



UNITED STATES MISSION  
ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE  
VIENNA, AUSTRIA  
September 22, 2004

AMBASSADOR  
43-1-31339-3401

Dear Colleagues:

I would like to share with you both (1) the statements of principal witnesses as well as (2) the actual transcript from the September 15, 2004 Helsinki Commission hearing titled "Advancing U.S. Interests through the OSCE". This annual hearing highlights the importance that both our executive and legislative branches place on the work of the OSCE. This year the witnesses were A. Elizabeth Jones, Assistant Secretary of State for European and Eurasian Affairs, Stephen G. Rademaker, Assistant Secretary of State for Arms Control, and Michael G. Kozak, Acting Assistant Secretary of State for Human Rights, Democracy, and Labor.

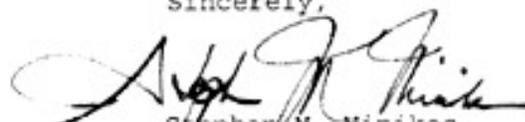
In her oral (see transcript) and written testimony, Assistant Secretary Jones highlighted the importance the Administration attaches to the work the OSCE has undertaken to combat intolerance in participating States, and the steps the U.S. has proposed to focus more of the OSCE's resources and expertise on security challenges ranging from counter-terrorism to managing stockpiles of ammunition and weapons, including MANPADS. Assistant Secretary Jones's statement and actual testimony should be regarded as current, authoritative pronouncements on U.S. policy toward the OSCE and the many issues with which OSCE deals.

In addition to the statements, I particularly recommend you read the question and answer transcript of the hearing as it reflects both Congressional and Executive Branch views.

I would value any comments you may have.

Thank you.

Sincerely,



Stephan M. Minikes

UNITED STATES COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
(HELSINKI COMMISSION) HOLDS HEARING:  
ADVANCING U.S. INTERESTS THROUGH THE OSCE

SEPTEMBER 15, 2004

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WITNESSES/PANELISTS:

A. ELIZABETH JONES  
ASSISTANT SECRETARY OF STATE  
EUROPEAN AND EURASIAN AFFAIRS

STEPHEN G. RADEMAKER  
ASSISTANT SECRETARY OF STATE  
ARMS CONTROL

MICHAEL G. KOZAK  
ACTING ASSISTANT SECRETARY OF STATE  
DEMOCRACY, HUMAN RIGHTS, AND LABOR

The hearing was held at 10:00 a.m. in Room 334 Cannon House Office Building, Washington, D.C., [Representative Christopher H. Smith (R-NJ), chairman, moderating.

[\*]

SMITH: The hearing will come to order. And before we begin our proceedings, I would like to extend a very warm welcome to Jerry Grafstein, a member of the Senate in Canada, a good friend. We have worked very closely together on a number of OSCE issues, particularly in the Parliamentary Assembly. He's served as our treasurer, which has kept us in the black for quite a long time, but has been doing a great

job on a number of issues. We've worked very closely on issues such as anti-Semitism, trafficking and all of the important human rights issues. And I'd like to yield to Jerry just if he'd like to say anything.

But you are more than welcome.

He has been here before when we had our summit on trafficking. About a year ago, Jerry was a very able and very important participant. And he was one of the co-leaders of the effort to bring human trafficking -- to bring anti-Semitism, I should say, forward in the OSCE countries and was very active in the Berlin conference, the Vienna conference and, of course, our parliamentary assemblies.

So I yield to my good friend, Jerry Grafstein [Member, Senate of Canada, and Treasurer, OSCE Parliamentary Assembly].

GRAFSTEIN: Thank you very much. I'm delighted to be here. I wasn't planning to come and attend, but I was at a Canada-U.S. interparliamentary meeting the last couple of days here in Washington. I'm co-chairman of the Canada-U.S. Interparliamentary Group, and I'm also the number two officer at the OSCE and have been active there for 10 years and have been on our parliamentary committee for that length of time.

I discovered at the OSCE that it is the most important institution in the world, international institution, after the United Nations. And I think we do quiet and effective work. Our problem is that our profile and the knowledge of both our publics both here in Canada and in the United States is not very well known.

And I guess that's the deficit, Chris, that you and I share. We haven't done as good a job of publicizing the OSCE. I thought maybe one of the things we could do is change the acronyms. We could just call it great and just leave it at that.

But I want to commend the Helsinki Commission, all the members, Chris and others in the United States. Because over and over again from my observation -- and it's been an important issue of human rights, whether it's human trafficking or anti-Semitism or the issues that I'm interested in, which is economic development in the Middle East -- I turn to my American colleagues for leadership and for comfort. And so, I just want to commend everybody on the commission and particularly your staff who have done such a fabulous job.

If I have some problems in terms of giving out some information or a factum, I just call Chris or the staff here at the commission. And they've done a superb job. So I'm proud, really proud to be a member of the OSCE. But I'm even prouder of my American colleagues who time and time again have shown leadership where there was no leadership at the OSCE. So I want to commend them. And I'm here to listen with great interest to what your officials have to say and hopefully participate. Thank you.

SMITH: Thank you very much, Senator Grafstein. And again, thank you for joining us today.

I would like to say before I begin my opening statement just how grateful we are to the department for designating countries that absolutely ought to be on the countries of particular concern list, including Saudi Arabia, Vietnam and Eritrea. I think the additions of those countries to the list of egregious violators when it comes to religious freedom and the important determination has been made by the determination is to be heralded and to be commended because the facts are overwhelming.

We recently had the Human Rights In Vietnam Act up on the floor of the House. I was a prime sponsor of it. And doing the research and the work on it -- and it's been passed before only to die over on the Senate side, which may happen again this year -- but what was very clear is that there has been a demonstrable decline in religious freedom in Vietnam. There has been a ratcheting up, particularly against the Montagnard, against evangelicals, against the Buddhist church and anyone who is not aligned with the government.

The most recent enactment of legislation in Vietnam which will further tighten and circumscribe the ability of people to exercise their faith goes into effect in just a couple of months. And that will make it even worse. So I want to commend the department and President Bush for those designations. They are well received by the human rights community, I can assure you.

And I thank you, Beth.

And I thank all of you for that.

I am very happy to welcome you to this Helsinki Commission hearing on advancing U.S. interests through the OSCE. I'm very pleased to have several distinguished panelists present today and look forward to hearing their testimonies.

The title of this hearing is no accident. Since its inception nearly 30 years ago, the OSCE has been one of the staunchest allies of the beliefs and goals of the United States and our friends like Canada and the United Kingdom. It has multiplied the avenues through which we can promote the rule of law and human rights. It pioneered the broad definition of security that recognizes true stability does not depend on stockpiles of arms or standing armies, but on democratic principles, respect for fundamental human rights and good neighborly conduct.

It legitimized the idea that a nation's domestic policies are the rightful concern of other OSCE states. As it reinforced these critical standards, the organization also evolved into a strong and flexible body with arguably more tools for addressing regional problems than any other international institution.

And I think Jerry made a very good point about this being such an important and yet under-heralded organization.

The broad membership, the clearly articulated principles, the well designed political structure make the OSCE an especially appropriate partner of the United States. Today we have the opportunity to hear the State Department's vision on how this organization can be most effectively utilized and how these key policy

makers intend to initiate activities and support policies through the OSCE that will advance U.S. objectives.

Let me say at the outset how appreciative I am of the diligence and dogged persistence of the U.S. ambassador to the OSCE, Ambassador Steven Minikes. He has done a tremendous job and deserves much credit and recognition for his leadership in Vienna. I note parenthetically that when we hold our parliamentary assemblies and our winter conferences, Steve is there right next to us advising, providing very useful counsel and insights. And we deeply appreciate that.

This year we had an excellent example of how the initiative can be seized to make impressive contributions to the well being of the entire region while focusing on issues of particular concern to the U.S. The arms control bureau of the State Department deserves praise for seeing the opportunities afforded at the OSCE to contribute to hard security issues. They presided over a strong U.S. chairman of the forum for security cooperation, helping to revitalize that part of the organization. They used it to pass agreements on management and destruction of excess ammunition, export controls on manned portable air defense systems and the transfer of light arms.

The work of the FSC complimented that undertaking of the organization as a whole to conform travel documents to address proliferation of weapons of mass destruction and to discuss better cooperation on border security and the control of shipping containers.

Every one of these key concerns to the United States and everyone is a trans-national issue requiring that we address it multi-laterally. This is the kind of robust use of the OSCE that is in our interest and that we would like to see supported throughout the U.S. government.

Over the past 30 years, there has also been great growth and development in the human dimension, an area of keen interest to this commission. Next month, the OSCE will hold the annual human dimension implementation meeting in Warsaw. This meeting is a regular opportunity for the participating states to review each other's compliance with our mutual Helsinki commitments to encourage better implementation and publicly question activities that are not consistent with the strong standards of the OSCE.

We look forward to a strong presence and participation at this conference and to hearing the department's priorities for that meeting. We hope that the same sense of priority and urgency that characterized human rights advocacy during the Cold War will not lag now at a time when we see examples of the starkest disregard of human dignity and our nation and regions suffer acts so brutal that they were unthinkable only a few years ago.

Understanding and upholding human rights is not only the policy that is ethically consistent with our ideals, but is fundamentally linked to our national and regional security but has never been more important than now. If a nation disregards public opinion and the oppression of its own citizens, it will also ignore violations to the security of its neighbors. As we came to see in the Balkans, we ignore the warning signs of abusive acts at our own peril.

We have a great deal of work to do in this field. The lives of many are still on the line in the countries of Central Asia and periodically elsewhere in the OSCE, especially if one is a democratic activist, outspoken journalist or religious proponent. The creeping shadow of a rising anti-Semitism continues to threaten Europe. And the blight of trafficking in human beings is increasing.

Addressing economic development and environmental challenges is also important. These are linked to fundamental matters of opportunity and trust in government and to stabilizing societies through the confident forum of economic well being.

My good friend and colleague, Ben Cardin who has a special role in this area will elaborate more on this topic. But just let me mention that it has never been more timely in the less developed areas of the OSCE need consistent attention if we are not going to see political will undermined by the impatience that comes from economic necessity.

We also hope to hear what the administration's focus is for the forthcoming Sofia ministerial meeting in December. The issue that probably will have the greatest impact on the evolution of the organization and on our ability to further U.S. interests through it is the selection of the next secretary general. Members of this commission are actively interested in seeing a strong leader in this office.

As you know, we have written to Secretary Powell on the matter and will be following up in the near future. The world has changed in recent years for all of us. As the OSCE takes on daunting challenges, it will benefit from a potent public face and a strong managing hand to compliment the political role of the rotating chairmanship.

Other important issues that should be considered in Sofia include addressing expanded election commitments such as electronic voting and voting rights of internally displaced persons, enhancing the capability to fight human trafficking, continuing efforts on anti-Semitism, the appropriate role of the Mediterranean partners and addressing the concerns in the statement of July 8th by the nine CIS members.

Regarding the current discussions concerning refining and strengthening the LSCE, I look forward to the administration's views on the various comments by the chair in office, Bulgaria's foreign minister, Solomon Passy. He has expressed support for a, quote, "better thematic as well as geographical balance within the OSCE," as also called for by nine CIS countries.

Ambassador Passy has also proposed relocating meetings of the economic forum to Central Asia from Vienna and the HDIM to South Caucasus. Structurally, he has also advocated stronger political leadership for the secretary general and the chair in office and deeper inclusion of the Parliamentary Assembly of the OSCE.

Again, we have a very fine set of panelists.

And I'd like to recognize my good friend and ranking member of the commission, Ben Cardin, for any opening comments he might have?

CARDIN: Well, thank you very much, Chairman Smith. And I thank you very much for convening this hearing to give us an opportunity to meet with our representatives to review the role that the United States should be playing in the OSCE and to look at ways that we can improve the effectiveness of the U.S. participation.

And as you know, the Commission on Security and Cooperation in Europe is unique in that it is an independent commission. And we're very pleased to have representatives from the executive department as well as the legislative department serving together as commissioners to carry out the mission of the United States in the OSCE.

I also want to welcome Senator Grafstein to our commission here today. The United States has no greater friend in the OSCE than Senator Grafstein. He's been a constant supporter and we've worked together on strategies to set priorities within the OSCE Parliamentary Assembly to advance the interests of both of our countries.

So it's a pleasure once again.

But he's a frequent guest here, so we can't give him too good of an introduction every time because our hearings will get longer and longer. But it's a pleasure to have Senator Grafstein with us today.

Mr. Chairman, let me just very briefly comment as to where I think we've been and where we need to review. The OSCE was very helpful in the Cold War, bringing an end to the Cold War. It's the largest regional organization. It gives us the ability to communicate with all of Europe and now Central Asia and to advance U.S. interests.

We now need to look at what should the current role be. And we have seen it being very helpful to us as we've dealt with issues such as trafficking of human beings, anti-Semitism, in dealing with a whole range of issues, including building democratic institutions in countries that need that type of attention, which is certainly in the U.S. interest.

So the OSCE is perhaps even more important today than it was before the fall of the Soviet Union. I'm very honored to chair the Committee of the Second Committee which deals with economics and the environment in the OSCE Parliamentary Assembly. And I appreciate the support I've received from Ambassador Minikes and Assistant Secretary Bill Lash from commerce who is a member of our commission as we have developed strategies understanding the relationship between economic development, human rights and security issues, that they're all tied together. We need to make advancements in all of those issues.

The Maastricht document on economics was, of course, the first major document in over a decade which really spells out, I think, the priorities of our country and where we need to be in leadership, particularly in fighting corruption and developing strategies to fight corruption.

In Edinburgh we reinforced that in the OSCE Parliamentary Assembly and reinforced the calling of a meeting of the ministers of justice and interior to develop an anti-corruption strategy. And I

hope that we will find the support to get that moving in all of the, including state, to make sure we get that moving. I think it's extremely important that we advance the anti-corruption agendas and the building of the economies, particularly in the emerging democracies of Europe and Central Asia. It's an important priority, and I hope that we can develop a common strategy.

I want to mention one other point, if I might, Mr. Chairman. And I think there's clearly need for improvement in the relationship between the executive branch and the congressional members of the commission as it relates to charges that are brought against the United States. In the last several years, we have received international interest in the way that we treat unlawful combatants, particularly in Guantanamo Bay and now in Iraq. And we've had a relationship with the executive branch in visiting Guantanamo Bay and getting information.

But quite frankly, Mr. Chairman, I don't think that relationship has been as strong as it should be. And the trust has not been there so that we have the information we need in order to represent the interests of this country in our international meetings. And I would hope there would be more confidence expressed by the executive branch. After all, we're in the commission together -- and that we open up more to the types of charges that are brought internationally so that we can represent this nation as strongly as we possibly can.

So I think there's room for improvement. I hope that this hearing will help us establish that close relationship that has existed traditionally between the executive branch, the legislative branch in the OSCE work. And I look forward to hearing from our witnesses.

SMITH: Thank you very much, Commissioner Cardin.

Commissioner McIntyre?

MCINTYRE: Thank you very much. As the newest member of the commission, I particularly was proud of the work that our United States delegation did over in Edinburgh, Scotland and proud of our colleague, Alcee Hastings', election and the unity and bipartisan effort of our work together. And I look forward to today's hearing and in the interest of time will defer any further comments until a later statement. But thank you all for letting us join with you today.

Mr. Chairman?

SMITH: I'd like to recognize the president of the OSCE Parliamentary Assembly, Alcee Hastings, for any comment he might have.

HASTINGS: Thank you very much, Mr. Chairman. I echo Mike's sentiments about time and Ben's sentiment about Jerry Grafstein. Thank you for holding this hearing.

And, Jerry, I'll extend to you an invitation, if we can catch up, to have an opportunity to talk with you personally at some point today.

I look forward to hearing from our witnesses, particularly Ms. Jones, who I'm hopeful I'll be able to stay long enough to ask a couple of questions, Mr. Chairman.

SMITH: Thank you very much, Mr. Hastings.

Now, I'd like to introduce our very distinguished panel. But before doing that, just note that the new foreign minister of Montenegro is here, Vlahovic.

Mr. Vlahovic, if you wouldn't mind just acknowledging. Thank you for being here. And we just wish you well, and we look forward to working with you. I would note parenthetically we're very pleased working with Montenegro and Serbia that there has been real movement in the area of human trafficking. And I know that's of high interest to you.

As you know, you used to be on that tier three, egregious violator, which you took some very, very profound actions to crack down on trafficking. And I know you're working on prosecution. So we deeply appreciate that. Everyone who cares about human rights are grateful for what you're doing.

Let me now introduce Assistant Secretary Elizabeth Jones who was sworn in as assistant secretary for European/Eurasian affairs on May 31st of '01. She joined the foreign service in 1970. Her overseas assignments concentrated in the Middle East, South Asia and Germany include Kabul, Islamabad, New Delhi, Baghdad, Cairo, Beirut, Tunis, West Berlin, Bonn.

She has served as ambassador to the Republic of Kazakhstan in Washington. She was the Lebanon desk officer, deputy director for Lebanon, Jordan, Syria and Iraq, principal deputy, assistant secretary in the Near East bureau. She has also served as executive assistant secretary to Warren Christopher and directed the office of the Caspian base in energy diplomacy.

Beth Jones was born in Germany while her parents were assigned there with the U.S. foreign service. She attended high schools in Moscow and West Berlin while her parents were on diplomatic assignments there. She graduated from Swarthmore College and earned a Masters Degree from Boston University. Ambassador Jones speaks Russian, German and Arabic. She is married and has two children. We hope she'll speak English today.

Assistant Secretary Stephen Rademaker -- as Jerry Grafstein mentioned a moment ago, how important staff is. I know because I serve on the International Relations Committee. Steve was the general counsel for the House International Relations Committee and wrote, literally penned much of the legislation that came out of that committee, particularly under Mr. Gilman who served as chairman, was extraordinarily gifted.

And some of his background includes that he was the chief counsel as well to the House Select Committee on Homeland Security. He held positions, as I mentioned, on the House Committee of International Relations, including deputy staff director, chief counsel and minority chief. From '92 to 1993, Mr. Rademaker served as general counsel of the Peace Corps. He has held a joint appointment as associate counsel to the president in the office of counsel to the president as deputy

legal adviser to the National Security Council, served as special assistant to the assistant secretary of state for inter-American affairs and counts to the vice chairman of the U.S. International Trade Commission.

In 1986, he was a law clerk for the Honorable James L. Buckley of the U.S. Court of Appeals for the District of Columbia. From '84 to '86, he was associate at the Washington, D.C. law firm of Covington and Burling. Mr. Rademaker has received from the University of Virginia a B.A. with highest distinction, a J.D. and M.A. in foreign affairs.

Acting Assistant Secretary Michael Kozak will be our next witness. He is the principal deputy assistant secretary for democracy, human rights and labor. He assumed his position in September of '03. He has served as ambassador to Belarus, chief of the U.S. intersections in Cuba, principal deputy legal adviser of the Department of State and principal deputy assistant secretary of state for inter-American affairs.

Ambassador Kozak was assistant to U.S. negotiator for Panama for the canal treaties under President Nixon, Ford and Carter and participated in the multi-lateral efforts to mediate an end to the Nicaraguan civil war in 1978 to 1979. He was a member of the U.S. mediation team that implemented the Egypt/Israel peace treaty and sought a solution to the conflict in Lebanon.

Ambassador Kozak served as a special presidential envoy while dealing with the crisis in Panama provoked by General Noriega's attempt to overthrow the constitutional government. As a special negotiator for Haiti, Mr. Kozak helped coordinate the U.S. policy to restore democratically elected government. In 1996, he was named as chief of the U.S. diplomatic mission in Cuba. In 2000, Michael Kozak was named to serve as U.S. ambassador, like I said, to Belarus.

Let me just -- OK, thank you.

Secretary Jones, if you could make your presentation.

JONES: Mr. Chairman, thank you very much. I very much appreciate the opportunity as do my colleagues to appear before the commission again this year. We want very much to focus on how we would like to work with the commission and work in the OSCE to advance U.S. policy objectives. We believe that the OSCE has made major contributions toward democracy, peace and stability across Europe throughout its tenure, but especially through the past year.

At the same time, I would like to say that the OSCE's success is really not possible without the strong congressional support that you represent. We want to thank especially the Helsinki Commission and the OSCE Parliamentary Assembly. And at this juncture, I'd like especially to congratulate Congressman Hastings for his election as the president of the Parliamentary Assembly. We look forward very much to working with you to support the assembly's meeting next year.

We share very much the enthusiasm of the commission for the OSCE. At the same time, we feel very strongly that strong U.S. leadership is key to the OSCE's contribution to the U.S. goal of a Europe whole, free

and at peace. Virtually everything we do with the commission and in the OSCE is focused on that goal.

To that end, the OSCE agenda is our agenda. We believe that our participation advances U.S. interests in promoting democracy, human rights, good governance and arms control. And we believe the OSCE has a very important and rich role in helping to fight the global war on terror.

The OSCE is unique in its capabilities in the way that they add value for the United States. We think that the OSCE is a model of effective multi-lateralism in the way that President Bush spoke of it last winter. Two particular examples I'd like to cite. One is in burden sharing.

The OSCE allows the U.S. to share cost, to coordinate and avoid duplication in our policy efforts. The OSCE can bring the weight of 55 nations to bear on problems that no one country can solve alone. The other great strength of the OSCE is its field missions and ODIHR. There are 17 field missions from Albania to Uzbekistan that work every day for democracy and the other baskets in which the OSCE focuses. The ODIHR is the most respected election observer organization in Europe and Eurasia.

We also believe the OSCE is a relative bargain for the United States. We pay about 10 percent, just over 10 percent of the costs. And we reap tremendous benefits, possibly up to 100 percent.

I'd like to highlight two big successes of the OSCE to demonstrate what it can do. These have occurred in the past 12 months. And it demonstrates the force multiplier that the OSCE provides. In Georgia, the OSCE election monitoring was a voice of the international community on the flawed elections that took place there last November. It was the OSCE that helped leverage over \$7 million in European aid for new elections that took place earlier this year in Georgia. OSCE monitoring was key to establishing the new government's legitimacy.

Another big success was the Berlin anti-Semitism conference. It was a landmark event in raising European awareness of the problem. It set the stage for follow-up on law enforcement, on legislation and education in this important area.

I would like especially to applaud you, Mr. Chairman, Congressmen Cardin and Hastings for joining the secretary in making the conference a success. There are many other unsung OSCE successes from Kosovo police training to progress toward all 55 OSCE members acceding to the U.N. terrorism related conventions.

At the same time, OSCE is adapting a new agenda. U.S. leadership has helped form that agenda and is focusing on practical outcomes for these particular goals. On trafficking in persons, which you have each mentioned, we should take credit for creation of a special representative on trafficking. This was a U.S. initiative. The U.S. is now helping to shape the OSCE work plan on trafficking. The OSCE's new code of conduct for its missions is really a model for other international organizations.

Tolerance is also an area in which we should take considerable credit. The high profile racism, anti-Semitism conferences were U.S. initiatives. We're now pushing for more expert level follow-up from trafficking and hate crimes to increasing training for police.

Counterterrorism is another area where we've taken a leadership role, particularly in the adoption of tougher travel document security measures and stricter controls on MANPADS. At the same time, the OSCE is working hard on the traditional core mission of democracy and human rights with election observation where ODIHR provides impartial monitoring of elections in Macedonia, Serbia and Russia and is again setting the international standard for those elections.

I already mentioned the field missions. This is -- the largest OSCE field mission is in Kosovo to help and implement the U.N. Security Council enforce standards. Smaller missions are in Minsk and Ashkabad that are reaching out to the next generation of civil society. And I can't applaud those initiatives enough.

Looking ahead, the OSCE has an ambitious agenda which is at the same time key to U.S. policy objectives in election monitoring. We're sending our first election assistance team outside of Europe and Eurasia to Afghanistan to provide support for the historic presidential elections there next month. The OSCE will monitor important contests this fall in Ukraine and many other places.

On our tolerance agenda, the OSCE is pioneering in its work on fighting intolerance, which continues with the racism conference that took place in Brussels yesterday and the day before. The U.S. leadership is very evident in the fact that HUD Secretary Jackson led the delegation.

Sofia is our next ministerial of the OSCE. We are very much working with the chairman in office, Solomon Passy, to assure practical outcomes for that ministerial in December. We hope to reach agreement on establishing a special representative anti-Semitism at this ministerial to further combat and to take further steps to combat racism.

We will also push again for Russia to fulfill its Istanbul commitment. And we expect the ministerial to endorse OSCE work on shipping container security and destruction of excess piles of -- stockpiles of ammunition and weapons.

There are three challenges that we need to resolve this fall to keep the OSCE healthy and productive. You've mentioned each of these, and we look forward to having a discussion on how best to move forward on each of them. The budget is a particular concern of ours. We need responsible approaches to resolve differences before the Sofia revision of the OSCE's two scales of assessment.

Russia and others seek radical reduction in contributions. We back adjustments based on previously agreed upon parameters, which include ceilings and floors based on capacity to pay.

You mentioned the importance of selecting the next secretary general. We completely agree that this is important. Chairman in

office Passy has made some suggestions, and others have made suggestions to change the way the secretary general is -- the secretary general's role, change the level of the secretary general, which we believe needs careful consideration because it has very important implications.

Changing the balance between the secretary general and the chairman in office could change the OSCE. That needs careful thought. At the same time, we believe it's essential to keep the OSCE's flexibility by minimized and central control within the organization.

The C.S. has called for change in the OSCE. Russia and others have been critical of some of the field operations and of ODHIR. We believe that the OSCE core mission remains fostering democratic change as the only way to defeat underlying causes of instability. The U.S. has been flexible. We've supported Russia's effort to strengthen the OSCE's economic and security work. But we will not agree to reforms that weaken the OSCE's human dimension work.

The bottom line for us, Mr. Chairman, is that we believe the OSCE's record of achievement over the past year is very impressive. Thank you very much for your mentioning of Ambassador Minikes and the very strong leadership role he has played in ensuring this. We certainly agree with that. And we work with him on a daily basis. I, in fact, was on the phone with him this morning to be sure we were in concert on the kinds of things that we would be discussing today.

We think that the OSCE's agenda for this year is ambitious. We are leading that agenda. The OSCE deserves continued U.S. support because of its contributions to U.S. objectives. Those contributions are substantial. The OSCE does face challenges ahead. We want to make sure that the OSCE remains a creative, flexible organization able to advance U.S. interests and the interests of all members of the organization.

Thank you, Mr. Chairman.

SMITH: Thank you very much, Ambassador Jones. And appreciate your testimony.

Secretary Rademaker?

RADEMAKER: Thank you, Mr. Chairman. It's a pleasure to be back here with the commission. It's my first appearance before the commission, but I'm certainly no stranger to the commission and its work having worked with you and your former ranking member, Mr. Hoyer, for many years as well as some of the outstanding members of your staff. So it is a great pleasure for me to be back here in a slightly different capacity today.

As you know, Mr. Chairman, the regional structure -- well, first of all, let me say I do have a prepared statement, which I'm submitting for the record. But I will not sit here and read it to you. I'll touch on some of the key points in my oral presentation.

As you know, Mr. Chairman, there is a regional structure of conventional arms control and CSBMs in place in Europe that goes far

beyond what we see in any other part of the world. And in large measure, this is a legacy of the Helsinki Final Act, which in its basket three provided a starting point for the evolution that's occurred over the last 30 years. And from basket three, we moved on to things like the conventional armed forces in Europe agreement, the open skies agreement and most recently, the Vienna document of 1999, all of which have enhanced and broadened the range of arms control and CSBMs in place in Europe.

The OSCE is deeply involved in all of these matters. And on a day to day basis, the OSCE manages the arms control and CSBM issues through what is known as the forum for security cooperation, which within the State Department is managed by the bureau of arms control.

The FSC has weekly meetings in Vienna. And the second item on the agenda of every meeting is something called security dialogue, which is an opportunity for any member of the OSCE to raise any security issue of concern to them. And many countries take advantage of this, and it's a very useful opportunity to draw attention to emerging problems and to get countries thinking about possible solutions to such problems.

Another very important thing that the FSC does is that every year in March it has an implementation assessment meeting which systematically reviews the implementation of and compliance with all of the various commitments that countries within the OSCE have made to each other with respect to arms control and transparency. The principle focus is on the implementation of the Vienna doctrine of 1999, which is, as you know, a transparency document providing for information exchanges and a system of inspection and evaluation visits of respected militaries within Europe.

The annual assessment meeting also looks at implementation of the various documents that have been adopted through the forum for security cooperation: the 1994 code of conduct on the political and military aspects of security, which is about the relationship of a military to the rest of society in a democracy, the 2000 document on small arms and light weapons, the 2003 document on stockpiles of conventional arms. Under these last two, there's a prospect of assistance to countries that need assistance in getting rid of small arms and dealing with excess stocks of ammunition. And the OSCE has received a number of requests for assistance in this area, which it's currently working on.

As you noted, Mr. Chairman, the United States chaired the FSC in the fall of 2003. And the philosophy of our chairmanship was exactly what you suggested. I like the term you used: robust use of the OSCE. That is the way we approached our chairmanship. And we believe we were very successful.

During our chairmanship, we were able to bring about the adoption of the document on stockpiles, which I referred to a moment ago. We also had a three-part agenda that we promoted during our chairmanship: first, non-proliferation, second, addressing the problem of MANPADS and third, dealing with civil military emergency preparedness.

The way we addressed these three things was by taking advantage of the security dialogue portion of the FSC agenda in a systematic way

during our chairmanship provide presentations on these various issues and get the other countries thinking about each of these three areas.

We were especially successful when it came to MANPADS because what we did was lay the groundwork for adoption by the OSCE of the Wassenaar arrangements export control regime with regard to MANPADS. This was something that had the effect of doubling the number of countries around the world that adhere to the Wassenaar arrangements export control standards for MANPADS. And so, we do believe that made a material contribution to controlling this threat, which, of course, is one of our great concerns when it comes to potential terrorist attacks on civilians.

I did want to mention the adapted CFE treaty, that is, the revised conventional armed forces in Europe in treaty. As you probably know, this is one of our biggest frustrations when it comes to arms control in Europe. The adapted CFE treaty was signed in November of 1999. And almost five years have gone by. We have not yet ratified the adapted CFE treaty and it has not come into effect because all of us within NATO agreed that we did not want to proceed to ratification until Russia had implemented its Istanbul commitments with respect to withdrawing its forces from Moldova and setting a deadline for closing bases in Georgia.

Five years have gone by and Russia still has not implemented these commitments. And, as I said, it is a source of great frustration. The OSCE is working very hard on this problem. This is a priority for Ambassador Minikes. He devotes a lot of effort to this.

The OSCE has established a voluntary fund to try and deal with the financial aspect of bringing about implementation of the Istanbul commitments. But notwithstanding these efforts, we haven't seen much progress. And this is of concern to us.

You may have noticed the defense minister of Russia gave a speech last February in which he hinted that if the adapted treaty was not soon brought into effect, Russia might reconsider its adherence to the existing CFE treaty, which, of course, would be of great concern to us. But this should not be misunderstood as a lack of Russian interest in the adapted CFE treaty because just this year, the Russian government proceeding in the direction of ratification of the adapted treaty.

The state duma, the federation council approved a law which was signed by President Putin in July to provide for ratification of the adapted CFE treaty. So Russia remains interested in this, they just haven't taken the steps that need to be taken to make it possible for the rest of us to ratify the adapted treaty. And we will continue to send the message to Russia that there is no shortcut to entry into force of this very important treaty that does not involve full implementation by them of the Istanbul commitments.

One final point that I wanted to make that I know is of interest to some members of the commission is the degree to which the OSCE and this web of arms control and CSBMs that is in place in Europe can serve as a model for other regions in the world. And we believe that it can serve as a model.

Interestingly, the region of the world that has gone furthest in trying to adopt some of the measures that are currently in place in Europe is the Western Hemisphere. Through the OAS in 2003, there was a declaration of security in the Americas which drew heavily from the Vienna document of 1999. There is not an institutionalized relationship between the OSCE and the OAS. And I think the explanation for that is that we don't really need one. Two of the most important OSCE members, the United States and Canada, are also members of the OAS. There are nearly a dozen other OSCE members who are observers at the OAS. And so, there is a lot of day to day interaction between the two organizations. And I think that's been very helpful in enabling the OAS to adopt some of the measures that the OSCE pioneered.

Asia also has a strong interest in some of the accomplishments that have been realized within Europe. There is a more formalized dialogue between the OSCE and some of its Asian partners. There have been two workshops held in South Korea in 2000 and 2001 to look at possible application of Vienna document concepts in Asia. And then in Tokyo in March of this year, the Japanese government hosted a conference with the OSCE to look at the same question.

In the Middle East, there is an annual meeting between the OSCE and the Mediterranean partners. But I guess I would say candidly that we're not as far advanced in working with Middle Eastern countries as we are in the Western Hemisphere and in Asia in exploring the applicability of OSCE models to other regions. But we do have an office within the arms control bureau that is in the business of promoting CSBMs all over the world. And I can assure you that they work closely with our experts on the OSCE to continue pursuing this question of what we can learn from the European experience.

Thank you, Mr. Chairman.

SMITH: Secretary Rademaker, thank you very much for your testimony and your leadership.

Ambassador Kozak?

KOZAK: Thank you, Mr. Chairman. And I particularly wanted to thank you and your colleagues for your long-standing commitment to the hard work of human rights and democracy. I'm also pleased to be joining some old compatriots in that same struggle, Beth Jones and Steve Rademaker at this important hearing.

As with Secretary Rademaker, this is my first appearance as a witness before this commission. But it's not the first time I've had the pleasure of working with you and with your excellent staff. I see Dorothy and Ron and Orest, too. We spent many long times together when I was working on Belarus.

And I think for me that was one of the greatest demonstrations of the value of the OSCE. That tiny OSCE mission in Belarus in Minsk was really the beacon of hope for human rights activists and democracy activists in that country. And it really shows what a small commitment of OSCE resources can do.

Next year will mark the 30th anniversary of the Helsinki Final Act. And I remember former Secretary Schultz saying that at the time it was signed, no one really realized the potential impact of the human rights provisions of that document. In fact, he said that in his opinion, it was one of the crucial turning points of the Cold War when at Helsinki we made it OK to talk to the Soviets about human rights. Before that, they would brush aside references to human rights and democracy as an intervention in internal affairs.

The fact that the democratically elected government of Bulgaria is now serving as the OSCE chair in office, something unimaginable in 1975, shows just how far we have come. If other countries have mature democratic processes, life becomes relatively easy for the United States because the people in those countries will use those processes for correcting any errors of policy or management before they become big problems for the international community. So I think there's a very good practical side to why we want to be promoting democracy through organizations such as the OSCE.

Unfortunately despite the huge advances in Eastern Europe, democracy -- and until recently in Russia itself -- a democracy deficit continues to plague many countries of the OSCE. Since the commission's last hearing, we've seen seriously flawed elections or worse in a number of countries. But we have seen progress, too.

The reaction of the Georgian people to the blatant fraud committed in Georgia's parliamentary elections shows the governments that engage in efforts to manipulate electoral process do so at their own peril. ODHIR involvement in assisting Kazakhstan, Kyrgyzstan and Tajikistan to revise their electoral laws in the past year have been remarkably successful. While none of their respective laws are fully compliant with OSCE commitments, they have all been brought far closer to meeting international standards. Rule of law based on democratic principles and commitments is another lynch pin of democratic society. Here the OSCE is helping by analyzing participating states' legislation and recommending amendments to meet OSCE standards.

The OSCE can also bolster participating states' capacity to enforce the law consistently and impartially. ODHIR has had several notable success stories in Central Asia, especially in Kazakhstan and Kyrgyzstan where governments have transferred authority for prison administration to the ministries of justice.

There can be no democracy without media freedom. And unfortunately the situation for journalists and some OSCE participating states has worsened since the last hearing. Ukraine and Belarus have intensified their assault on the independent media in the run-up to the October elections in those countries by harassing, intimidating, fighting and at times imprisoning independent journalists and by closing down independent media outlets.

Turkmenistan recently took steps to clamp down further, if that's possible, creating a national press service to supervise print media. Actions in Russia over the past few years also raise serious questions about its commitment to media freedom.

Miklos Haraszti, the new representative for media freedom of OSCE, has made it one of his first major initiatives to urge governments to decriminalize the libel laws. Having watched the Belarussian government use such laws to criminalize policy differences, I can only wish Mr. Haraszti the greatest success in this endeavor. The U.S. has made an extra budgetary contribution to this project.

Active civil society is one of the most important components in a thriving democracy. NGOs continue their courageous work despite harassment in several countries. In fiscal year 2004, the U.S. provided over \$400 million to support democratic development in the OSCE region. Our assistance is described in some length in the book, "Supporting Human Rights and Democracy," a report that we do annually to the Congress. I think there are copies available here at the hearing room.

Religious freedom is fundamental to democratic development. As we speak, Secretary Powell and Ambassador Hanford are presenting the CPC designations, announcing them publicly that you mentioned earlier, Mr. Chairman. And I think those speak for themselves. That countries like Saudi Arabia are on that list shows that the president's statement that the Middle East was no longer immune to discussion of human rights is proving out in practice.

They also are presenting as we speak the international religious freedom report, which is, again, another report required by law and which we all worked very hard on. So I think that will be the news on the religious freedom front today rather than anything I say, is what they have to say and what we have had to do on religious freedom. And I think as you look at that report, you can see quite a bit of detail on the state of religious freedom within the OSCE region as well as the rest of the world.

All OSCE states must continue to root out extremism and terrorism. We all have a responsibility to assure that human rights are protected even as we combat terrorism. And in this respect, the deplorable treatment of Iraqi detainees at the hands of U.S. military personnel in Iraq was a stain on the honor of our nation. When President Bush expressed his deep disgust and regret about the events at Abu Ghraib, it wasn't just his personal reaction as a matter of principle. It was also his reaction as the head of state of a country that holds itself to the same high standard to which we hold others.

As President Bush said, one of the key differences between democracies and dictatorships is that free countries confront such abuses openly and directly. We expose the truth, hold all who bear responsibility fully accountable and bring them to justice and then take action to be sure that abuses don't recur. We take our OSCE commitment seriously, and we will keep the OSCE apprised as investigations proceed. We're also organizing a site event at the upcoming human dimension conference in Warsaw where we will address the issue of prisoner abuse and U.S. measures to bring about accountability.

U.S. supports OSCE's effort to eliminate all forms of torture. As that word is defined in the convention against torture, in President Bush's statement on torture victims' day and by common sense. We will

continue to press individual OSCE participating states to end torture as a matter of policy and to hold human rights abusers accountable.

A crucial component in the fight against terrorism is promotion of tolerance. As Secretary Jones just elaborated in her testimony, we applaud the OSCE's efforts to fight racism, anti-Semitism, religious intolerance and other forms of xenophobia and discrimination. Much remains to be done, however, and we look forward to the naming of special representatives to further our collective efforts in this regard.

One lesson I learned during my time in Belarus is that the OSCE is only as strong as its participating states. When the chair in office and members give field missions their full backing, they are able effectively to challenge repressive regimes and to bring about hope and progress. When the chair in office and other member states try to appease a repressive regime, more repression and more illegitimate demands are the inevitable result.

This means that member states must use the full range of incentives, both positive and negative available to them to encourage democratic progress and to deter abuses of OSCE personnel as the responsibility of all of us. In this regard, some seem to have accepted the charge of double standards that have been made against ODHIR. This is a red herring. There's only one standard for democratic elections based on the criteria set out in the OSCE commitments stipulated in the 1990 Copenhagen document and the 1991 Moscow document and reaffirmed in the charter for European security adopted at the Istanbul summit. The fact that one member can always claim that someone else is worse than they are, if accepted, would be a race for the anti-democratic bottom.

To me, one of perhaps the most disturbing developments in the past year was the July declaration signed by nine members of the commonwealth of independent states. It seems to call into question the right of OSCE to raise human rights issues. And in rhetoric reminiscent of not only the Soviet Union, but other dictatorships such as Pinochet's Chile and the generals in Argentina, deems discussion of human rights to be a breach of principles of non-interference in the internal affairs and respect for sovereignty of states.

This reversion to pre-Helsinki Final Act paths cannot be allowed to stand. In 1991, OSCE participating states agreed in the document on Moscow meeting that the participating states emphasized that issues relating to human rights, fundamental freedoms, democracy and the rule of law are of international concern as respect for these rights and freedom constitutes one and the same foundations of the international order.

We had it right then. We must not allow a return to pre-Helsinki version of the world now in which self-determination and non-intervention were perverted into a shield behind which dictators at the right and the left had the freedom to deprive their own peoples of freedom without fear of criticism from the rest of the world. In his memoirs, former Secretary of State Schultz said, "We had insisted that we would not settle simply for words on human rights. We insisted on deeds." On its 30th anniversary, we must insist that the promises of

human rights for all citizens embodied in the Helsinki Final Act and subsequent commitments of the OSCE are echoed in deed throughout the OSCE region.

Thank you, Mr. Chairman.

SMITH: Mr. Ambassador, thank you very much for your testimony.

And just to lead with your last point, one of your last points, first, I'm very grateful for your strong statement on the statement made by the nine presidents. And I would just point out that we did a response to that as well. And without objection, a very fine bit of writing by Elizabeth Pryor will be made a part of the record, which goes through the Moscow document, which clearly refuted the idea that somehow internal affairs could be used as a pretext.

I mean, we've heard that of not being criticized for human rights abuses. I mean, that's the same old, tired out, worn out line that we've heard from PRC, Vietnam, North Korea, South Africa during apartheid years and, of course, the Soviet Union. So we've made a very strong and use the word again, robust response to the nine presidents. It does raise some very serious problems.

Armenia, Belarus, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation, Tajikistan, Ukraine and Uzbekistan all signed it. And we know that the Kazakhstan wants to be the chair in office for the year 2009.

And perhaps Ambassador Jones or you might want to respond. Because I thought that was, you know -- where would they take the OSCE. And that decision, as you know, needs to be made in the year 2006. So if that's the direction, we need to put a tourniquet on that kind of thinking because I think it's very, very injurious to any human rights discussion.

I would also want to raise the issue of trafficking. And I want to publicly and very strongly commend the president for his leadership on human trafficking. As you know, I was the prime sponsor of the Trafficking Victims Protection Act of 2000 and the reauthorization of 2003 signed by President Bush, the other signed by President Clinton. And Steve Rademaker will remember that we had unbelievable push-back on the naming of names, the non-humanitarian aid sanctions.

Humanitarian aid obviously should flow in an unfettered way to any country because we care about those who are distressed and disenfranchised and hurting. But certainly military aid and other kinds of aids ought to be used as sticks for countries that refuse to respect their own people, especially the women who are being trafficked.

And I would point out that the naming of names has worked, I think, has proven that smart sanctions work. When you get good friends like Turkey, Greece, Russia, Israel, South Korea, all being designated as tier three countries and then getting off the list because of their actions to crack down. Serbia and Montenegro are on that as well and raided brothels, closed them, began prosecuting the traffickers and

protecting the victims. It proves that when we put our money where our mouth is, we can get real results.

I would point out that Bangladesh even now is doing -- has avoided sanctions, unlike Venezuela and Cuba and others who are on tier three because they stepped up to the plate and began a very serious and hopefully sustained effort to stop trafficking within their environs. So I want to thank the president for doing so.

I raise this especially because, as Steve Rademaker mentioned a moment ago, you know, we used our chairmanship very effectively when it came to arms control and security issues. We will be chairing the Security Council at the U.N. -- and Secretary Jones, you might want to speak to this -- in just a couple of months. My hope is especially given the president's very strong statements last year at the U.N. on trafficking that we will use that chairmanship to really take the human trafficking issue and put that center stage again as we chair that to show that we mean business.

We're doing it, you're doing it. I would also point out and I would hope that all the countries of the world would take note, we're attacking it within our own country as well. The rescue and restore efforts being rolled out by the Justice Department, Health and Human Services, the State Department, everyone working with the local government, state and local law enforcement is working very well.

The Tampa speech as well as that meeting -- I was at the Newark, New Jersey rollout, and I just have nothing but accolades and praise for the very serious and often under-heralded efforts by the president with regards to trafficking. Please use that security council chairmanship to take that issue and just get it right smack dab in front of everybody again and say, "We mean business."

On anti-Semitism, if I could, the thoughts about Cordoba, whether or not we are pushing for a follow-up there to the Berlin conference. And also, if you would, the idea that has been pushed, that I think is a good idea, of having a more regularized mechanism for the chair in office, a special envoy or some other office to monitor anti-Semitism.

And then finally -- and then I will go to my colleagues, but I have a number of questions. The 9/11 Commission and the some 30-odd hearings that were held -- I chaired two of them myself for the International Relations Committee and for the Veterans Affairs -- it became very clear. One issue that you might want to speak to.

The 9/11 Commission said that travel documents are like weapons for the terrorists. A very good and I think profound statement made by that commission. In looking over the conventions of the U.N., it's very clear that there are some 12 conventions that deal with terrorism, the money laundering and then the financing one of 1999, I think, being the most recent. None of them speak to travel documents.

And I know that the department is working on biometrics and a lot of other very important initiatives. But it seems to me U.N. Security Council resolutions don't have the weight that a convention might have. And it's something we might think about. You might want to touch on it.

And again, one thing that all of us are concerned about, and that is the whole issue of -- and the commission, the 9/11 Commission, spoke to this -- a more robust work within the Middle East in terms of public diplomacy. The OSCE might offer the model. We have Mediterranean partners. Six members of the Middle East are a part of that, including Israel, Jordan, Egypt. What could be done, in your view, to expand OSCE principles? Don't rewrite them. Take those and say, "Here's something we need to invite you to become more of a part of."

All of us, Alcee, all of us that are on the commission care -- and Ben Cardin -- deeply about this. We even had a hearing with Sharansky and many others, as you know, on June 15th to explore this as a way of trying to get them to be -- you know, get the good infection (ph) about democracy and human rights observance.

JONES: Thank you, Mr. Chairman. Let me go first to your first question about Kazakhstan and its desire to -- its proposal that it be accepted as the chairman in office and what that means in terms of their having signed this CIS statement. As Secretary Mike Kozak said, we have serious problems with the CIS statement. There is no double standard in the OSCE. There is no double standard in ODHIR.

Each of the countries who signed this document signed up to adhere to the principles of the OSCE when they first joined the organization. And Mike read out what that means. We have since then, not least because of the very strong statements and communications from the commission itself to each of these governments, but we have separately on a bilateral basis had conversations with each of these governments about what does this mean.

I look forward to pursuing these questions with colleagues of those countries when I meet with them, several of us, meet with them next week in New York where we'll have a lot of meetings on the margins of the general assembly during leaders week.

In terms of Kazakhstan's desire to be selected for chairman in office in 2009, we've been very forthright in telling the president Nazarbayev and his colleagues that one of the principle criteria is adhering to all of the OSCE principles. As Mike said, Kazakhstan has done a very good job of getting back on track in assuring that it does adhere to these principles in some of the actions that it's taken over the past year, getting very close to OSCE principles and OSCE requirements.

There's still a bit to go. And, as I say, we look forward to those kinds of conversations next week to push forward on exactly the kinds of things that we think are necessary. We have a very, very robust conversation with the Kazakhstanis, both bilaterally in terms of Washington, but also our embassy in Almaty is very active on the subject, as is Ambassador Minikes.

On trafficking in persons, the OSCE itself, thanks to the leadership of the Dutch chairmanship in office last year, put forward a proposal that the OSCE itself have a trafficking in persons mandate. They have done that. There is a person now assigned, appointed to lead this effort within the OSCE. It's an extremely good way to press and

encourage OSCE member states to assure that they have the right kind of legislation, that they have their programs, that we share best practices and how to address each of the areas that are so important to us in pursuing trafficking in persons.

In terms of your recommendation of using our security council chairmanship to pursue trafficking, I will certainly discuss this with my colleagues in the international organizations bureau and with, of course, Ambassador Danforth as well as Secretary Powell to see how that might best be done.

I addressed in my statement, as you will see in my formal written statement, the issue of U.S. support for the Cordoba conference that Spain has proposed. We look forward to using that as an expert level discussion to assure follow-up to the extremely good recommendations that have been made and proposals that have been put forward by the anti-Semitism conference.

We do support naming a special representative, provided this is resources neutral. We think a special representative can be very aggressive without a lot of administrative underpinning, shall we say, in making sure that governments understand what it is that they've agreed to, understand what's been put forward and to provide the kind of support that's necessary to make sure that legislation, training, education on these issues is pursued in the way that it should.

On travel documents and the security of travel documents, this is a very strong element in the OSCE's efforts in the FSC. It's also an issue that's under very detailed, very detailed conversation between the United States and the European Union, for example, through home and justice affairs. There are conversations underway right now between us and Russia on a bilateral basis on how to assure greater security of travel documents, airline security, those kinds of issues.

The biometrics issue was one that is of significant importance to Secretary Ridge, that he is pursuing personally in a very aggressive way. And I'm very grateful for your mentioning of it in this context. It gives us a greater umph to push this forward because it is something that we would like to make sure that all member states of the OSCE take as seriously as the rest of do.

On the OSCE and how it can be used in the Middle East, you mentioned very rightly that there are conversations with the Mediterranean dialogue (ph) their way to expand these principles. That's actually exactly the theory, the principles behind the president's recommendation to his G-8 colleagues, the kinds of proposals that we've made in the U.S./E.U. context, the kinds of proposals we've made to NATO. That's why in the three summits that we had this year in June the G-8 adopted the broader Middle East and North Africa initiative. Those are the principles that we have borrowed or used from the OSCE to put forward as suggestions to the broader Middle East and North Africa countries as ideas that they can use to develop a stronger civil society, they can use to work with in democratic reforms and human rights reforms. That's exactly the idea without expanding the organization itself.

There is a considerable discussion underway now as to how to operationalize it, if I can put it that way, the kinds of -- these principles. There will be a planning meeting of the forum for the future at the general assembly that Secretary Powell will participate in with his colleagues. There's a lot of work underway to try to use these kinds of principles to pursue democracy, human rights, civil society in the broader Middle East and North Africa.

So I thank you for your appreciation of the importance of this issue. Thank you.

SMITH: (OFF-MIKE)

CARDIN: Let me yield first to Mr. Hastings. I think he has a time problem.

HASTINGS: Thank you. I have a meeting with the vice president of foreign affairs committee of Austria and need to rush away. I'm sorry I'm not going to get to get with you, Jerry. Thanks so much.

Mr. Chairman, I'm appreciative of all of the testimony that the witnesses have presented to us here this morning in very concise fashion. And I'll try to be likewise. And I appreciate you holding this meeting.

I also just will take a personal liberty in a friend of mine and a friend of this organization who used to be a high staffer in the Parliamentary Assembly's staff in Copenhagen, has now moved to America. And I see his interest continues. But Eric Rudenshal (ph), who is a resource for us, has an extensive amount of understanding of the OSCE process. And I just take note of the fact that he's in the audience.

Ms. Secretary, thank you so very much for all of your assertions. I agree with the chairman in all of his assessments and your responses to them. I'm deeply appreciative. I certainly am very, very mindful of the need for transformation of the OSCE. Last Wednesday, I had a very good meeting with Secretary Powell in discussing a lot of the issues. And please convey to him my strong appreciation for the statement regarding Gulf War. We talked about that briefly unrelated to OSCE activities.

Also, the shaping up of the election observer mission of OSCE -- we had very brief discussions regarding that. And I explained to the secretary my view as the president of the Parliamentary Assembly. First, I wanted to make him fully aware of the fact that as the president and as a political functionary in my other responsibility that I have requested Chairman Passy to designate another person whom he has designated to lead the Parliamentary Assembly's observer mission. And that's Barbara Haering from Switzerland.

And at my request, Chairman Passy did make that appointment. I say all of that because we come to today and appreciating very much our state having fulfilled the U.S. obligation to invite election observers from the OSCE. I do need to have some assurances that the State Department is going to follow its practices regarding visa fees and visas and grant them in an expeditious manner for OSCE parliamentarians and their staffs. I think in all other election observations by the

OSCE, that has been the case. And I don't need a response from you, but I do need to put it on your radar screen because it's something that's critical.

Right now, I need, for example, for Ms. Haering to be expedited to get here to do the assessment for the Parliamentary Assembly. Which brings me to my next observation. With my colleagues, the chairman of this commission and my colleagues, the treasurer of the Parliamentary Assembly from Canada here and chairman of the important committee of the OSCE which I now am privileged to be president of, Mr. Cardin, I'm sure they all will take note of my parochial interest, not me as a congressperson, but as a Parliamentary Assembly member in asserting very strongly the role that the Parliamentary Assembly plays in election observation.

When I read your printed remarks, I note the absence and the highlighting of ODHIR's responsibility, which I do not minimize by any stretch of the imagination. I consider it extremely important. But as one, along with Jerry, for example, we were in Russia and we observed the Russian election. ODHIR was there. But the Parliamentary Assembly was there in a rather substantial kind and led by then President Bruce George. We, too, had exacting responsibilities.

Well, when it comes to America and the shaping of the kind of observer mission, if you take the political tensions off the table, it seems to me only fairness or fairness dictates to us that this is an opportunity -- and this is what I said to Secretary Powell -- take Hastings out of the picture.

This is an opportunity, number one, for an extraordinary bipartisan effort to assure and ensure that those observers see the full panoply, not one person's side or the other person's side or ideologically, but that they do what they can do best. That's important, in my judgment. And I will be speaking with Speaker Hastert specifically to make sure that we do everything for any briefers, either by ODHIR or the P.A. or combined that they are totally bipartisan without any hesitancy whatsoever.

Now, I'm just back from Belgium yesterday where I attended the racism and xenophobia conference, which I think went extremely well. I had the good fortune of meeting Ben's friend, Cardinal Keeler and countless others that were there from America. Secretary Jackson, who led the delegation at the insistence of President Bush, and I had a number of meetings. But more important to the issue at hand, I met with Chairman Passy. I met with Jan Kubis, the secretary general, there in Vienna. I met with Ambassador Minikes. And all of us in full agreement that the observer mission should be robust.

I also met with Christian Strohal from ODHIR. I gather from mine and Christian's meetings and the manner in which the run-up to whatever election observation is going to take place that Christian has a different view. I hope that you can help me and Secretary Powell can help me in having him dispel the notion that observing an election in America is any different than observing an election in Russia.

I think America's credibility stands to be enhanced immensely. I think the OSCE's credibility in election observation will be enhanced

immensely. In addition to appointing Barbara Haering, Chairman Passy also appointed Igor Oshtash from the Ukraine, interestingly, on my behalf, to observe the elections in Kazakhstan that are impending and others as well for Belarus. And we know that these things are taking place.

This country's elections are important. Every person, every foreign minister, all the functionaries that I talked to in Belgium over the last four days were interested in the American elections. Contrary to some, not for the purpose of coming here to run any election -- Jerry and I didn't run any election in Russia. We didn't receive interference or cause interference. The speaker at that time of the duma briefed us as well as other functionaries. And I, quite frankly, am at a loss to understand why existing political tensions, which are natural in an election year, would cause us to minimize the kind of observation.

Now, I know that Secretary Powell doesn't control that, nor do you, nor do I. But the fact of the matter is that where our good offices can be influential in allowing for America's credibility to be enhanced, I see that as my responsibility. And I'm very protective of the role that we play in the Parliamentary Assembly. And I would assert to you that in election observation, ODHIR has a lot to learn from what we do. And what I said to Strohal was, "Tell me what election you got elected to." And he understood me very well.

Parliamentarians are accustomed to being elected. And whether they are from Kazakhstan or other places, fairness only dictates that we balance our observation. And I would like your reaction to my much too lengthy statement.

JONES: Thank you very much for raising this question. Let me just address right away we will do our very best on the visa question to work to make sure that people get their visas at the appropriate moment. We'll want to work with you to make sure we know who they are in enough advance so that we can do that.

In terms of ODHIR and the importance of their Parliamentary Assembly being election observers, let me first say that I am very apologetic that I did not include that in my formal statement. I should have. We certainly recognize the importance of the members of the Parliamentary Assembly being observers, because, just as you say, you have personal experience with how this is meant to work.

I might also say that the issue of the United States inviting ODHIR, inviting the OSCE to provide observers in U.S. elections is an invitation that we have extended through several American elections now for the past four, five times. It's something that we believe is part of our membership obligations in the OSCE. We certainly signed up to this. This is something that we expect each and every other member to offer. And we are very, in fact, very proud to show election observers from wherever they may come how it is that we do assure a free, fair, transparent election in the United States of America.

In addition, there are technological improvements that we've made that are of great interest to other countries who are looking at doing the same kinds of things and they would like to learn from the

experience of the United States and various of our states as to what the lessons learned are from technological advancements. And we will be very interested in showing the election observers that will be coming how this works. But I completely agree with you, Congressman Hastings. This is something that we are proud of. It enhances the credibility of the United States. It enhances the credibility of the OSCE for us to participate as forthrightly and as proudly as we should.

HASTINGS: Thank you very much, Mr. Chairman.

CARDIN: Thank you, Mr. Chairman.

Secretary Kozak, I want to follow-up on your comments about the concerns about how we have treated, allegations made of how we have treated unlawful combatants, the problems in Iraq, which we have acknowledged. I very much appreciate your comments about the importance at the human dimension meeting in Warsaw to have a side event initiated by the United States. I think that's an excellent strategy, and I commend you for that.

And I also thank you for your commitment to keep us apprised as investigations continue. I assume that includes the commission, when you mention the OSCE, that you'll keep our commission advised as to how the investigations are going and what they discover.

I want to raise Guantanamo Bay for a moment, if I might. We were charged at a meeting of the OSCE Parliamentary Assembly by our colleagues challenging the manner in which we were treating the detainees in Guantanamo Bay. As a result of that, Chairman Smith and myself visited Guantanamo Bay, had a chance to see firsthand the manner in which we were treating the detainees there. We issued a report to the OSCE Parliamentary Assembly. And we emphasized the point that it's U.S. policy that we will not use torture. And it was verified by the State Department and by the administration that torture was not used.

Just recently, there was a press account -- and I want to stress a press account -- by three British subjects who were at Guantanamo Bay that they, in fact, were tortured and pretty specific as to the type of conduct that they were subjected to at Guantanamo Bay. And they also indicated in their report that other detainees were subject to similar types of methods that would be considered torture.

My question to you is whether we've heard from the British government concerning these concerns. And secondly, regardless of whether we've heard from the British government or not, has there been any follow-up to investigate these charges to see whether there was any truth in the allegations that were made by these subjects?

KOZAK: Well, first let me hit the last part of your question, Mr. Cardin. Let me qualify this by saying I don't think any of us are involved with the detention policy, and so, our knowledge is very limited. I get at more from the side that we -- the same way you do. Other governments are asking us about it and comparing what we're asking them to do with what we ask for ourselves.

I do not know whether the British government has raised this with us. We will check and get you an answer on that point. I do know that

the British government as well as the governments, I think, of every other nationality of persons detained at Guantanamo have had access to their nationals there as well, of course, as the Red Cross has.

And obviously there are a lot of motives for making allegations and so on. But the statement about torture, I think, clearly is policy. We went through some effort in the statement that was made on victim torture day that the president put out. And I think the effort there was to be as crystal clear as anyone can be that we do know what torture means. There isn't some new definition of it and that that's what's prohibited.

Now, obviously you get into fine points of, you know, if somebody has to stand for an hour in the sun in the line is that a torture or not.

CARDIN: You're absolutely correct. I agree with your answer. And the nuances here are going to be difficult for us to evaluate. The charges made by the press account was very direct torture well beyond just deprivation of sleep. Although deprivation of sleep was one of the allegations. It went to physical abuse. It went to other types of torture.

And I guess my concern is I hope that we take these allegations seriously and find out whether, in fact, there's any truth to these. The way that we handled the problems in Iraq by confronting them directly, to me, is the only way that we can handle these types of allegations.

KOZAK: I absolutely agree with you on that, sir. And one of the things I've been rather proud of, we had a similar spate of things coming out of the U.N. Commission on Human Rights, a little bit apart from this committee's jurisdiction, but still, the substance of it is exactly the same. And they did a report on Iraq that was -- they had the high commissioner for human rights or the acting high commissioner charge this. And we got a ton of questions, requests for information. Then we got a draft report and were asked to give comments on it in 24 hours.

An interesting process in that what I saw, even people who have worked in this area for years pushing other people to be forthcoming. And we're saying, "How can they say that? This isn't true. That's not true." And I said, "Look, the issue is not whether it's true or not. The issue is how we react to it. And if we just go back and say you can't ask me this because it's not true, that's exactly the kind of response we don't want to get from other people."

What we want to do here is set an example. And I think we did. We went back on each case in that report where there were allegations of abuse beyond the ones we knew about already and said, "Please give us specifics so that we can look at this. It's not enough to tell us that somebody alleges that American soldiers shot up a car full of innocent people at a checkpoint. Where did this happen, when did it happen so that we can go follow it up?"

It turned out in all but one case that they mentioned they didn't have that kind of information. And in the other case, we are following

it up and trying to investigate and get more information where there was enough to identify a particular individual and particular time and place of the alleged abuse. So it's a process, as you mentioned.

But I think our goal in this -- first, our policy on torture is absolutely clear. And certainly physical torture is prohibited. If somebody's doing it, we want to know about it. We want to investigate it. We want to follow-up. If someone wants to ask us about it, we're going to go back and ask for the particulars that allow us to take action on it. And I think that's the only way we can be and maintain our credibility.

CARDIN: I appreciate that. And I support that policy. And I hope that you will check to make sure that we followed up in regards to these allegations in regards to Guantanamo Bay.

KOZAK: I will.

CARDIN: Let me follow-up on the chairman's point about the 9/11 Commission report, which I thought is right on target. I believe we've had a lot of discussion here, a lot of hearings taking place. And I expect Congress will take some action before we adjourn this year to implement some of the recommendations of the 9/11 Commission report, particularly as it relates to the national intelligence director.

But a significant part of this report deals with we need to win not only the act of war against terrorists and we have to be strong militarily in that regard, we also have to win the war of ideas. And that was perhaps the strongest weapon we had during the Cold War. Our values won out. And the people of East Berlin saw what was happening in West Berlin, and the Iron Curtain literally fell down, the Berlin Wall collapsed. We won the war of ideas.

And we need to do the same thing in the Middle East. And that is why all of us are so passionate about this process that started in 1975 that no one really expected to be how it is today. But it sort of developed into a very important, effective tool for the battle of ideas. So I would just encourage the State Department to be more aggressive in trying to get more players in the Middle East particularly to be engaged in the Helsinki process, whether within OSCE or similar types of organizations. I think it's probably best within OSCE, because to try to reinvent it would probably take too long, but to expand it.

As you know, we have the initiative -- and Senator Grafstein's been one of the leaders on it -- to expand the OSCE with our Mediterranean partners and to have higher expectations and greater participation. And I think the rewards could be great, including listening to the 9/11 Commission report and its recommendations.

And I know the administration is doing this. And I just want you to know that this is one of our highest priorities. And anything that we can do on the commission to assist in this effort and within the Parliamentary Assembly we will do.

The last issue I want to raise deals with the economic issues, if I might. And that is I mentioned in my opening statement that there's

been in the last 12 months a lot of the tension spent within OSCE on the economic dimension starting in Maastricht, including the work of the Parliamentary Assembly. And probably the highest priority is to try to deal with corruption. Corruption, like your observations -- at least it's our observations that it's still widespread, particularly in the emerging states and that it's a real impediment to the development of all three of our concerns, all three of our areas of concern.

So that the Maastricht document talked about developing strategies to fight corruption. We specifically in Edinburgh passed a resolution calling for the high level meeting to develop a strategy to fight corruption. And I would just like your observations as to whether you believe this is a very high priority or just maybe not as high a priority. And if it is a high priority, what steps are we taking to develop a strategy or a position? And do we support a high level meeting of ministers in order to advance this issue?

JONES: The issue of fighting corruption is a very big issue for the United States. It's one where, including especially in the countries of the OSCE, which I know the most about, we believe it's really a key to success. You can't have prosperity, you can't have democracy, you can't have a rule of law if corruption is a big issue in any of these countries.

It's something that I know the E.U. was particularly concerned about and really focused on as it worked with the 10 new members of the European Union to get them ready for European Union membership. And it's an area in which the E.U. keeps working on with the countries that are coming down the pike in getting ready for close association with the European Union.

It's also an issue that is worked on in detail by the OECD. The reason I mention that is that we want to be sure that what the OSCE does is complimentary to the work that's already going on with the E.U. and with the OECD on counter-corruption, anti-corruption measures.

That said, we have some very good programs, bilaterally and through the OSCE to try to address the particular issues that are related to corruption. And what we're working on with the OSCE is, again, to develop the institutions that are strong enough to counter corruption and sort of close down the loopholes, close down the opportunities for corrupt officials to be able to take advantage of institutions, to develop legislation that makes it harder for corrupt officials or corrupt people to work in countries and take advantage of situations, to make sure that the legal systems will support a transparent free market economy, which is, after all, the goal of the countries of the OSCE and of the United States itself.

I can't speak to the question of whether a high level meeting will happen. It's something that's under discussion. And I would like to offer to get back to you on how that conversation is developing within the OSCE, if I might.

CARDIN: Thank you.

Thank you, Mr. Chairman.

SMITH: Commissioner Pitts?

PITTS: Thank you, Mr. Chairman. And thank you for holding this important and timely hearing. As our nation engages in the war against terror, it is vital that we build and strengthen relationships we have with friends and allies around the world.

I would like to submit my opening statement for the record.

SMITH: Without objection, so ordered.

PITTS: And I have three questions for the panel. And any of you can respond. It often seems that the OSCE takes a back seat to NATO when U.S. policy toward Europe is considered while, for their part, E.U. countries concentrate their own attention mainly on the countries preparing to join the E.U. The first question is what can be done to empower and reinvigorate the OSCE. How much might the E.U. be prepared to help us do that? And do you see Russia as a potential partner or obstacle in that endeavor?

Secondly, I'd like to ask about the work of the coordinator on economic environmental activities, the high commissioner on national minorities, the representative on freedom of the media. Their activities are usually conducted in a quiet and behind the scenes manner. My question is how do you keep track of their activities. Are you satisfied that these positions have justified their existence through particular accomplishments? And if not, now would you reform them so that they need to be -- that they would be improved? Or should they be eliminated altogether?

My third question has to do with terrorist financing. The OECD's financial action task force, the OSCE's Bucharest action plan and action against terrorism unit have provided technical assistance to assist law enforcement and regulatory authorities in terrorist financing investigations. How effective are these multilateral efforts, including the UNSCR and the U.N. counterterrorism committee to develop common standards and jointly freeze financial assets of terrorists? How can they be made more effective, for instance, in addressing key outstanding issues such as how they raise money, from whom and how they spend the money?

So if we can start with the OSCE and NATO question, I'd appreciate it.

JONES: I would put it this way, the OSCE and NATO are very different organizations. NATO certainly is an organization of like-minded countries, but it has a military operational focus. The OSCE because it has the three dimensions has a broader focus. And we find it an organization that is very flexible. It's very easy to move quickly with the OSCE.

I use Macedonia as a very good example three years ago when we suddenly needed to have observers to make sure that the agreements that were reached at Ohrid could be implemented properly. It was the OSCE that was able to put forward those observers within days. And it was something that really helped the security situation in Macedonia.

The European Union in addition, of course, has focused on the programs, legislation development, et cetera, that was necessary to make it possible for these 10 new countries to join, to be invited to join the European Union as happened earlier this year. But I would argue there are very many of the developments, very many of the improvements that the E.U. pressed on these countries that are very much in line with the improvements that all of us wanted. In fact, we take great credit, we're very proud of the collaboration that we undertook with the E.U. in very many of these areas to make sure that we were all focused in the same direction on fighting corruption, on border security, on rule of law issues, on developing democracy, on making sure that there could be vetting for security officials and that kind of thing.

The European Union, now that it has enlarged, is even more interested in its new borders, in the countries around its new borders so is taking an even more active role in the OSCE as an organization -- of course, the member states do in any case -- in working with the OSCE, with us in the OSCE to address some of the pros and conflicts to the instability kinds of issues that we think are very, very important to address.

Whether it be Moldova Transnistria where we have -- I'd like to really commend the leadership of the head of mission there, Ambassador Bill Hill, for really pushing the initiatives, coming up with ideas for how to address the outstanding issues related to the frozen conflict there between Transnistria and Moldova. The same thing I would like to commend in terms of greater E.U. participation, interest, activism in looking at how to assure a resolution of the issues in Georgia involving both South Ossetia and Abkhazia. Nagorno-Karabakh we already have a very good participation by a European Union member state, by France, as a co-chair with the United States and Russia in trying to push for improvements there.

I really look at these three organizations as being very complimentary to each other. There is a way that each of them can work together. There's a niche for each of them. And we constantly are looking for ways to increase the ability of all of us to do the work that we think is necessary by taking advantage of the best parts of each of these organizations to achieve U.S. goals and the goals that we have set together with the European Union, with NATO, with OECD and, frankly, also with the Council of Europe.

On the national minorities question that you asked and the free media, we really appreciate the very hard work that the representatives for each of these special focuses undertake. We stay in very close touch with them. They come regularly to Washington to talk with us. They are constantly in conversation with Ambassador Minikes in Vienna.

They report back to the perm representatives. And they stay in touch with our embassies, with the U.S. embassies, as they travel in each of the countries where they have particular issues that they're working on to pursue. So I use every opportunity myself to stay in touch with them and to see them at the margins of the general assembly or at OSCE meetings when they come to Washington. So I really have a great respect for the ability of these extremely capable people to do the kind of work that they are meant to do and to do it in a way that

achieves the objective and gets the changes and behavior that we're looking for.

On terrorist financing, we think that the FDS (ph) is a very productive organization. The work in the U.N. Security Council in the U.N. to pursue terrorist financing are all ways that we work to look at ways and to designate organizations, to designate people whom the international community should assure can no longer provide financing to terrorists. There are people who know a lot more about exactly how they all work than I do, but it is -- those are mechanisms that we use very, very regularly and that the member states use very, very regularly.

Countries from all over the world, governments from all over the world are constantly bringing forward names of people, names of organizations that they'd have considered by the U.N., by us on a bilateral basis to assure that terrorist financing cannot continue and that the international community takes as tough a measure as they possibly can to make sure that these organizations, that these people cannot continue to use international banking services to support terrorist organizations or terrorist events.

PITTS: Thank you.

Anyone else have anything to add?

Secretary Kozak?

KOZAK: I'd just say on the media freedom representative and the way they work, I had a chance to watch this firsthand in Belarus. And it's true that when they have a government that's being cooperative that they tend to do it behind the scenes and low key for obvious reasons. They get to hear our suggestions on your media law. The government goes and takes the measures, and then the government takes credit itself for doing the right thing.

But in places like Belarus where they got nothing but grief from the regime in power for a long time with the predecessor represented in Mr. Duve, the government said he could visit but he couldn't bring his assistant who was an American who observed previously at our embassy there. Now I see with Mr. Hardy (ph) they've changed the pretext, but the result is the same.

But in those cases, as Beth was saying, they got information from us, they got information from other member state embassies and then they published reports and denounced what was going on in a very public way. So they are able to play it both, sort of, the behind the scenes, private incremental improvement track or if that's not working, public pressure. And I think they made a pretty good job of it.

PITTS: Thank you, Mr. Chairman.

SMITH: Thank you very much.

Senator Grafstein?

GRAFSTEIN: Well, I'm really privileged to ask our friendly neighbor, the United States and their key people at the State Department some questions about an interest of mine which I share with all of the parliamentarians on this side, the goals and the objectives and the processes of the Helsinki Accord. And we agree with everything you've said, certainly I do, with respect to its importance and its growing importance. I only give you just one current example.

Because of leadership of Representative Smith and Cardin and Alcee Hastings and others, anti-Semitism became an issue and was really, in effect, by the Parliamentary Assembly. And I was delighted when Secretary General Kofi Annan when there was tremendous infighting about having a conference focused purely on anti-Semitism took our resolution, which we worked so hard on, and used that. And he gave us credit for that. So sometimes a junior organization like the OSCE can impact the major organization.

I just want to make two comments and bring your attention to some activities that I think we're doing that help you in your work. From my observation -- and I've noted it again in the questions this morning -- the work of the parliamentary dimension, the OSCE Parliamentary Assembly, is sometimes neglected by our various ministries. The two examples that you give, the Georgian election monitoring example, that was led by Bruce George, the president of the OSCE. And I was the deputy on both of those missions.

And quite frankly, I think we led those missions. The ODHIR was there. They were very supportive. They were excellent. But quite frankly, I think that parliamentarians have a lot more experience in connection with elections and what's important and what's not important in order to instigate the parliamentary process.

And again, when you mentioned Ambassador Hill, he's done a fabulous job. But I'm also -- and Kiljunen of Finland -- leads the parliamentary side of the Moldova Transnistria problem. And I happen to be on that as well, so I can speak from firsthand experience that there the leadership of Mr. Kiljunen has been outstanding. And I would just hope that when you take a look at the information you garner from your minister, from your diplomats, you would take into account the fact that the OSCE has two dimensions.

There's the ministerial side, and there's also the parliamentary side. And we've been working very hard, as Chris will tell you and as Ben will tell you, to make sure that the two institutions, one in Vienna and ours at Copenhagen, work together. We now, in effect, have an ambassador there. We now have a full-time ambassador and officer, Ambassador Nothelle, precisely to make sure that the two arms of the OSCE work in harmony together. We have the same objectives. Our processes are different. That's a comment.

Secondly, on corruption, again, parliamentarians have taken a huge lead in examining and focusing on parliamentary corruption, which is a huge part of the overall problem. And I must say that progress has been made, remarkable progress has been made with the organization called GOPAC. It was started in Ottawa several years ago, the chairmen of it, worldwide. It's the Global Organization of Parliamentarians Against Corruption. The head of that is John Williams, M.P., from

Canada. The vice chairman is Roy Cullen. And we are trying to integrate that process into the OSCE as well so that we compliment each other. So I just bring that to your attention. It's remarkable work, and it works at the parliamentary level.

My final comment and question -- I only have really one question -- is the Middle East. Again, we have been engaged in trying to move forward a Middle East agenda. And I think we've concluded, many parliamentarians have concluded, that the political track is stuck. It's very hard to move it for all of the things that we know. But the economic track, which is the second basket of the OSCE, is open.

And hence, we've been focused, Representative Cardin and myself have been focused, on the economic dimension of the Middle East. And I'm pleased to say that I've just returned from a conference in England where I talked about the OSCE as an instigator of economic reform in the Middle East, Arab Middle East. And it was very well received. And that paper, I'll send it along to you.

So my question is that has the department, has the secretary of state looked at the question of the economic reforms necessary in the Arab Middle East in order to instigate civil society and democracy. Now, I've read with great care the G-8, the last G-8, declaration, which I think is good. I think the president's leadership on economic assistance and democratic development in that part of the world, the \$150 million, is excellent. I think it's too little. But I would wonder whether or not you've got a coherent strategy for following up on the economic dimension as it applies to the Middle East.

And I conclude with this one fact. The region in the world that suffered the most as a result of September 11th -- and I call this the auto-da-fe of September 11th -- was the Arab Middle East. Their economies are suffering. And we're sitting on a time bomb there unless we really address the economic problems in that region of the world. So it's a question for you. And we intend to follow this up.

Ben and I fostered a resolution at the OSCE, was unanimously approved at the Parliamentary Assembly in Edinburgh. I've given a paper on that, and we intend to follow that up in Rhodes at the end of this month. So that's my question. Are you on sync with us on that? And how can we help each other to foster that priority?

JONES: Senator, thank you very much for your comments. I very much appreciate the participation of the Parliamentary Assembly in the work of the OSCE. And I should have acknowledged that with greater clarity. But it is something that we do recognize and very, very much appreciate. Because, just as you said and some of your other colleagues in the commission said, there's nothing that substitutes for personal experience and knowing what is right, what makes sense, what is important and what is somewhat less important in an election.

GRAFSTEIN: Just a comment on that, I was here (ph) making that speech here because I intend to make it in Ottawa next week to my own government. So you're not alone.

JONES: I'll just make a brief comment on the economic track for the Middle East reform. As my colleagues in the Middle East bureau

began working to develop some of the ideas on reform in the Middle East, thinking about all the baskets that made the most sense, we took a look, of course, at a U.N. report that really focused on political reform, economic reform and education reform. So those were the three areas that we also adopted as the areas that we should concentrate on in working with reformers in the Middle East.

My colleagues in the Middle East bureau have done that, have been doing that. And the results of some of those conversations is what informed the G-8 in putting forward the proposals that came out of the G-8 summit, which, thank you very much for your attention to those.

I can't tell you right at this very moment how those will be developed. My colleagues in the Middle East bureau are a little bit more focused on some of the details of that. But as I said earlier, the next step in pursuing some of these issues, as with the forum for the future event, sort of, pioneering event that will take place in New York -- and then there'll be hopefully a follow on conference that we'll still be working on. But our Middle East colleagues completely recognize that it takes all three areas in order to make progress, including the economic one.

And my colleague, Assistant Secretary Rademaker would like to also offer some comments on how in another area we are using OSCE mechanisms to work with the Middle East.

RADEMAKER: Thank you. A number of you have raised this question of the applicability of the OSCE and its experiences to the Middle East. And I just wanted to volunteer the comment that the core of the OSCE's approach to security is an integrated one where human rights and democracy are integrated with increasing economic freedom and security and confidence building measures. And this approach was extraordinarily successful over the last 30 years in bringing about the end of the Cold War and the demise of the Soviet Union, the advent of freedom in Central and Eastern Europe.

The effort that's now underway through the G-8 with regard to the Middle East has at its core the same basic idea. And so, it simply has to be the case that there are lessons that can be learned from the OSCE that are of application in the Middle East. And I think those of you who have raised this issue are correctly focused on that possibility. And you are asking very good questions. You're asking the right questions.

We've seen from our experience in the Western Hemisphere that when the political environment is ripe for it, there is a desire to look -- there can be a desire to look to the OSCE and its experiences and draw from it. And that's precisely what's happened in the security area in the Western Hemisphere over the last few years.

We have within the arms control bureau an office that's devoted to promoting these kinds of confidence and security building measures around the world. They were very much involved in the efforts that have taken place over the last few years here in the Western Hemisphere. They are also active in Asia and in the Middle East.

And they will continue pursuing this. I think your comments will inspire us to redouble our efforts to see what we can draw from -- Senator, your comments about the economic dimension I think are very well taken. And we'll take a second look at whether we can draw anything from that. But we do have people that are focused on this, and we will be glad to report back to you at some point in the future on how we're coming.

SMITH: Thank you, Senator Grafstein.

I just have a few follow-up questions and final questions.

Secretary Rademaker, one of the -- and to all of you -- one of the great leadership initiatives that the Bush administration has undertaken is the attempt to have a zero tolerance policy. As a matter of fact, President Bush issued a zero tolerance policy, vis-a-vis, trafficking in our military. The Trafficking in Victims Protection Act of '03 actually empowers the Department of State and all of the agencies of government to not only do whatever it can to go after those who are complicit in trafficking, but to take away contracts from contractors, vendors with whom we buy their goods and services if they are complicit in trafficking.

But does zero tolerance policy which has now been adopted by NATO at U.S. leadership -- Nicholas Burns has done a marvelous job. Elizabeth Pryor, who used to work there at that shop, has been working, as well as Maureen Walsh and many on our staff to try to -- you know, the peace makers or peace keepers certainly when they are deployed become a ripe target for the traffickers to bring in women who are then exploited. And it seems to me that the next step is the U.N., to make sure that their deployments hopefully have a zero tolerance policy.

My question to you, Mr. Rademaker, is the forum for security and cooperation Vienna perhaps another venue that ought to be utilized to take this message that I don't want to hear this boys will be boys garbage. These are women who are being exploited. They're being raped. And again, the administration has a sterling record in saying we will not allow this to happen.

We have a joint hearing with the Armed Services Committee on September 21st at which we will look at what the Department of Defense, the Wolfowitz memo, how it's being implemented. General LaPorte, our former supreme allied commander for South Korea, has done a magnificent job, as has his staff, in implementing a zero tolerance policy. Joseph Schmitz, the I.G., has done some very ground-breaking work for the Department of Defense in terms of both Bosnia and South Korea.

And my point is every avenue or venue that can be utilized -- and certainly I think you probably have already thought of this. But that might be an area, you know, the security cooperation forum in Vienna for doing this as well. Because obviously there are some countries like the Ukraine, not part of NATO. They've sent peace keepers to trouble there is that could be brought into this. If you could.

RADEMAKER: Well, Mr. Chairman, let me begin by stating the obvious, which is that you provided outstanding leadership on this question of trafficking. You know and I know that the Congress passes

lots of bills and lots of resolutions year in and year out. And many of them don't make a big difference in the real world.

But the work that you and some of your colleagues did in the area of trafficking leading up to the enactment of the Trafficking in Victims Protection Act was an example where the action of Congress really has made a difference. You have changed U.S. foreign policy. And as a result, I think life is slowly being made better for a lot of victims of trafficking around the world.

With regard to your specific idea of using the forum for security cooperation to raise awareness and begin talking about ways to address some of the problems that we've seen with peace keepers in places like Bosnia, this is not something that we have talked about. But I do think it's a very creative suggestion. And so, what I would like to do is take it back, and I will give it very favorable consideration.

Because, as I noted in my remarks, the forum for security cooperation is a valuable tool because it is so flexible. And I think that very flexibility would enable it to accommodate this issue, which is something that should be a priority. And we can help make it a priority.

SMITH: I appreciate that very much, Mr. Secretary.

JONES: Could I just add?

SMITH: Yes.

JONES: I'm sorry, Mr. Chairman. I actually brought with me the decision that was taken at the NATO summit by the leaders on exactly this trafficking question just to demonstrate the importance that all of NATO attaches to this. And thank you for recognizing the leadership role that Ambassador Nick Burns played in this.

I also wanted -- I just did a quick look again. There are two things that you mentioned that are specifically addressed in this. Number one, this applies to partners as well. So Ukraine would have to adhere to the principles that are enunciated in this document. And it also applies to contractors. This is something in which NATO -- there is a specific sub-paragraph that speaks to NATO contractors and asks them to participate and pursue the anti-trafficking policy that NATO has adopted.

In terms of Bosnia itself, if I could just say that the former ambassador to Moldova played a very aggressive role, Ambassador Pamela Smith, in talking with NATO about this in the first instance and specifically about how this plays out and what kinds of policies might be, at best, most appropriately be taken in Bosnia to assure adherence to these principles. So let me just assure you that this is something that's very much on the agenda at NATO. And we're ramping up at the OSCE as well with a new representative who's been named to pursue this specifically.

SMITH: Thank you very much, Ms. Ambassador. Let me ask you on the issue of Kosovo. You know, many of us were concerned about the spike of violence. As a matter of fact, Archbishop Arthemdja had

visited with many of us and said not only are very important orthodox Christian sites being destroyed, people are being killed. And then there was that flare-up of violence. What is being done to ensure that the minority rights and the return processes are being respected?

And just let me ask you a couple of other questions. Yesterday I was part of a forum on the upcoming Ukrainian elections. And I know a number of people, Richard Armitage and others have made their way to the Ukraine to raise concerns about the lack of free media, that especially the broadcast media has been very severely censored or biased, I should say. And, you know, a free and fair election isn't just, as we all know, on the day of the election. It's everything that leads up to it.

And the same goes for Belarus.

And, Mr. Ambassador, you might want to speak to this as well. Where we've got the parliamentary elections coming up and Lukashenko looking to extend his ability to stay in office, become another one of those presidents for life. We're trying still to get the Belarus democracy act up on the floor. It has been blocked. I don't know why. We passed it out of committee several weeks ago. And that would only be of some minor, certainly of no impact, on the immediate term. But on the intermediate term, it might, in terms of empowering civil society and the like.

But my question is if these elections are adjudicated to be unfair and far less than OSCE standards and international standards, will there be any penalty. The concern is that, you know, we issue reports, we make comments. But at the end of the day, people like Lukashenko just fold their arms and say, "Go ahead, hit me. You haven't even laid a glove on me."

And I'm concerned, especially again, with the Ukraine, a country, you know, rich in people and culture and political and geopolitical importance. This election is probably in the process of being hijacked. And corruption obviously remains a very real concern there.

So if you could touch on those issues, I would appreciate it.

JONES: On Kosovo, all of share your deep concern about what happened on March 17th. That was a terrible turn of events. We are now, however, very encouraged by the activism, the initiatives that have been undertaken by the new senior representative for Kosovo that has been appointed by Secretary General Kofi Annan, Mr. Jessen-Petersen. He will be joined very shortly by, I believe, an extremely good American deputy, Ambassador Larry Rossin.

We have had the international members of groups that work, particularly, to support the UNMIC efforts to pursue standards and to pursue implementation of standards in Kosovo, are very encouraged by the great activism of the new UNMIC secretary general, senior representative, especially in connection with how much they're pushing, as have we, the rebuilding of the churches and schools and buildings, houses, et cetera, that were damaged so severely in the March 17th disturbances.

There will be a series of meetings next week in New York among the countries that are most concerned about Kosovo, most concerned about pushing for progress in Kosovo. So we look forward to really grinding down through some of these issues. The most important part of this is to demonstrate to the Kosovars of whatever religion that it is up to them to take responsibility, that that is the essence of the standards that we're pushing to try to turn over as much responsibility to them as possible so that they can take charge of this territory.

On the Ukrainian elections, I can only tell you how much -- you know we've worked very hard to make clear to every possible element of Ukrainian leadership, Ukrainian civil society, free media, et cetera, that the future of the Ukraine, the future of Ukraine's integration into trans-Atlantic and European institutions depends on a free and fair election. And just as you very rightly said, this is exactly the point that we've been pressing.

Free and fair elections don't just happen on election day. They happen in all of the processes related to elections that take place months, if not years, before. We have been, frankly, working with the Ukrainian government on Ukrainian elections for three years on the upcoming Ukrainian. And, you know, to the point that at times they said, "It's too early. It's too early." I said, "No, it's not." It's not too early to make sure that the institutions are in place, that it is clear to everybody in the presidential administration throughout the country that they may not misuse presidential administration apparatus to promote one candidate over another, that there must be equal access by the candidates to the media. The exercise of free media, permission to allow media to operate is an element of assuring a free and fair election.

Mr. Armitage was there in March pursuing this. I had the opportunity to address this question with a delegation of senior Ukrainians who came just this week, the former foreign ministers Linko (ph) and a member of the presidential administration, Mr. Fiealko (ph) to make exactly those points. Most importantly, virtually every single leader at the NATO Ukraine meeting at the summit in Istanbul made exactly those same points, exactly those points. So it's abundantly clear to the Ukrainian leadership what it is that we're talking about, what it is that's necessary to assure a free and fair election and how critical this is to Ukraine's stated desires to be further integrated into Europe and the trans-Atlantic community.

SMITH: Ambassador, would you want to take on Belarus?

KOZAK: Well, you're quite right, Mr. Chairman, that, you know, there's a crucial election coming up in Belarus at the middle of this coming month that now includes this referendum on amending the constitution to get rid of the term limits and allowing President Lukashenko run for yet another term. I think some of the things that are -- the conditions for the election are terrible. We've all seen them. Media has been heavily repressed, fines, criminal libels. Political leaders have been put in jail as a way of intimidating them. The control of the election machinery remains in the hands of the government.

But there have been some positive developments in Belarus as well. Over the last several years, working through our party institutes, NDI and IRI and with the Europeans and with the OSCE, with the field mission there, a lot of training has gone on of pro-democratic type forces. And even before Lukashenko announced this referendum, the polling that we were seeing was showing the opposition, generic opposition candidates being within four points of pro-Lukashenko candidates in the parliamentary election despite all of these disadvantages. In part, that's because they've been forced to go out and do it the old fashioned way of knocking on doors and talking to people, which, as you know, has its effect.

He's got a big challenge on this referendum. The Belarussian constitution requires that a majority of registered voters vote in favor of a referendum for it to pass. So if you figure he's got 70 percent turnout, which is about normal there -- even if he got 70 percent of the vote, he'd still fail on the referendum in an honest count.

In the last year, I don't think his numbers have been above 30 percent in terms of people saying they either favor strongly or might possibly favor his being allowed to run again. Consistently over 50 percent have said they're against it. So it's going to take some powerful and obvious fraud. It's not, you know, shifting numbers by 5 percent or something here. It's going to take some major stuff and I think bears watching.

I think the key -- you asked the question what's the penalty. There's not much way to penalize the country more than he's already penalized it himself through self-isolation from not only the Western world, but from even what's going on in the immediate region. But there may be ways -- and this is something we need to look at more generally -- of how do we hold people accountable, people who participate in election fraud, people who should be ensuring genuine elections and fair conditions and so on but instead use their authority the other way. And you had mentioned earlier the value of targeted sanctions. There may be some percentage to working it there.

I have watched in this particular case, I would say if the people in the bureaucracy in Belarus had their choice, there would have been a different president a long time ago. But they're afraid. They're afraid of losing their jobs. They're afraid of what happens to their families. And maybe if they had to worry about concerns in the other direction of not carrying out fraud, they might be more inclined to do their job honestly.

SMITH: Thank you very much, Mr. Ambassador. I just have two final short questions. And we, the commission, deeply appreciate your patience. But these issues are very important to our commission and I know to you.

One of the recommendations that came out of the Berlin conference, though, in the implementation area had to do with hate crimes and the whole issue of law enforcement. We're working with Ambassador Ed O'Donnell on a provision or an idea that Paul Goldenberg from the American Jewish Committee is working up and our commission that would establish a trainers of the trainers so that police and law

enforcement personnel would be trained by those who know it intimately, but it would be peer to peer type of training.

It will take some money, and it's not yet to the point of final completion. But I would just strongly encourage you, Madam Secretary, Madam Ambassador, to look very favorably on this. Because I think, you know, the more we have this kind of training, you know, a well trained policeman knowing -- and this is part of the problem. Very often acts of anti-Semitic crime is just thought of as mere vandalism when it's very clear that it's something that goes far beyond that. And this would apply to all hate crimes. So I would ask you to take a good look at that recommendation.

And secondly, and again, this is my final question and then I'll go to Mr. Ben Cardin for anything and Joe Pitts. Joe's not here. With regards to Kazakhstan, again, I find it extremely disconcerting that they want to be the chairing office for '09. And again, that has to be done in calendar year '06. Especially since Nazaviev (ph) actually signed -- I think it was before you were ambassador in 1992. And he signed the Helsinki Final Act and all those documents and follow-on agreements that followed, including the Moscow statement in '91.

Would we be willing to withhold consensus unless they either repudiated that internal affairs and some of those other egregious statements that the group of nine have signed onto? Because that would radically alter the OSCE. If internal affairs can be put forward as a hedge when human rights discussions occur, we would be hindered in our ability to promote human rights.

JONES: Thank you for your support for police training on hate crimes. That is something that makes a great deal of sense. I don't have it in my head exactly where the process stands on getting that going. But it's certainly an area which France, for example, has been very forthright and very much wants to pursue and is pursuing.

On Kazakhstan and on their desire to be chairman in office, we've made very clear that Kazakhstan accepts that our support, frankly, support for not just from the United States, but from many, many other member states depends on their adherence to all of the principles of the OSCE. That's certainly a watch word that we have been using for, lo, these many years as a way to discuss with them why it is our business to talk with Kazakhstan or with any other country about democracy issues, human rights issues, economic reform issues, whatever it may be. Because they have taken upon themselves their own free will to sign up for each of the principles, to adhere to each of the principles of the document when they first joined the organization.

I can't tell you that we would withhold because of this reason or that reason. We'll take it all together when we get to that point. But certainly a pledge to adhere to everything, one of the principles, and demonstration of adherence to the principles is what's important.

CARDIN: Well, let me thank all three of you for your testimonies here today. I wanted to follow-up just very quickly on Senator Grafstein's point about the anti-Semitism follow-up in using the model for the United Nations and what we can expect in the United Nations in regards to following up against anti-Semitism. It's been a rough road

