia. The Senate passed a similar resolution (S.Res. 500) in July, sponsored by Chairman Brownback, on the eve of the G-8 summit in St. Petersburg. Commissioners also wrote to the mayor of a town in southern Russia to object to his plans to bulldoze a mosque for alleged building code infractions; to date no action has been taken against this mosque, but the threat remains and the Commission will continue to monitor this volatile situation.

On a positive note, controversial amendments to Russia's law on Freedom of Conscience and Religious Associations that, similar to Russia's non-governmental organization legislation, would permit Russian authorities to "re-inspect" registered religious organizations and seek court-ordered liquidation of those organizations allegedly engaged in "illegal" or "extremist" activities, were not promulgated.

Commissioners repeatedly raised their concerns with Romanian officials and parliamentarians about a problematic draft religion law that was being considered by the parliament. Commissioners wrote to the Prime Minister in February, wrote to two parliamentarians in March, issued a press release in July, and wrote the President in December. The issue was also raised during a Commission hearing on adoption and raised by staff with Romanian Embassy officials and officials visiting from Bucharest. Members of the Commission also expressed concern about modifications to Serbia's religion law and, throughout the year, Commission staff engaged Serbian officials to encourage improvements to this law.

Religious freedom concerns were raised by Commissioners and Commission staff, in meetings with officials from Kazakhstan, Kyrgyzstan, Macedonia, Romania, Serbia, Tajikistan, Turkey, Turkmenistan and Uzbekistan as well as with non-governmental organizations and religious groups from throughout the OSCE region.

In December, Co-Chairman Smith submitted a record statement expressing concern about the bulldozing of a religious community in Kazakhstan by local authorities. Commissioners spoke about religious freedoms in May in Afghanistan, an OSCE partner state, after authorities threatened to execute an Afghan convert to Christianity for apostasy.

At the July OSCE Parliamentary Assembly Brussels Annual Session, Commissioner Pitts successfully offered amendments strengthening religious freedom commitments to the Assembly's declaration. Commissioner Pitts also participated in a side event discussing religious freedom concerns in Central Asia that was attended by many other parliamentarians.

Throughout 2006, the Moldovan Government refused to register any Muslim worship community. A revised religion law, which had been criticized by religious liberty advocates for its vague wording and burdensome reporting requirements, did not have its expected second reading in Parliament. The Mormon Church was registered after a long battle and intercession by a group of U.S. Senators, including a member of the Helsinki Commission.

The Commission will continue to monitor the unfolding legal situation in the OSCE region regarding religious freedom, as well as the broader societal manifestations of intolerance toward minority religious groups. A Commission staff member is currently serving as one of the two U.S. members on the OSCE/Office for Democratic Institutions and Human Rights Panel of Experts on Freedom of Religion. Ancillary issues, such as restrictions on speech relating to religion and registration requirements tailored to limit religious association, will also be followed closely.

Combating Anti-Semitism, Racism and Xenophobia in the OSCE Region

In 2006, the Commission maintained a high level of activity focused on anti-Semitism, as well as racism and xenophobia, in the OSCE region. In January, the Commission issued a press release condemning an attack at a Moscow Synagogue and called upon Russian authorities to combat ultra-nationalism.

In May, the Commission held a briefing on "Combating Anti-Semitism: OSCE Police Training Initiative and Holocaust Education." Two OSCE experts testified – Paul Goldenberg, an American who oversees the OSCE hate crimes training unit and Kathrin Meyer, a German expert on Holocaust education. In addition, representatives from the American Jewish Congress, the Simon Wiesenthal Center, and the Anti-Defamation League participated.

Eleven Commissioners wrote Secretary Rice in September urging her to support OSCE efforts to combat anti-Semitism and to ensure the upcoming Bucharest meeting on intolerance has a strong focus on anti-Semitism.

In response to the significant rise in anti-Semitism and related violence that broke out in 2002 in much of the OSCE region, but especially in Western Europe, Commissioners and staff played a leading role in urging participating States to comply with commitments adopted in Berlin in 2004 on reporting on anti-Semitic crimes and hate crimes. Commission staff participated in the

various expert level meetings held throughout 2006 to discuss issues like inter-faith understanding, Holocaust education and hate crime monitoring.

Concerns over the rise in anti-Semitism and intolerance have also been raised with interested non-governmental organizations and government representatives from countries including the Russian Federation, Belarus, Ukraine, Turkey, Germany and France. The Commission will continue to closely monitor related developments in the OSCE region, including implementation of relevant commitments by the participating States.

The OSCE Chair-in-Office has also appointed three Personal Representatives, one of which focuses specifically on anti-Semitism. Commissioners and staff worked with the Personal Representative on Anti-Semitism to bolster his work and to increase his effectiveness. Commission staff also worked with the Personal Representative on Discrimination Against Muslims and the Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions.

The Commission also addressed other issues relating to Holocaust-era experiences. Members of the Commission continued to urge Poland to adopt a law to provide compensation for or restitution of properties wrongfully confiscated during the Holocaust or communist periods.

In May, the United States and 10 other European countries reached an agreement that paved the way to provide researchers access to the WWII-era archives of the International Tracing Service in Bad Arolsen, Germany. Some 30 to 50 million pages of documents, constituting the largest and most important collection of Holocaust-era documents not yet available for research, could now become available. On July 17, the Helsinki Commission and the Congressional Task Force Against Anti-Semitism held a briefing for Congressional staff on this issue with State Department Special Envoy for Holocaust Issues Edward O'Donnell and Paul Shapiro, Director of Advanced Holocaust Studies at the U.S. Holocaust Memorial Museum.

In August, Commission leaders wrote to Romanian Prime Minister Călin Popescu-Tăriceanu regarding the pressing need for Romania to accept the return of three Romanian nationals who participated in Nazi atrocities and whose deportation from the United States is pending. Thus far, Romania has refused to accept their return.

In September, Commissioners wrote to Hungarian Prime Minister Ferenc Gyurcsany, expressing concern that that intelligence agencies coordinated by the Office of the Prime Minister and the Ministries Justice and Defense have failed to cooperate with critical aspects of the Hungarian Government's commitment to cooperate with the U.S. Holocaust Memorial Museum in its efforts to obtain copies of critical archival material from Hungary.

Situation of Roma in the OSCE Region

During 2006, the Commission continued to follow closely the situation of the Romani minority throughout the OSCE region. (With the most recent enlargement of the European Union, Roma now constitute the largest ethnic minority in the European Union, estimated to be roughly ten million people.)

Early in the year, Members of the Commission praised the courage of 18 Romani applicants from the Czech Republic who brought suit before the European Court on Human Rights alleging that their assignment to “special schools” for the mentally disabled violated European human rights law and was tainted by racial prejudice. In February, a 7-member chamber of the Court held the applicants failed to prove that their placement in “special schools” was the singular result of intentional racial discrimination. The case is now on appeal before the European Court’s Grand Chamber, where plaintiffs are waiting to see if it will be their *Brown v. Board of Education* – or their or *Plessy v. Ferguson*. Commission staff issued a report providing background and details on this seminal case.

Of particular concern were continuing incidents of extreme violence against Roma in Russia. In April 2006, Helsinki Commissioners called on Russian President Vladimir Putin and other officials to condemn a spate of attacks against Roma that left four people dead. These attacks appeared to be part of an escalating wave of violence against ethnic and religious minorities in Russia. (Previously, in March 2005, Helsinki Commissioners condemned a pogrom against Roma in the Siberian town of Iskitim, where hundreds of Roma were burned out of their homes. A subsequent arson attack in Iskitim in November 2005 resulted in the death of an eight-year-old girl.)

On the margins of a human dimension meeting held in Bucharest (see Sec.IV.D.2), Commission staff visited Hadareni with Maria Ionescu, head of the Romanian Government’s National Agency for Roma. Hadareni was the site of the most infamous of the more than 30 pogroms against Roma that erupted across the Romanian countryside between 1989 and 1994. Recent court decisions have renewed debate over the legacy of these attacks and what are sometimes portrayed as irreconcilable goals of justice and inter-ethnic pacification.

The Commission also remained concerned for the particular plight of Roma in Balkans, especially in the still unsettled region of Kosovo. On June 15, 2006, the Commission held a hearing on “Human Rights, Democracy, and Integration in South Central Europe,” at which testimony was received from Nicolae Gheorghe, Senior Advisor, OSCE Office for Democratic Institutions and Human Rights. Throughout the year, Commissioners also worked to support the restoration of the Roma neighborhood in the Kosovo city of Mitrovica, and to find suitable solutions for all displaced Roma who have been residing in UN-operated camps known to have dangerously high levels of lead contamination.

On June 16, the Commission held a briefing on “The Human Rights Situation of Roma: Europe’s Largest Ethnic Minority” at which witnesses addressed the causes and implications of the housing crisis facing Roma; the progress of efforts to end segregated education in the region; and the impact on Roma of rising populist and extremist movements. Testimony was received from Madga Matache, Director, Romani CRISS (Center for Social Intervention and Studies) (Romania); Timea Junghaus, Arts and Culture Network Program, Open Society Institute (Hungary); Tano Bechev, Program Director, Regional Policy Development Centre (Bulgaria); and Nicolae Gheorghe, Senior Advisor, Office for Democratic Institutions and Human Rights Organization for Security and Cooperation in Europe.

In August, the Commission released a staff report on investigations into the practice of sterilizing Romani women without informed consent in Slovakia and the Czech Republic. The report described an investigation by the Czech Public Defender of Rights as an “unflinching examination” of “highly sensitive issues.” An investigation of the same issue by the Slovak Government was “marred by numerous shortcomings and insufficient follow up.” On August 15, the Commission held a briefing with Gwendolyn Albert, Director, League of Human Rights (Prague), who discussed the investigations into sterilization practices in the Czech Republic, the impact of sterilizations without informed consent on victims, and recommendations for further action.

Combating the Trafficking of Humans

The Commission continued to address the worldwide phenomenon of trafficking of human beings into slavery-like conditions of forced labor or commercial sexual servitude.

Throughout 2006, Commissioners and staff met with international visitors, government officials, and representatives of non-governmental organizations from throughout the OSCE region to share expertise regarding the most effective means for combating human trafficking. Members of the Commission also frequently engaged representatives of foreign governments – particularly those whose insufficient efforts to combat trafficking resulted in the country’s placement in the Tier 2 Watch List or in Tier 3 of the U.S. Department of State’s annual *Trafficking in Persons Report* – to step up their efforts to prevent trafficking, prosecute trafficking crimes and provide assistance to victims.

In January 2006, President Bush signed into law the Trafficking Victims Protection Reauthorization Act of 2005 (P.L.109-164) which was introduced in the House by Co-Chairman Smith and shepherded through the Senate by Chairman Brownback. The Act reauthorized appropriations set forth in the Trafficking Victims Protection Act of 2000. The Act also created new grant programs to respond to the trafficking of American citizens or residents, particularly children, within the borders of the United States. Commission staff played a significant role in drafting the bill for introduction and later negotiating the bill through the House and Senate.

Co-Chairman Smith introduced H.Res. 860, which called on the Government of Germany to take immediate action to combat sex trafficking in connection with the 2006 FIFA World Cup. Commission staff played a significant role in drafting the resolution and in providing support for two House International Relations Subcommittee hearings on this subject.

Co-Chairman Smith continued to serve as the OSCE PA’s Special Representative on Human Trafficking Issues in order to ensure the continued attention of the Parliamentary Assembly to this issue and to motivate legislative actions against trafficking and oversight by national parliaments of governmental responses to trafficking. Smith was first appointed to this position in 2004. In this capacity, the Co-Chairman engaged in direct dialogue with parliamentarians and authored a Resolution on “Combating Trafficking and the Exploitation of Children in Pornography” which was spearheaded by Commissioner Pitts for adoption by the OSCE PA at its Annual Session held in Brussels, Belgium. Commission staff were subsequently instrumental in drafting and promoting an OSCE Ministerial Decision on the same issue, which was adopted

by all 56 OSCE States at the December 2006 Brussels Ministerial. The decision commits OSCE States to step up efforts to combat child pornography on the internet, as well as child sex tourism.

Commission staff served as members of the U.S. delegation to an OSCE conference on: “Addressing the Needs of Trafficking Victims,” and “Trafficking for Labor Exploitation/Forced and Bonded Labor: Prosecution of Offenders, Justice for Victims.”

The Commission also continued its leadership in pressing the U.S. Department of Defense to address the military’s role in creating a demand for women trafficked into prostitution in South Korea, the Balkans, and other places worldwide where the U.S. military has a large presence. Evidence also arose in 2005 and 2006, indicating that U.S. Government contractors and/or subcontractors in Iraq were engaged in labor trafficking of third-country nationals to work in Iraq on U.S. military installations. In June, with support from Commission staff, Co-Chairman Smith convened a joint hearing of the International Relations Subcommittee on Africa, Global Human Rights and International Operations and the House Armed Services Subcommittee on Military Personnel entitled “Department of Defense Implementation of Zero-Tolerance for Human Trafficking.”

Commission staff also worked with the OSCE Anti-Trafficking Assistance Unit and the OSCE Special Representative on Combating Trafficking to influence the direction and scope of their work.

Combating Sexual Exploitation of Children in the OSCE Region

A Helsinki Commission hearing, “Protecting Children: The Battle Against Child Pornography and Other Forms Of Sexual Exploitation,” was held on September 27, 2006, to assess the magnitude of abuse against children. In opening remarks, Co-Chairman Smith explained, “The anti-trafficking efforts have convinced me that combating sexual exploitation of children in all of its forms requires even more comprehensive laws, as well as effective partnerships between local, state, and federal law enforcement, and the non-governmental communities at all levels, and that includes international.” Smith noted strong indicators that those captivated by pornography are more likely to become predators and purveyors themselves, further feeding the cycle. As with other addictive behaviors, these individuals are often driven into more extreme acts of preying on younger victims or employing violence. He observed that organized crime, including gangs, also appears to be venturing further into the lucrative trade in children. As a result, global criminal networks are springing up, further complicating efforts to prosecute those responsible for these horrendous crimes against children.

The need for greater uniformity in relevant laws was made clear in a comprehensive report, *Child Pornography: Model Legislation & Global Review*, issued in 2006 by the International Centre for Missing & Exploited Children in cooperation with Interpol. Among OSCE countries, the report found that six countries lacked any laws criminalizing any aspect of child pornography, with 32 countries lacking any legal definition of child pornography. Sixteen OSCE countries have failed to make the possession of child pornography a crime and 20 lack laws criminalizing the distribution of child pornography via computer and the Internet. Fifty OSCE countries do not require Internet Service Providers (ISPs) to report suspected child pornography

to law enforcement. To date, Belgium, France and the United States are the only OSCE countries to have enacted comprehensive laws addressing all five areas analyzed in the report. The Ministers drew particular attention to the role played by new technologies, including the Internet, in facilitating the sexual exploitation of children, in an industry with revenues in the billions of dollars each year.

Commission efforts paved the way for adoption of a major initiative, approved by OSCE Foreign Ministers in December, on combating a wide range of sexually exploitative crimes against children, including prostitution, child pornography, trafficking in children for sexual exploitation, sex tourism and forced marriages of children (see also Sec.IV.D.1). A collaborative effort spearheaded by the United States, Belgium and France, the decision was unanimously agreed in recognition “that sexual exploitation of children constitutes a grave and heinous crime, in many cases involving organized crime that must be prevented, investigated, prosecuted and penalized with all available means.” The decision, taken during the annual Ministerial Council meeting, held in Brussels, provides political impetus to enhance cooperation among law enforcement agencies throughout the OSCE region.

The Brussels Ministerial decision on sexual exploitation of children originated, in large part, from a resolution sponsored by Commission Co-Chairman Rep. Christopher H. Smith and managed by Commissioner Rep. Joseph R. Pitts during the Annual Session of the OSCE Parliamentary Assembly convened in the Belgian capital in July 2006. That proposal, “Combating Trafficking and the Exploitation of Children in Pornography,” was overwhelmingly approved by parliamentarians from the participating States.

Plight of Disabled Children in Romania

In the early 1990s, images of Romanian children tied to cribs – neglected, underfed, and often languishing in their own filth – shocked the world and prompted calls for radical reform of Romania's care for disabled and disadvantaged children. In May 2006, Mental Disabilities Rights International released a report asserting that Romania still warehouses mentally ill and retarded children in adult mental institutions. In some instances, the report asserted, abandoned children are housed in facilities so deficient that they may actually cause permanent disability. With a view to the OSCE's 1991 Moscow Document, which included specific language on the rights of persons with disabilities, the Commission convened a hearing on September 13, 2006, to hear Romanian governmental and non-governmental perspectives on the current state of care of persons with disabilities in Romania. Testimony was received from Adrian Mindroiu, Director for European Integration, Government of Romania; Eric Rosenthal, Executive Director, Mental Disabilities Rights International; and Cristian Ispas, Founder and Director of Motivation Romania International and National Director of Special Olympics Romania Foundation.

D. US-OSCE Policy

1. Providing Leadership at the 2006 Human Dimension Implementation Meeting

From October 2-13, 2006, the OSCE participating States met in Warsaw, Poland, for the Human Dimension Implementation Meeting (HDIM). The HDIM is Europe's largest human rights

gathering, convened to discuss the compliance of participating States, now numbering 56, 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 are 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 was 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 questions 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.

At the 2006 HDIM, senior Department of State participants included Ambassador Steven Pifer, Head of Delegation; Ambassador Julie Finley, Head of the U.S. Mission to the OSCE; Mr. Barry Lowenkron, Assistant Secretary State for Democracy, Human Rights and Labor; Mr. John Christian Kennedy, Special Envoy for Holocaust Issues; Dr. Gregg Rickman, Special Envoy to Monitor and Combat Anti-Semitism. Ms. Lauran Bethell, a Global Consultant with International Ministries, served as a Public Member, bringing expertise on the exploitation and abuse of women and children to the delegation. Ms. Kathryne Bomberger, Chief of Staff, International Commission on Missing Persons, also served as a Public Member. Special expertise from within the U.S. Government was added by Mr. Paul Degregorio, Chairman, U.S. Election Assistance Commission; Ms. Felice Gaer, Chair, U.S. Commission on International Religious Freedom; and Mr. Shaarik Zafar, Senior Policy Adviser, Office of Civil Rights and Civil Liberties, Department of Homeland Security. Members of the staff of the Commission on Security and Cooperation in Europe, including Ambassador Clifford Bond, Senior Advisor, also participated in the delegation.

The tragic murder of two independent journalists framed the Warsaw meeting, giving human form to the sometimes abstract notions of human rights. On September 14, family members of Radio Free Europe/Radio Liberty correspondent Ogulsapar Muradova were informed by Turkmenistan officials of her death in custody; it was later reported she had sustained a large wound to the head. Then, as the second week of the Warsaw meeting opened, independent Russian journalist Anna Politkovskaya was gunned down in her apartment building in Moscow. Ms. Politkovskaya had earned recognition and respect for her hard-boiled reporting on torture and abuse in Chechnya, and was awarded the OSCE Parliamentary Assembly's 2003 Prize for Journalism and Democracy. It was widely reported that evidence gathered at the site of her murder was consistent with a contract killing.

In addition, just before the opening of the HDIM, on September 27, Georgia detained four Russian military officers in Tblisi on allegations of espionage in a move that Russia characterized as part of an “anti-Russian policy.” On October 2, Georgia handed the Russians over to the OSCE Chair-in-Office, Belgian Foreign Minister Karel De Gucht, as a “good-will gesture.” (The four were subsequently returned to Russia.) The incident illustrated the tension between Russia and Georgia over Russia’s continued support of separatist movements in South Ossetian and Abkhaz regions of Georgia, and Russia’s failure to implement fully its 1999 commitments undertaken at the OSCE Istanbul Summit to withdraw military troops from Georgia. The Russian-Georgian differences contributed to sharp exchanges between the two countries at the HDIM.

A new addition to this year’s agenda was the explicit inclusion of the subject “human rights and counter-terrorism,” included at Russia’s initiative. In accordance with the OSCE procedures, the meeting also included focus on three special topics. This year, those subjects were human trafficking; access to justice; and tolerance and non-discrimination.

The United States continued its practice of naming specific countries and cases of concern. The Helsinki Commission published the full texts of the U.S. statements, along with a report on the meeting.

As at other OSCE fora, the United States was criticized for retaining the death penalty, contrary to the abolitionist trend among the OSCE participating States. Other issues of concern raised with the United States included the status and treatment of detainees and the lack of voting representation in the House of Representatives for residents of the District of Columbia.

This year, the United States, Belgium, and France hosted a side event on Combating Sexual Exploitation of Children, with a view to promoting a joint proposal for a Ministerial decision on fighting child sex tourism and child pornography on the internet. The United States also used the occasion of the HDIM to build support among other countries for the re-appointment (by the Spanish Chair-in-Office) of the Personal Representative on Combating anti-Semitism; the Personal Representative on Combating Intolerance and Discrimination against Muslims; and the Personal Representative on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions.

2. Other Human Dimension Meetings

The Commission’s Staff Advisor to the U.S. Mission to the OSCE in Vienna, Austria, participated in the weekly meetings of the Permanent Council (the OSCE’s main decision-making body) as well as its working groups. She also participated in the annual Human Dimension Implementation Meeting in Warsaw, the annual OSCE Parliamentary Assembly meeting in Washington, Supplementary Human Dimension Meetings as well as the Brussels Ministerial. Her presence in Vienna affords the Commission a unique opportunity to provide input into the daily work of the U.S. Mission to the OSCE and fosters understanding by other delegations of the role of the U.S. Congress in foreign affairs.

On June 12-13, the OSCE held the Tolerance Implementation Meeting on Promoting Inter-Cultural, Inter-Religious and Inter-Ethnic Understanding in Almaty, Kazakhstan. The expert-level meeting focused on the importance of building bridges between different religious and ethnic groups and the role governments can play in fostering understanding. Commission staff attended the meeting as part of the US delegation and gave one of the US statements

Commission staff participated in the OSCE's three 2006 Supplementary Human Dimension Meetings: "Human Rights Defenders and National Human Rights Institutions" (March 30-31); "Freedom of the Media" (July 12-14), and "Democratization: Strengthening Democracy through Effective Representation," (November 2-3), all held in Vienna. (Although Supplementary Human Dimension Meetings have traditionally been held in Vienna, the Commission has supported moving them to different countries to make them more accessible to a wider segment of the public.)

On May 4 and 5, 2006 Commission staff attended an "International Conference on the Implementation and Harmonization of National Policies for Roma, Sinti, and Travellers: Guidelines for a Common Vision." The two-day meeting was hosted by the Government of Romania, along with several inter-governmental organizations (including the OSCE) and non-governmental partners. The meeting focused on housing, employment, community policing, and the status of Roma in Kosovo.

Commission staff also participated in meetings on "Combating Trafficking in Persons, especially Women and Children," organized in Vienna on March 17 by the OSCE Special Representative on Combating Trafficking in Human Beings, and on "Human Trafficking for Labor Exploitation/Forced and Bonded Labor, Prosecution of Offenders, Justice for Victims," held on November 16-17, in Vienna.

3. US-OSCE Policy and Engagement with OSCE Leadership

The Commission continues to focus attention on the relationship between U.S. foreign policy, human rights, and the OSCE. Senior Department of State officials testified at hearings on the OSCE, while other hearings and briefings examined observance of OSCE commitments in various participating States.

The Commission's hearing on May 17, "Advancing the Human Dimension in the OSCE: The Role of the Office for Democratic Institutions and Human Rights (ODIHR)" examined ODIHR's work in promoting democracy, human rights and the rule of law. ODIHR activities in these areas, and particularly in election monitoring, provide an ideal framework for advancing U.S. interests in the participating States. Not surprisingly, some OSCE countries have become increasingly hostile to the organization's human rights work aimed at bringing about peaceful democratic change in keeping with the commitments all OSCE countries have accepted. The hearing looked at how ODIHR's work could be strengthened and protected from hostile attacks.

At a hearing in June, Karel De Gucht, Foreign Minister of Belgium and OSCE Chair-in-Office (CIO) for 2006, testified about efforts to promote security, stability and human rights in Europe and Eurasia. He discussed institutional reform; OSCE democracy-promotion work, with a special

emphasis on election monitoring; programs to combat anti-Semitism and discrimination against Muslims; energy security; the fight against organized crime; and initiatives aimed at promoting greater international cooperation to curtail human trafficking and child pornography.

While working with the 2006 Chair-in-Office, the Commission also initiated contacts with Spanish officials in light of their countries' assumption of the chairmanship. Throughout the year Spanish officials met with Commission staff in Washington and Vienna to begin developing their leadership strategy for the organization for 2007.

In direct consultations with U.S. and OSCE officials as well as representatives of other participating States, the Commission contributes substantially to the OSCE process by providing regional expertise and information and specific recommendations on how best to advance U.S. interests in the OSCE context.

4. OSCE Parliamentary Assembly

Commissioners participated in the Annual Session of the OSCE Parliamentary Assembly (an institution in which the Commission has played a substantive role since the Assembly's inception in the early 1990s) which was held in Brussels, Belgium, in early July. More than 250 parliamentarians from 49 OSCE participating States, as well as representatives from three Mediterranean Partners for Cooperation, participated in the session. The U.S. Delegation was led by Representative Joseph R. Pitts and included Representatives Benjamin L. Cardin, Alcee L. Hastings and Robert B. Aderholt (members of the Commission), as well as Representatives Hilda L. Solis, Diane Watson, G.K. Butterfield and Gwen Moore.

The delegation's active participation demonstrated the continued commitment of the U.S. Congress to U.S.-European relations. The Brussels Declaration includes initiatives undertaken by Commissioners Pitts, Cardin and Aderholt, including the Resolution on Limiting Immunity for Parliamentarians in Order to Strengthen Good Governance, Public Integrity and the Rule of Law in the OSCE Region; Resolution on Funding for Positions of Advisors in the Tolerance and Non-Discrimination Unit of the Office for Democratic Institutions and Human Rights; and the Resolution on Combating Trafficking and the Exploitation of Children in Pornography. Commissioner Pitts also co-chaired side meetings concerning the fight to combat child pornography on the Internet and religious liberty in Central Asia. A key accomplishment of the U.S. delegation was the defeat of a Russian effort to gut OSCE international election observation efforts, a hallmark of the OSCE and the Helsinki commitments.

Commissioner Hastings presided over the Annual Session and concluded his two years as President of the Assembly. He will continue his service as President Emeritus for the coming year.

Commissioner Cardin served as Chairman of the General Committee on Economic Affairs, Science, Technology, and Environment and was elected to a three-year term as Vice President of the Assembly.

Co-Chairman Smith, who has been serving as the Assembly's Special Representative on Human Trafficking Issues, was unable to attend the annual meeting, but distributed his periodic report to all participants.

Commissioners Smith, Cardin and Hastings also participating in the OSCE Parliamentary Assembly's Winter Meeting, held in Vienna, Austria in February 2006. This short meeting helps shape the Assembly's activities for the coming year and includes a special debate topic, which in 2006 was on the crisis between freedom of expression and respect for religious beliefs. Commissioner Hastings also participated in the November OSCE PA Fall Meeting in Malta, where he chaired a panel on Middle East issues.

5. OSCE Partners for Cooperation and Mediterranean Partners

The 56-nation OSCE now has 11 Partners for Co-operation, including the six Mediterranean Partners and five other Partners in Asia – Afghanistan, Japan, Mongolia, South Korea and Thailand. The partners, while not participating in regular political negotiating fora of the OSCE, nevertheless attend and observe most OSCE meetings, and maintain close relations and hold frequent seminars to explore ways to strengthen co-operation on issues of mutual interest and meet OSCE principles, goals and values. The Partners of the OSCE were active throughout the year sending representatives to all major meetings and seminars.

The Mediterranean dimension of the OSCE was reformulated in the mid-90s as "Mediterranean Partners for Cooperation" to include Algeria, Egypt, Israel, Morocco and Tunisia. It should be noted that such "partner" status does not require commitment to Helsinki principles by these countries. In 1998, Jordan was accepted as a Mediterranean Partner, and Afghanistan, which many consider to lie within the broader Middle East region and which borders the Central Asian states of the OSCE, was accepted as a Partner for Cooperation in 2003, and Mongolia was accepted in 2004.

In an effort to broaden and intensify this relationship, the OSCE, including the Parliamentary Assembly, has convened numerous seminars, conferences and forums emphasizing the issues of the Partner States and allowing full participation of Partner countries from the region. Additionally, two contact groups exist within the OSCE to provide an ongoing opportunity for participating States and the Partners to maintain dialogue on pertinent issues. One contact group is for the Asian Partners, and the other for the Mediterranean Partners; monthly meetings of the group are typically held at the ambassadorial level.

The OSCE holds one major seminar in each Partner region annually. In 2006, meetings were held in Thailand on "Challenges to Global Security: from Poverty to Pandemic", and in Egypt on "The OSCE Mediterranean Partnership: from Recommendation to Implementation."

Appendix (A)

Members of the Commission on Security and Cooperation in Europe

110th Congress

Legislative Branch Commissioners

United States Senate

Benjamin L. Cardin, Maryland
Co-Chairman
Christopher J. Dodd, Connecticut
Russell D. Feingold, Wisconsin
Hillary Rodham Clinton, New York
John F. Kerry, Massachusetts
Sam Brownback, Kansas
Gordon H. Smith, Oregon
Saxby Chambliss, Georgia
Richard Burr, North Carolina

United States House of Representatives

Alcee L. Hastings, Florida
Chairman
Louise McIntosh Slaughter, New York
Mike McIntyre, North Carolina
Hilda L. Solis, California
G. K. Butterfield, North Carolina
Christopher H. Smith, New Jersey
Joseph R. Pitts, Pennsylvania
Robert B. Aderholt, Alabama
Mike Pence, Indiana

Executive Branch Commissioners

Vacant, Department of State
Vacant, Department of Defense
Vacant, Department of Commerce

Appendix (B)

Staff Members of the Commission on Security and Cooperation in Europe

Cliff Bond	<i>Senior Advisor (Detailee from the Department of State)</i> Balkans, Public Diplomacy, Inter-agency Contacts
Orest Deychakiwsky	<i>Staff Advisor</i> Belarus, Bulgaria, Ukraine, NGO Liaison, Security Officer
John Finerty	<i>Staff Advisor</i> Estonia, Latvia, Lithuania, Moldova, Russian Federation
Shelly Han	<i>Senior Advisor</i> Economics, Environment, Energy Security, Labor Migration, Trade, Good Governance
Robert Hand	<i>Staff Advisor</i> Albania, Bosnia, Croatia, Macedonia, Montenegro, Serbia Slovenia, OSCE Security Issues, OSCE Parliamentary Assembly
Janice Helwig	<i>Staff Advisor</i> OSCE Structure, U.S. Delegation to the OSCE
Marlene Kaufmann	<i>General Counsel</i>
Ronald J. McNamara	<i>International Policy Director</i>
Michael Ochs	<i>Staff Advisor</i> Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan
Kyle Parker	<i>Staff Advisor</i> Russian Federation; Domestic Political Developments, Relations with Neighbors, Regions
Daniel R. Redfield	<i>Office Manager</i> Budget, Interns, Personnel, Hearings & Briefing, Publications, Travel

Erika Schlager	<i>Counsel for International Law</i> Czech Republic, Poland, Slovakia, Romani Minority Issues, OSCE and International Legal Issues
Harold Smalley	<i>Detaillee from the Government Printing Office</i>
Mischa Thompson	<i>Staff Advisor</i> Tolerance; Racism, Anti-Semitism, Xenophobia
Fred L. Turner	<i>Chief of Staff</i>
David Zuk	<i>Systems Administrator (Contractor)</i>

Appendix (C)

OSCE Participating States as of December 2006

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
Malta	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)
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
Russia	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
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
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OSCE Partners for Cooperation

Afghanistan	admitted as a Partner for Cooperation on April 3, 2003
Japan	affiliated with the Helsinki Process from 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 Cooperation on Nov. 9, 2000

Appendix (D)

Hearings, Briefings, Digest Articles and Congressional Delegations in 109th Congress, 2nd Session

A. Hearings

Human Rights, Civil Society, and Democratic Governance in Russia: Current Situation and Prospects for the Future – February 8, 2006

Freedom Denied: Belarus on the Eve of the Election – March 9, 2006

The Legacy of Chernobyl: Health and Safety 20 Years Later – April 25, 2006

Advancing the Human Dimension of the OSCE – The Role of the Office of Democratic Institution in Human Rights – May 17, 2006

Human Rights, Democracy, and Integration in South Central Europe – June 15, 2006

Belgium's Leadership of the OSCE – June 28, 2006

Human Rights and U.S.-Russian Relations: Implications for the Future – July 27, 2006

Care for the Disabled in Romania – September 13, 2006

The Shanghai Cooperation Organization: It is Undermining U.S. Interests in Central Asia? – September 26, 2006

Protecting Children: The Battle Against Child Pornography and Other Forms of Sexual Exploitation – September 27, 2006

B. Briefings

Democracy in Belarus – February 1, 2006

Combating Anti-Semitism: OSCE Police Training and Holocaust Education – May 9, 2006

The Human Rights Situation of Roma: Europe's Largest Ethnic Minority – June 15, 2006

Uzbekistan: Are There Prospects for Change? – July 25, 2006

The Sterilization Investigation in the Czech Republic – August 15, 2006

Democracy in Tajikistan: Preview of the Presidential Election – October 26, 2006

C. Digest Articles and Reports

Articles

European Court Rules in Critical Czech Desegregation Case – February 21, 2006

From the Maidan to Main Street – April 21, 2006

From Promises to Practice; Implementation of National Policies on Roma, Sinti and Travellers – June 13, 2006

Commission Commemorates Anniversary of the ODIHR with Wide-Ranging Hearing – August 10, 2006

Freedom of the Media Revisited at Vienna Meeting – September 18, 2006

Tajikistan's Presidential Election Falls Short – December 13, 2006

Reports

Accountability and Impunity: Investigations into Sterilization without Informed Consent in the Czech Republic and Slovakia – August 14, 2006

D. Congressional Delegations Authorized by the Commission

Commissioners Smith and Cardin participated in the Winter Meeting of the OSCE Parliamentary Assembly, Vienna, Austria from February 21-25, 2006.