

THE DUTCH LEADERSHIP OF THE OSCE

HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

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**COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC**

The Commission met in Room 562, Dirksen Senate Office Building, Washington, DC, at 3:15 p.m., Hon. Joseph R. Pitts, Commissioner, presiding.

Commissioners present: Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe; Hon. Joseph R. Pitts, Commissioner, Commission on Security and Cooperation in Europe; and Hon. Alcee L. Hastings, Commissioner, Commission on Security and Cooperation in Europe.

Witness present: Jaap de Hoop Scheffer, Foreign Minister of The Netherlands.

HON. JOSEPH R. PITTS, COMMISSIONER, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. PITTS. Ladies and gentlemen, in the interest of saving time, we will go ahead and begin the hearing. I am Congressman Joe Pitts. Congressman Hastings and I will start the hearing. The Chairman is on his way.

We warmly welcome the Foreign Minister of The Netherlands, His Excellency Jaap de Hoop Scheffer, Chairman-in-Office of the OSCE in Europe. It is a pleasure to have you here with us today. We thank you for your leadership. I also want to thank you and your government for your warm hospitality during the 12th annual session of the OSCE Parliamentary Assembly held in Rotterdam last July. Your participation in that meeting was greatly appreciated, and we look forward to the insights that the Foreign Minister serving in the OSCE's most senior political position can bring us today.

So I will submit the Chairman's remarks for the record.

At this time, Mr. Minister, we will turn to your testimony. Welcome.

HON. JAAP DE HOOP SCHEFFER, CHAIRMAN-IN-OFFICE OF THE OSCE, FOREIGN MINISTER OF THE NETHERLANDS

Min. DE HOOP SCHEFFER. Thank you very much, indeed, Your Excellencies, ladies and gentlemen. It is a great honor to be here and to have this opportunity to address the Helsinki Commission. Its members are also opinion-formers in the OSCE community and I know I spoke to some of you, in Vienna, and lastly in Rotterdam on July 5 at the Parliamentary Assembly of the OSCE. May I commend you for the important work done there.

As we meet, just over two-thirds of the term of the Dutch Chairmanship of the OSCE lies behind us. A great deal of work is still ahead, and I fully realize that as the Chairman-in-Office I should be modest in appraising the past eight months. Nevertheless, let me highlight a few topics with which we are currently dealing. Nevertheless, first let me stress that the talks on the OSCE I have had in the last few days in Washington with representatives of your government have encouraged me to go full steam ahead in the coming months.

As I come to the thematic issues, given the profound changes in the international security landscape and the emergence of new threats, the Maastricht Ministerial Meeting in early December will be important in setting the agenda for the future of the OSCE. We shall be discussing threats to security and stability in the twenty-first century, knowing that we can only see a few years into the future. So we are grateful to Washington—it was your initiative—for the new mechanism of the Annual Security Review Conference.

This conference will allow us to review progress in this field at regular intervals. The potential is there. The first conference proved to be a valuable way of talking about and evaluating security-related OSCE matters. But there is room for further improvement. I would suggest that future meetings be held on the basis of prepared reports surveying the security situation in the OSCE-area.

Now, Mr. Chairman, the new threats confronting the OSCE area are both dynamic and complex. In the last few years, we have come face-to-face with unprecedented challenges and threats to our security. The most obvious of these is terrorism, a threat that has become highly visible since September 11, just as more recent attacks also made a deep impression on us all. The fight against terrorism is, and it should be, a top priority on our agenda.

The Bucharest Plan of Action and the follow-up Bishkek Conference have helped the participating States to address the threat of terrorism both within and in cooperation with the United Nations. A series of high-level conferences is taking place this month in Lisbon, New York and The Hague to keep us focused and to prevent complacency. They will all help us to combat terrorism with vigor.

Apart from terrorism, there are other major threats, perhaps less visible and more surreptitious, such as organized crime, trafficking, and illegal migration. The OSCE should also be concerned about undemocratic responses to these new threats, responses such as intolerance, xenophobia, anti-Semitism, or curtailment of democratic and human rights. Such responses also pose a challenge to human security and undermine the open character of society. Both the threats and the responses directly affect the security situation within and between nations and peoples.

The OSCE's history and mandate place it in a very good position to come up with remedies. The discussion on the threats will culminate in a new strategy to be adopted at the Maastricht Ministerial Meeting. We need to go beyond the repertoire of military action and policing as responses to security problems, and the OSCE can provide an impetus to this effort. No sustainable conflict resolution, let alone peace, can be achieved without due regard for human rights and democratization, for economic and environmental development, and without due regard for

the rule of law. These new political realities and the responses to the new threats are the main elements in repositioning the OSCE in the new international security landscape.

Mr. Chairman, combating trafficking has been an ongoing priority of the Dutch Chairmanship. Just before the summer the OSCE adopted an Action Plan to combat trafficking in human beings. At the Economic Forum in Prague, last May, I put forward a proposal for a special mechanism to strengthen the campaign in the OSCE against trafficking. The main intention is to keep the battle against trafficking in human beings on the political agenda in the coming years. The idea is that the person who will personify the mechanism should encourage and assist OSCE countries to tackle trafficking, whether they are countries of origin, transfer or countries of destination.

I also intend to make it possible to send out roving missions of experts to assist countries in the fight against trafficking and to call them to task if and when necessary. The mechanism should draw on the expertise and experience of the various OSCE institutions involved in the campaign against trafficking, first and foremost Office for Democratic Institutions and Human Rights [ODIHR] and OSCE missions. The mechanism should also play a key role in monitoring progress made by the participating States with the implementation of the OSCE Action Plan to combat trafficking. Against this background, I feel sure that the organization will be able to make an active, solid contribution to the fight.

Mr. Chairman, we strive to keep the human dimension high on the agenda. This year, our theme is tolerance and nondiscrimination. Within this area, we have selected three topics for a discussion at the Human Dimension Implementation Meeting, due to be held in Warsaw in October. One, prevention of discrimination, racism, xenophobia and anti-Semitism; two, national minorities; and three, migrant workers.

Let me also mention the Supplementary Human Dimension Meeting on Roma and Sinti held in April. The attendance of NGOs was high and their contributions constructive. This helped enormously to make the meeting a success. We hope that the OSCE will adopt the Roma and Sinti Action Plan at the Ministerial Meeting in Maastricht.

The Anti-Semitism Conference held June 19–20 in Vienna made headlines. This special conference has helped to raise awareness of the need to fight anti-Semitism. Tomorrow and the day after, other forms of intolerance will be the focus of a conference on discrimination, racism, and xenophobia, also in Vienna. Still ahead of us is the Seminar on Human Rights and Combating Terrorism organized by The Netherlands Helsinki Committee, to be held in The Hague later this month.

The results of all these conferences will be discussed further at the Human Dimension Implementation Meeting and will, no doubt, be on the agenda for the Maastricht Ministerial Meeting. Each subject I have mentioned is important in its own right, and they are relevant to all of the participating States, both east and west of Vienna.

Mr. Chairman, let me highlight a few regional issues that deserve our special attention. First, Moldova: the Dutch Chair attaches great importance to bringing the Moldova-Transdnistria conflict closer to a solution. We are prepared to redouble our efforts over the next few months. In essence, there are three issues: one, the political process to come to a settlement; two, the withdrawal of Russian military equipment; and three, preparations for the post-settlement phase.

Our efforts are primarily aimed at reaching a political settlement between the two parties. Now, it is essential for Moscow to fulfill the commitments it made in Istanbul and Porto, and transport its weapons, ammunition and other military equipment back to the Russian Federation before the end of the year.

Meanwhile, to prepare for the post-settlement situation, the Chair continues to work on a peace consolidation mission for Moldova. The two parties are proceeding on the understanding that a peacekeeping operation may be in place during the transitional period. We are currently consulting on this issue. The Chairmanship assumes that the peace consolidation mission will be multinational, composed of troops from participating States. It must, of course, be acceptable to both parties. Given the proximity of Moldova to the new geography of the European Union, I consider EU participation of key importance.

I have also asked your authorities to raise Moldova in their contacts with Moscow. We firmly believe that the United States of America's continued commitment and assistance are crucial in bringing about progress in solving this conflict.

On Chechnya, in spite of the good work of the Assistance Group for Chechnya, Moscow ended the negotiations on the renewal of its mandates, effectively closing it down. Since then, we have been striving to find a new form of cooperation on Chechnya between the OSCE and the Russian Federation. After negotiations in Moscow we agreed to work on a three-dimensional program, which should bring tangible benefits to the population at large, while also reflecting the core values of the OSCE.

Human rights are part and parcel of these core values. The program is to include activities related to the electoral process, good governance, the judiciary and public order, the promotion of economic and social developments, including the reintegration of internally displaced persons, and media development.

However, the ongoing violence in the area and political intransigence make an already complicated issue even more difficult. This makes an early implementation of meaningful activities on the ground very much uncertain. Yet I believe that the Russian Federation and the OSCE have a common interest in defining such a program, as the human and material costs to the Russian Federation of the conflict in the Chechen Republic are immense and the suffering going with that.

On Central Asia, Central Asia needs extra attention from the OSCE because the social transformation that began after the collapse of the Soviet Union is threatening to stagnate. To emphasize the priority that The Netherlands Chairmanship is giving to Central Asia, I visited the five Central Asian countries earlier this year. We set aside more resources for Central Asia in the 2003 budget than in 2002. We intend to continue this trend next year. As a further token to my commitment to the region I appointed Mr. Martti Ahtisaari, the former President of Finland, as my personal envoy for Central Asia, who also engages in useful discussions at the highest levels and plans to visit Central Asian countries again this autumn.

Mr. Chairman, the primary emphasis of the OSCE's involvement is on strengthening the rule of law and respect for human rights. Our attention is also focused on the various forms of trafficking, on security, of course including the fight against terrorism, and on economic transition. The fight against terrorism is a key concern in all five countries. However, the authorities vary in their responses to pleas for greater

respect for human and democratic rights. We are endeavoring to use our influence to raise human rights standards, contribute to due process and the rule of law, and to raise individual cases of human rights violations with the authorities. I have done so in all countries I visited just before the summer break.

On Georgia, we are deeply involved in various activities in Georgia, such as border monitoring, the border between Georgia and the Russian Federation, monitoring human rights practice and democratization and good governance. Following the visit of former Secretary of State James Baker, we are assisting in the selection procedure for the chairman of the Central Election Commission. Generally, we intend to invest massively in the observation of the election process. The upcoming elections, to be conducted in a free and fair manner, are crucial for the future of Georgia.

In conclusion, Mr. Chairman, distinguished Members—multilateralism at work: of the numerous themes and regional issues that concern the OSCE, I have only touched upon the main ones. There is so much going on in the organization that I would describe it as multilateralism at work. The role of the United States continues to be essential to making the OSCE work. That is one reason that, with full candor, I have shared my impressions, convictions and intentions for the coming period with you, as I have done with the representative of the U.S. administration I have the opportunity to talk to over the past 48 hours.

I have also talked to you in the firm conviction that it will take a joint effort by all of us to make this organization work. This is a matter not only for ministers and diplomats, but also for the OSCE institutions and the missions, for Parliamentarians and, last but not least, for civil society, for academics and think tanks, for other international organizations and NGOs.

In short, it takes a joint effort by the entire OSCE community to make this organization work. Without civil society and without NGOs the Helsinki process would never have got under way in the first place. The Dutch Chair is involving others as much as possible. For example, we had a fruitful exchange of opinions with international NGOs last May. We have given NGOs an active role in many an OSCE meeting. We need their insights, signals and cooperation. NGOs will also be invited to attend the Maastricht Ministerial. Of course, when I mention the institutions of the OSCE, let me also mention with respect, the very important work done by the OSCE's Parliamentary Assembly and the leadership of its President Bruce George and its vice presidents.

In preparing for Maastricht Ministerial Meeting, Mr. Chairman, we are working toward the adoption of several important strategy documents and action plans. I have already mentioned the new strategy based on the threats discussion and the Action Plan to combat trafficking in human beings. The strategy document for the economic and environmental dimension is being negotiated in Vienna, as are reviews of the performance of field missions and of the OSCE's peacekeeping capacity. Essential decisions on these and other issues still have to be taken.

For our part, the Chairmanship would like to be judged by its success in leading this organization into new, concrete forms of action. Common OSCE values and principles unite us. Those common values and principles need to be given new life every day across all three OSCE dimensions so as to bring human security to all in the OSCE area.

Thank you very much for your attention.

**HON. CHRISTOPHER H. SMITH, CHAIRMAN, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

Mr. SMITH. Mr. Foreign Minister, thank you very much for your very comprehensive statement to the U.S. Helsinki Commission today. However, more importantly, thank you for the work you have done as the Chair-in-Office. It is very laudable. You have had a very comprehensive and aggressive action plan. I would like to pay particular attention and thank you for your work in terms of your trafficking document that was agreed to by the Permanent Council. I think it is a very realistic action plan. Having read it, I think it really adds to the common effort that we all need to take with regards to this modern-day slavery.

I would like to ask you a question relative to that because you have covered just about everything in this action plan. Still, I think we all missed one area to some extent—that includes the United States—and that is the extent to which any of our militaries, whether they are acting in tandem with a peacekeeping mandate, or perhaps on their own as a deployment, for example, the U.S. deployment in South Korea.

About a year ago, we became aware of many trafficked women, mostly from the Philippines and Russia, who are in South Korea and, regrettably, were being subjected to forced prostitution. I asked, and I was backed in that effort by approximately 14 members of the House, and the Senate in the Helsinki Commission, even though it is out of our bounds, took it on as an action out of our own to ask that the U.S. military investigate and cease and desist that kind of complicity however unwitting it may have been with these women who have been forced into prostitution.

The result has been that the DOD's inspector general has been very serious in not only identifying this problem, but also making recommendations for action. General LaPorte, who is our supreme allied commander in South Korea, has acted very proactively as a result of being made aware of this and much has been done to train, to enlighten, to impose sanctions on those who cross that line in South Korea. That effort now goes into Bosnia and the former Yugoslavia where we also have peacekeeping deployments to ensure that we are not involved wittingly or unwittingly in trafficking there as well.

I would ask you if you might support an effort, since we have worked together on so many peacekeeping deployments, to be more aggressive in including our military peacekeeping deployments going forward?

Just as an example, one concrete effort that has resulted with the South Koreans: there was this little fiction called an entertainment visa that the South Korean Government was giving to these women to facilitate their passage into South Korea. It was nothing but a ruse. These women were being trafficked. This visa was given out to facilitate that trafficking. That is gone in South Korea. The U.S. military has put more than 660 facilities, places of entertainment, houses of prostitution that now are seen for what they are, off limits to U.S. mili-

tary as a direct result of this investigation. I would ask you if we could, going forward, again, building on the great work of your action plan, embrace a more aggressive effort vis-a-vis our militaries?

Min. DE HOOP SCHEFFER. Mr. Chairman, I could only say that I entirely support what you have said. May I say we have only seen the beginning in making this a central theme this year and it should not only be this year. I have already discussed this with my Bulgarian colleague, Solomon Passy, who hopefully will be here next year and who will be in the chair of the OSCE. We have only seen the beginning of fighting this completely unacceptable form of twenty-first century slavery. It happens everywhere. I think what you have just said is a very useful addition, and I think that, first, the OSCE, and I as chair, am fully aware that we have to work with others, that we have to work on perhaps developing similar guidelines for international organizations as we have seen, and you have seen in the action plan, guidelines for national military and other organizations.

I think the OSCE could very much profit from the work you just described being done by the U.S. military. It is setting an example of what cannot be tolerated. I have understood, Mr. Chairman, that also NATO has taken up this point recently based on a report from the U.S. Ambassador to Moldova. So, it is generating awareness, going on as if the Parliamentary Assembly, as I have done, as the OSCE has done that this is unacceptable. Last, but not least, may I add that we should also scrutinize legislation in our own countries—including mine—because if we consider this a problem coming from the country of origin, transfer and destination. As I said in Rotterdam—and some of you were there—where do these modern slaves end up? They end up—to talk about my part of the world—in the red light districts, also in Amsterdam and Rotterdam and in other European cities as the example you mentioned for Korea.

So, it should be, Mr. Chairman, a combined fight. NATO has taken it up. We can profit and learn from the experience of the U.S. military. We have only seen the beginning. I am very ready and willing to develop similar guidelines for other international organizations and pick this point up because what is happening is unacceptable, and here the OSCE has a special role to play.

Mr. SMITH. I appreciate that. We will get you a full copy of the inspector general's recommendations, which is an ongoing investigation that he has undertaken. It is a very serious one and President Bush, has already cited in his comments a zero tolerance policy as well. So, I think the more we all act in tandem—and I also think that ought to expand or be included among those that we are concerned would be our police deployments. We know for a fact because this Commission has held hearings on it. We did it in the last Congress that there was a real problem with Americans who were under DynCorps who were sent to act in police functions only to find that they too were complicit.

I have introduced a bill. It is a comprehensive addition to the bill that we enacted in the year 2000 and I was the prime sponsor of that and followed ever since on trafficking. We missed a lot in our earlier legislation that we have only learned from—and one lesson is the fact that we need to have a real sanction against those who are involved in the policing side as well, something that I hope that you will also take a thorough look at.

I have a number of questions. However, I know that your time is very limited, so I will just jump to the issue, if I could, on anti-Semitism, because we were all there together at that most recent meeting led by Rudy Giuliani, and Mr. Hastings was there as well. You mentioned it made headlines and it certainly did, very good headlines, that we will not allow anti-Semitism to continue to rear its ugly head in any of our societies. As you know, the Germans made a recommendation that they would like to see a Berlin Conference. I thought, if you would, give your feeling on the preparations to make that a reality.

Min. DE HOOP SCHEFFER. Well, let me first say, Mr. Chairman, that I, as Chair, have seen to it, putting my weight behind it, that this very successful conference could be held in Vienna, but I agree with you that it could not be the end of the debate. Having visited with my prime minister the Holocaust Memorial Museum this morning, having seen that, you need not have any other argument to go on fighting anti-Semitism. I support, and we have supported and we have welcomed Germany's offer to host a follow-up conference on anti-Semitism in Berlin in 2004, building, let us say, on the positive results of the Vienna conference. So, I am with you in this respect. I have mentioned many other forms of racism, xenophobia and anti-Semitism coming back and that is unacceptable. Rest assured that it also will be a topic, anti-Semitism, in the Human Dimensions Implementation Meeting I mentioned in Warsaw. I will go there myself. I will address that meeting. You may rest assured that the theme certainly will come back there.

Mr. SMITH. I appreciate that.
Commissioner Hastings?

**HON. ALCEE L. HASTINGS, COMMISSIONER, COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

Mr. HASTINGS. Thank you very much, Mr. Chairman.

Mr. Foreign Minister, it is good to see you. As I indicated earlier, I welcome you here. It was good to see you in Vienna as well as in Rotterdam. I will join the Chairman and all of us in welcoming you. We appreciate having the opportunity, obviously, to discuss with you many critical issues. Time is, of course, a factor. I also want to thank you for your hospitality and your participation in the annual meeting of the OSCE Parliamentary Assembly in Rotterdam in July. In my view, as president of the Assembly, vice president of the Assembly, it is essential that we work together. That was not a faux-pas, I do intend to run for president of the Assembly. I do not know whether you are aware of that. But, I have let it pretty much be widely known.

Following up on Chairman Smith's comment, if I hear you correctly, while racism and xenophobia are topics that are going to be addressed in Warsaw, the Maastricht meeting that many of us plan to attend, I certainly do, would be a good stage for us to follow up on the German invitation with reference to a follow-up conference. As you know, there is very strong sentiment that comes in large measure from a variety of the delegations I recognize that some do not favor a separate conference. However, I hope we have your reassurance that will be the case and that we will follow up in Berlin. I just want to go on record supporting that, Mr. Foreign Minister.

Mr. Foreign Minister, I have a variety of questions. Our chairman of the Parliamentary Assembly spoke today and he talks in terms of defining objectives in a changing Europe. The world is changing. You have now had an extraordinary experience as Chair-in-Office of what, in the last twenty years, have emerged as one of the most highly visible and active organizations and trying to create stability in Europe. With that experience of a year, recognizing that your colleague from Bulgaria will follow you, I just wonder and there is an additional preface to this, I am an opponent of term limits. I think it does serious detriment in international relations.

For example, you visited Central Asia and established and solidified your fine work in that area. You recognize, of course, as I am sure your Bulgarian colleague and your predecessor did, that there is much work to be done there. Would it not seem more sensible if you had two years rather than one? I am not talking about you, because your term will be over, but in the rotation of the chair, I recognize that as a part of the structure, but would not it make a little more sense to have two or three years for the Chairman-in-office to really be able to solidify his or her views with reference to stability in Europe? I am just curious about your answer to that. Then I have a more pertinent question as it pertains to the Parliamentary Assembly after you have been so kind as to address it. Thank you, sir.

Min. DE HOOP SCHEFFER. Mr. Chairman, let me first tell Mr. Hastings that I am entirely with him on the separate conference on anti-Semitism. We had a separate conference. We will have another separate conference probably in Berlin. Again, we cannot be outspoken enough and careful enough to defend the values we stand for. The OSCE is a value-based organization. Those values have to have their red lines we should never cross, which from time to time, may I be quite open and frank with you, of course, cause the chair difficulties because when it comes to some countries in Central Asia, without naming them, I have had to make very strong interventions on the values of the OSCE.

However, since the OSCE is the only organization those countries are involved in, it is up to this organization to tell them what those values are and that was not always easy. I can say. However, on anti-Semitism, I am with you.

On your second point, may I first say without complaining, because it is a very challenging and tremendously interesting responsibility being the Chair-in-Office. On the other hand, it is also a tremendous job, and a burden for a country, let me be open and frank, who occupies the chair. I am not talking about the Chairman-in-Office personally, but you need a good staff around you, which I have in Ambassador Everts in The Hague and in Ambassador De Visser in Vienna. Nevertheless, we were able to strengthen our delegation and in The Hague and in Vienna. So, it is an intensive effort to make. You have to travel and we have tried to blow some new life into the Troika formula. We have had the Troika with my colleague from Portugal, with my colleague Solomon Passy from Bulgaria who is going to take over and who has acknowledged the priorities, the Dutch Chair has said this year with the approval of the Permanent Council. I have also noticed that the priorities of the Parliamentary Assembly focus, in fact, on many of the same issues and Parliamentary Assembly and Permanent Council and Chair can strengthen each other here.

You must realize that it is also, and it is not the Dutchman again talking about money, but it is a huge financial burden, a huge financial burden.

So, I think it will be a bit complicated, for the reasons I have given to you, to go to a two-year term. However, at the same time, I say that we have to make full use of the Troika formula. We have done that this year, I think also, with the appointment of special representatives, the Office of the Secretary General. You have some forms of continuity in the organization, which, looking back on my eight months experience, I consider sufficient.

Mr. HASTINGS I would like to follow up, with your permission, and go to the heart of a concern that I have, Mr. Foreign Minister, and I know that you are aware that the OSCE Parliamentary Assembly has been very active in election monitoring and mission support. In the past two years the assembly has sought to engage the leadership of the OSCE, as well as the Permanent Council in order to further support the work of the OSCE. As has been the tradition, will the Parliamentary Assembly participate in the upcoming Ministerial Meeting in Maastricht and will the Assembly's contributions to the OSCE be recognized in the final document?

I would really like your view on what could be done to strengthen the working relationship between the OSCE and its Parliamentary Assembly. I also know that I do not know as much as you do and others about the issues. However, I was very proud when we appointed our ambassador and I, along with Chairman Smith and others, were very hopeful that significant breakthroughs would take place in the relationship between OSCE and the Parliamentary Assembly. I certainly believe that you have done what you can to make Andreas Northelle comfortable. But I am not certain that that is true in each instance with your colleagues without mentioning anybody. It is problematical for those of us in the Parliamentary Assembly. I do not raise it as a stink. It is a fact, and your reaction if you will.

That will be all I have, Mr. Chairman.

Min. DE HOOP SCHEFFER. Thank you very much. When I came in I immediately realized that there was some work to be done, to put it mildly, in the relationship between the OSCE as an organization and the Parliamentary Assembly. I needed not to be convinced that work was to be done, having been a member of parliament for 16 years in my own country, and knowing something about Parliamentary assemblies, having been a member of the WEU Parliamentary Assembly, having been a member of the NATO Parliamentary Assembly. So, I know how relevant and important parliamentary assemblies are. But there was work to be done.

We have done it I think. First, you mentioned it yourself, of course, the liaison office. The second important point full accesses to OSCE meetings. I have consulted several times with my friend Bruce George, the President of the Parliamentary Assembly, to make this happen. The third important point the President of the Parliamentary Assembly plays an important role and, of course, has a permanent seat in our troika meetings. I have chaired two of them. On both meetings President George has played a very important role.

So, I consider, but no surprise with my background, the Parliamentary Assembly as an essential body of the OSCE and any suggestions, Mr. Hastings, any suggestions of further improving that cooperation

are very welcome. This is again something I have discussed and I will discuss with my colleague Solomon Passy so as to create and generate the continuity you so rightfully stressed in the different chairs. So, I think the liaison office, access to meetings, the troika formula are three important elements of a relationship, which I stress again needed improvement because it was not a good situation that I found when I came in.

Mr. HASTINGS. Mr. Chairman, with your permission, I will submit in writing to the Foreign Minister, a couple of suggestions that I do have.

Thank you.

Mr. SMITH. Thank you.

Commissioner Pitts?

Mr. PITTS. Thank you, Mr. Chairman.

Again, thank you, Mr. Foreign Minister, for your testimony and presence here and your leadership at the OSCE. Regarding human rights in Central Asia, I notice you have visited each country there, but the levels of human rights observance in Central Asia differ from country to country. Authoritarian rule seems characteristic of the entire region.

My question is how do we get these regimes to take seriously their OSCE commitments? For example, in Azerbaijan, which is clearly heading toward a family dynasty, are you concerned that the Central Asian presidents will try to orchestrate a similar kind of succession? What can the OSCE do to help avert this danger?

Min. DE HOOP SCHEFFER. Thank you very much. Indeed, as I said already in my statement, my visit to the five countries I mentioned, Central Asian countries, has opened my eyes to the fact that a lot needs to be wished for and realized before we could say that the common values I spoke about are part and parcel of the system of these countries. Let us say the structural problems are challenges of these five Central Asian states in transition, and I stress the word still in transition, are very similar, although, as you know, Mr. Pitts, there are differences as to the level of progress made over the past years in each of these countries.

Now, the primary emphasis of the OSCE's involvement in those countries is on strengthening the rule of law and respect for democratic and human rights. May I mention the importance of the missions we have in those countries? The missions are the eyes and the ears of the organization. I had the opportunity in every country I visited, even in Turkmenistan, to speak to NGOs, NGOs that have a difficult and sometimes awful life in those countries. In Turkmenistan these representatives of the NGOs who were so bold as to come to the meeting I had with them, are really in danger of being harassed or worse.

I mentioned the important points, rule of law, human rights in all the countries. We have the Moscow Mechanism, as you know in the OSCE, the Moscow Mechanism was invoked against Turkmenistan. Turkmenistan refused to cooperate on Mr. Emmanuel DeCaux's report on the—may I say—very serious situation of human rights in Turkmenistan. I was one of the few foreign politicians and leaders even to talk with Turkmenbashi, the President of Turkmenistan. I still think it is important to do so because in isolation, without integration into what we call the Euro-Atlantic structures, leaving those countries all by themselves, I think we will not see improvement in the situation. So, the very narrow path we have to walk, and I read in your question

between the lines, justified criticism on: What about human values? What about human rights? Why are they members of OSCE? How can we say what we stand for? Still I think, Mr. Chairman, it is of the utmost importance to keep the lines of dialogue open.

I know from the NGOs in Turkmenistan how glad they were, how satisfied they were that I had been there, not I in person, but as chair of the OSCE. The mission in Turkmenistan—how difficult it is—will monitor these people. When I came there they picked some people up because they did not want those people to see me and to meet me. They were released as soon as my plane had taken off. There is a lot to be observed, but the missions are the eyes and ears. I have spoken to all the presidents. Those conversations were not easy. They were not easy because they are still in transition. Some are better than others. But I think one core element of the business of this organization, the niche in which the organization has to find its path and its strength, is to keep them in the organization even if, in the case of Turkmenistan, they refuse to cooperate with the Moscow Mechanism.

The alternative would be, Mr. Pitts, to say we will kick them out. Would that improve the fate of the people in jails in Uzbekistan or in Turkmenistan? I do not think so, but it is the perpetual moral dilemma we have I think the answer of the OSCE should be constant pressure, constant pressure, that is why President Ahtisaari visits the region frequently. He will go there, *frapper toujours*, as the French say, in close cooperation and collaboration, for instance, with your administration on these matters. Your administration who is also active in those countries for various reasons because we have trafficking routes, we have creators of terrorism in the region.

May I mention one example, the Ferghana Valley? The Ferghana Valley is a cradle for terrorism but we have to speak to them and we have to do everything we can to see that we do not see another cradle of terrorism in that area, that we do not, by a lack of attention, see in five or 10 years from now minority problems coming up in those regions.

So, in brief, and I apologize for this long answer, I think there is a very important role to play for the OSCE, provided that—coming back to Mr. Hastings—provided that the priorities set by the Dutch Chair will have their follow-up in the next years. Because if they do not see a CIO again, they say, oh, this was a one-time affair. We cannot go on in our self-chosen isolation. They should not have that chance.

Mr. PITTS. If I could just follow up, Mr. Chairman, a little bit on that.

You stressed the importance of the missions and the constant pressure and the importance of engagement. With respect to Turkmenistan and the report and implementing the recommendations of the report, particularly international access to prisoners, have you taken any steps to press for that? Are there other steps that we could join you in advocating in a proper way to increase the pressure that you mentioned?

Min. DE HOOP SCHEFFER. I have done so, Mr. Chairman, I have done so in my conversations with the President of Turkmenistan. I have done so in my conversation with the Foreign Minister of Turkmenistan. I have made it a point more specifically that there are many prisoners who even are not allowed to have visits of their beloved ones and their family. I have made a strong plea for exit visas, because you know there is a major problem with exit visas. I have mentioned the cases of Berdiev to the Foreign Minister of his predecessor. It is a dangerous job to be foreign minister in Turkmenistan.

The flaw we have in the Moscow Mechanism is that at a certain stage it ends. There should, in my opinion, be a more ... how shall I say this, a stronger follow-up to the Moscow Mechanism so as to at least do our utmost in the OSCE to tell them that we mean serious business. You saw here that the report was made. Turkmenistan's finally refused to appoint their officer, which they have the right to in the Moscow Mechanism. So we had the report by Mr. Decaux which was discussed in the Permanent Council, and that was it. They rejected the report. I am looking for a sort of more permanent mechanism because a CIO cannot go to Turkmenistan every month, not even every other month. So, that is what I think what we should discuss. That might be a point for the Parliamentary Assembly to pick up.

What to do in these cases? Short of saying we refuse them entry in the OSCE, because as I tried to make clear, Mr. Chairman, that is, in my opinion, not the ideal option.

Mr. SMITH. I know you are running out of time. Let me ask very briefly a couple of questions. As you know we had a big fight on Belarus whether or not they would be readmitted. There were four criteria that were established. They did not meet a single one of them. But the Parliamentary Assembly nevertheless voted to reintegrate or reseal the delegation. True to form they really behaved very badly. They obstructed, ended up walking out early even in a meeting that we were supposed to have in a dialogue they did not show up. Everybody was there except for the Belarusian delegation. How do you assess the mission? I would just ask another question on Kosovo if you have got the time, missing person and Ambassador Everts certainly is an expert in this area as well and has testified before the Commission on this.

But we have recently met with several families who are still looking in Kosovo, mostly Serbians, but there are others of different nationalities who are missing and they cannot get to the bottom of their missing loved one, wife, husband, a son or daughter, many of them are military people who are missing. What is the OSCE doing on that? Again, I think just for the record, we have heard that the Turkmen opposition sources that told us that Batyr Berdiev, the former Turkmen Ambassador to the OSCE has died in prison. So, if that is true, that is obviously very bad news. But, if you could on the Belarusian situation and missing persons as quickly—because I know you have a plane to catch.

Min. DE HOOP SCHEFFER. We will certainly determine on the case of Berdiev, we will certainly follow that up. That is information that is very useful to me. I did not know that. Kosovo more in general, I visited Kosovo. For reasons of time, I cannot dwell upon the whole debate about its standards before status.

On Belarus, I would like to say that I remain very critical, very critical. You know that apart from what you mentioned, actions against the independent media are a source of great concern to me. On my instructions, the head of the office in Minsk has expressed disappointment and concern about the formal closure of two independent newspapers. It is still, in spite of the commitments Minsk made the office is still meeting resistance from the Belarusian government in involving civil society and independent groups in its activities.

What I will do as CIO, I will go on to very critically follow the situation very closely and you may rest assured, Chairman, that if and when necessary, I will take the necessary action.

Mr. PITTS. I appreciate that.

Just for the record, we plan on a series of hearings on missing persons, bringing back before the Commission several groups that have formed now that have been very frustrated, whether it be by the peacekeeping deployments and their inability really to follow up even though they are very kind and sympathetic, there has been this lack of, you know, this is a loved one. We have access to the battlefields so to speak. We ought to be able to have a full accounting and to determine whether or not any of these people are still being held against their will.

But, Mr. Foreign Minister, I know you have got to run for a plane. We deeply appreciate your testimony, your work as Chair-in-Office. We are privileged to have you here before the Commission and we will look forward to working with you going forward. Thank you.

Min. DE HOOP SCHEFFER. It was my privilege, Mr. Chairman. Thank you so much.

[Whereupon, at 4:10 p.m., the hearing was adjourned.]

APPENDICES**PREPARED STATEMENT OF
HON. CHRISTOPHER H. SMITH, CHAIRMAN,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

We warmly welcome the Foreign Minister of The Netherlands, His Excellency Jaap de Hoop Scheffer, Chair-in-Office of the Organization for Security and Cooperation in Europe. It is a pleasure to have you here with us today, and we thank you for your leadership. I also want to thank you and your government for your warm hospitality during the 12th Annual Session of the OSCE Parliamentary Assembly, held in Rotterdam last July. Your participation in that meeting was greatly appreciated.

The Commission has frequently held hearings to examine various aspects of the OSCE—in the past six months, we have held hearings which have examined the role of OSCE participating States in arming rogue regimes, missing persons in southeast Europe and internally displaced persons in the Caucasus region, as well as public briefings regarding the work of the International Criminal Tribunal for the Former Yugoslavia and the critical human rights and humanitarian situation in Chechnya—all critical issues challenging the OSCE. We look forward to the insights that Foreign Minister de Hoop Scheffer, serving in the OSCE's most senior political position, can bring to us today.

At the beginning of your tenure, Mr. Minister, you set what I believe is an ambitious, yet practical, agenda for your chairmanship: Advancing the fight against international terrorism, including a focus on combating trafficking—in human beings, drugs and weapons—and the criminal organizations which thrive on these activities; redoubled efforts to resolve the continuing conflicts in the Caucasus and the stalemate in Moldova, and meaningful institutional reform within the OSCE.

I thank you, in particular, for your focus on combating trafficking in human beings, a scourge that is nothing less than modern day slavery. The U.S. delegation to the OSCE Parliamentary Assembly has taken the lead in trying to combat trafficking in persons, particularly women and children, and the Assembly adopted our comprehensive resolution in Rotterdam last July. As the primary author of the U.S. law combating human trafficking, the Trafficking Victims Protection Act, I am pleased that your leadership has produced an Action Plan for combating trafficking in human beings. We look forward to working with you and other participating States in working to eradicate this evil.

As you know, the U.S. delegation, along with our German colleagues, have taken the lead in focusing the attention of the OSCE Parliamentary Assembly on anti-Semitism. Thank you for conducting the excellent OSCE Conference on Anti-Semitism in June. Along with Mayor Giuliani, I was honored to co-lead the U.S. delegation to the Conference, and Congressman Alcee Hastings also served on the delegation. This meeting was an important step in encouraging participating States to seriously address this critical and longstanding human rights issue in concrete and practical ways, such as reporting statistics on anti-Semitic incidents to the ODIHR for compilation and review.

I am also pleased that the sister Conference on Discrimination, Racism and Xenophobia, which begins tomorrow, will raise other significant issues also deserving of attention. As the OSCE has repeatedly focused on issues of tolerance in a singular fashion, such as with the April Supplementary Human Dimension Meeting on Roma and Sinti,

this flexibility is one of the OSCE's greatest assets. In fact, considering the unique history of anti-Semitism in Europe and the fact that sporadic violence continues to arise in both North America and on the continent, I think it premature to remove the Organization's singular focus on this topic. With the Germans committed to hosting a follow-up meeting in Berlin in 2004 specially devoted to anti-Semitism, I hope our European friends will continue to support these efforts to raise anti-Semitism as a specific issue of concern.

Members of this Commission have also followed closely developments in Central Asia, and I know you have focused on the region as well during your Chairmanship. We are particularly concerned about the deteriorating situation in Turkmenistan, where there are credible reports that many arrested following the November 25 coup attempt were tortured and convicted in show trials, where exit visas have been reimposed and where minorities and religious believers are harassed and discriminated against. I continue to believe that the OSCE can and should do more to promote the development of democratic institutions, rule of law, respect for human rights and market economies in Central Asia.

Again, I appreciate the Foreign Minister's willingness to testify before this Commission and offer his insights as Chair-in-Office. We are eager to hear more about your vision for the OSCE and its role in the region.

**PREPARED STATEMENT OF
HON. BEN NIGHORSE CAMPBELL, CO-CHAIRMAN,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. Chairman, thank you for convening this hearing as a vital link between the political leadership for the OSCE and the Helsinki Commission. Before turning to the topic of the Dutch Chairmanship of the OSCE, I want to express my appreciation to the Foreign Minister as The Netherlands has repeatedly demonstrated in recent years that it is a reliable friend and ally in word and in deed. Mr. Minister, thank you for your role in strengthening the bonds between our countries as we face challenges to our interests across the globe.

As the largest regional security organization, the OSCE 55 participating States is active in early warning, conflict prevention, crisis management and post-conflict rehabilitation. The OSCE's comprehensive approach to security includes not only arms control, preventive diplomacy and confidence-and-security-building measures but, equally as important, a focus on protecting human rights, democratization, election monitoring and economic and environmental security.

Respect for human rights and fundamental freedoms is the foundation of democracy and it has been the cornerstone of the OSCE's mission since the signing of the Helsinki Final Act. Participatory democracy cannot grow in societies where there is no respect for the individual. While there has been tremendous progress in many participating States, Belarus and the countries of Central Asia give cause for particular concern given the flagrant violations of fundamental freedoms and human rights in these nations. The continuing conflict in Chechnya remains of deep concern to this Commission as the most egregious violations of international humanitarian law are occurring in that region of Russia. Also of concern is Ukraine, a country where recent trends are troubling especially in the lead up to presidential elections scheduled for 2004.

Mr. Minister, as sponsor of the Senate resolution on anti-Semitism and related violence in the OSCE region, I thank you for your leadership in convening the Vienna Conference and enlist your support for a sustained specific OSCE focus on anti-Semitism especially in light of the German offer to host a follow-up OSCE event in Berlin next year. In order to maintain focus and momentum on this issue, the December OSCE Ministerial your government will host should embrace the German initiative.

Since my appointment to the Commission leadership in 1999, I have worked to draw attention to the importance of combating corruption and organized crime in the OSCE region. These interrelated issues have taken on greater urgency given the strong nexus between the operations of transnational criminal groups and international terrorist organizations. Indeed, according to experts, they frequently work together in the fields of drug trafficking and money laundering. In this regard, we have strongly supported the work of the SECI Center for Combating Transborder Crime located in Bucharest, Romania. While not an OSCE entity, this Center involves the close coordination of 12 OSCE countries in a strong regional effort to battle international criminal gangs and could, I believe, serve as a model for other participating States.

Finally, as a former law enforcement officer, I have followed closely the excellent work on police training undertaken by the OSCE in Kosovo and elsewhere in the Balkans. Professional law enforcement – that protects human rights rather than abuses them—is crucial to building

strong democratic institutions and rule of law and the Commission will be watching closely new programs sponsored by the OSCE in Central Asia. It is vital that these programs foster real democratic change and protection of human rights in countries of transition.

Again, I welcome the Chair-in-Office and look forward to his testimony.

**PREPARED STATEMENT OF
HON. BENJAMIN L. CARDIN, RANKING MEMBER,
COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

Mr. Chairman, I join you in welcoming Foreign Minister de Hoop Scheffer and thank him for his leadership as Chairman-in-Office of the OSCE. I also want to thank the Minister and his government for their hospitality in hosting the Annual Meeting of the OSCE Parliamentary Assembly in Rotterdam in July.

The Foreign Minister has set a determined agenda for the Dutch Chairmanship and I congratulate him on the concrete strides that have been made in implementing the Charter on Terrorism, on producing an action plan to combat trafficking in human beings, and on maintaining continuing focus on strengthening human rights and the rule of law. I also appreciate the Minister's support for convening the first high-level OSCE Conference on anti-Semitism held in Vienna, Austria, June 20, 2003 and strongly urge him to ensure that a follow-up meeting on anti-Semitism is held in Berlin next year.

The U.S. delegation, under the leadership of Chairman Smith, has sought to raise awareness of the rise in anti-Semitism in Europe and North America in the OSCE Parliamentary Assembly, and to seek ways to combat this frightening trend. We have held several forums with our German colleagues—in Berlin in July 2002, in Washington, D.C. in December 2002 and in Vienna in February 2003. In Rotterdam this past July, the Parliamentary Assembly unanimously adopted the U.S. resolution on Combating anti-Semitism which calls on parliamentarians in OSCE participating States to strongly and publicly condemn anti-Semitic acts when they occur, to ensure effective law enforcement against criminal acts stemming from anti-Semitism, and to encourage education efforts throughout the OSCE region to counter anti-Semitic stereotypes and attitudes among younger people.

Mr. Chairman, we can never justify anti-Semitic actions by international developments or political issues. We need to have an action plan to fight anti-Semitism. We need to have strong laws that are adopted by our member States and enforced. We need educational programs for our children and we need to speak out against anti-Semitism as elected representatives and government officials. Silence is not an option, Mr. Chairman.

I strongly support further engagement and discussion with the OSCE Mediterranean Partners for Cooperation, which includes Israel and Arab countries such as Egypt, Jordan, Algeria, Morocco and Tunisia, on the issue of anti-Semitism and on regional security. I am very eager to open a dialogue with our fellow parliamentarians in those nations in the new future. My resolution on the OSCE Mediterranean Dimension, adopted during the Annual Assembly in Rotterdam, calls on the Mediterranean Partners for Co-operation to adhere to the guiding principles contained in the Helsinki Final Act and to use the framework and mechanisms of the OSCE, including those devoted to conflict prevention and post-conflict rehabilitation, as a model for enhancing security, promoting cooperation, and protecting human rights in the region. I hope that the Dutch Chairmanship and its successors will support this effort.

Finally, Mr. Chairman, as you know, during the Parliamentary Assembly in Rotterdam my colleagues elected me to Chair the Committee on Economic Affairs, Science and Technology, for which I am deeply honored. I will be working closely with the Vice-Chair and Rapporteur

of the Committee and members of the Assembly to focus our work on issues and strategies that will serve to enhance the economic and environmental dimension of the OSCE. I believe that the work of the Parliamentary Assembly should support and enhance the work of the OSCE and its missions. I therefore look forward to receiving the views of the Chair-in-Office on what contribution the OSCE can make to enhancing sustainable economic and environmental development throughout the region.

Again, I welcome Foreign Minister de Hoop Scheffer and look forward to his testimony.

Thank you, Mr. Chairman.

**COMMISSION ON
SECURITY AND COOPERATION IN EUROPE**

234 FORD HOUSE OFFICE BUILDING

WASHINGTON, DC 20515

(202) 225-1901

May 23, 2003

His Excellency Jaap de Hoop Scheffer
Chairman-in-Office
Organization for Security and Cooperation in Europe
Vienna, Austria

Dear Mr. Chairman:

We have been following with interest your efforts to work with the Russian Foreign Ministry to re-establish an OSCE presence in Chechnya, Russian Federation following the forced closure of the OSCE Assistance Group to Chechnya in late 2002. The Helsinki Commission staff has been briefed on this issue by Ambassador Daan Everts, and we are aware of the immense challenges you face in these negotiations.

Your efforts should be guided by the relevant provisions of the OSCE Istanbul Declaration, including language on the humanitarian situation in the region. On numerous occasions, interlocutors from the Chechnya region have testified to the good repute that the Assistance Group enjoyed among the local population during its tenure, and their hope that the OSCE re-establish a similar presence in Chechnya. This issue was discussed at some length during a recent Commission briefing on the human dimension of the Chechen conflict.

With this in mind, we would suggest certain parameters that we believe are vital for the credibility of any OSCE presence, and the Organization as a whole, with respect to Chechnya. We believe that any OSCE presence should:

- be authorized to monitor and address a full range of human rights and humanitarian issues, particularly those relating directly to OSCE commitments.
- maintain a permanent field presence in Chechnya with accredited OSCE representatives, appropriate infrastructure, and logistical support.
- In their dealings with the local population, OSCE representatives on the ground should be able to interact with a wide range of non-governmental organizations representing the various legitimate sectors of Chechnya's society. The OSCE must also have the authority to choose freely its NGO partners and activities.

We believe that the re-establishment of a credible OSCE presence in Chechnya could be a valuable and necessary step in our common desire to find a just and equitable political resolution of this tragic situation that has claimed so many innocent victims.

His Excellency Jaap de Hoop Scheffer
May 23, 2003
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We strongly endorse your efforts to establish a meaningful OSCE presence in Chechnya and hope this will become a reality within your established time frame.

Sincerely,


Ben Nighthorse Campbell, U.S.S.
Co-Chairman


Christopher H. Smith, M.C.
Co-Chairman

cc: Ambassador Stephan M. Minikes, Chief of Mission, U.S. Mission to the OSCE



Mr Den Nighthorse Campbell and Mr Christopher H. Smith
Co-Chairmen of the Commission on Security and
Cooperation in Europe

The Hague, 19 June 2003

Dear Chairmen,

I read your letter of 23 May with great interest and consider it a most welcome expression of support for my approach to developing a long-term OSCE programme of technical cooperation in Chechnya in the Russian Federation.

Our efforts have been guided by the firm conviction that the OSCE should be present in Chechnya, in order to follow developments on the ground and to signal that the international community wishes to remain engaged. In addition, the OSCE should take part in project activities that bring tangible benefits for the Chechen population. Any OSCE programme should express the basic values of the OSCE and should reflect all three dimensions of the Organisation, including the human dimension.

On 25 April, my Personal Representative, Ambassador Daan Everts, reached an understanding with Moscow that a long-term OSCE programme of technical cooperation in Chechnya would be developed on the above basis. Within two months specific project proposals were to be formulated, focusing on the following areas: electoral process and good governance, the judiciary and public order, promotion of economic and social development (including reintegration of internally displaced persons) and media development.



It was also agreed that the modalities for management and coordination, including the possibility of a local coordination office, would be agreed upon as soon as possible. In my opinion, the issue of a field presence should be determined by the requirements for effective implementation of the OSCE programme and on the basis of legitimate security concerns. I may add that when I met Russia's Foreign Minister Ivanov recently, he also concurred with the desirability of establishing a presence inside Chechnya.

From 15 to 18 June 2003, a joint OSCE team, consisting of representatives of ODIHR, SPMU, FoM, OCEEA, CPC and the Chairmanship, will travel to Moscow for technical talks on possible projects to be incorporated in a long-term programme. The team will hold talks with representatives of the Ministry of Foreign Affairs and federal authorities, and with representatives of the Chechen authorities and other relevant governmental and non-governmental organisations (national and international).

While the OSCE stands ready to develop a meaningful package of proposals, I continue to be concerned about the ongoing violence in Chechnya. The OSCE can only make an effective contribution to improving the situation if both sides allow it to play a role. Extremist acts of violence, as we have recently witnessed, must cease. On the other hand, I believe it is of utmost importance that the authorities live up to the expectations that were raised in the context of the referendum on the draft constitution and work towards a just and lasting political solution.

A handwritten signature in dark ink, appearing to read 'Jaap de Hoop Scheffer', is written over a faint, illegible printed name.

Jaap de Hoop Scheffer

Chairman-in-Office of the OSCE

Minister of Foreign Affairs of the Kingdom of the Netherlands

Yours sincerely,

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