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OSCE holds first Supplemental Meeting on religious liberty

by Karen S. Lord

The OSCE held its first of three Supplemental Human Dimension Meetings on the issue of religious liberty on March 22 at the Hofburg Palace in Vienna, Austria. Approximately 200 people including many NGOs attended the meeting and participants raised a number of concerns, including intolerance toward “non-traditional” religions, restrictive or discriminatory legislation, anti-Semitism, and the question of “sects.”

The day-long supplemental meeting was divided into three discussion topics: (1) religion and conflict resolution; (2) religious pluralism and tolerance; and (3) OSCE Expert Panel’s recommendations for action. Each topic was introduced by one to three experts who delivered short statements to help crystallize the issues for discussion. However, due to the large number of attendees, and the fact the delegations generally delivered prepared speeches, the discussion was not dynamic. Except for the rights of reply exercised by a number of country delegations, there was very little constructive discussion on actions that ought to be taken. The speeches tended to focus on problems within particular States of the OSCE without suggestions on how to address these situations.

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Under the topic of religious pluralism, two experts and a number of NGOs highlighted the problems of religious intolerance in Western Europe. Russia, Turkey, and Uzbekistan were also singled out by one expert and a number of NGOs as participating States where religious intolerance continues. The European Union also highlighted a growing religious intolerance as seen in unnecessary government surveillance and restrictions on new religious movements. The EU statement suggested that while there may be legitimate concern over the proliferation of “dangerous sects,” this should not lead to government labeling of all new religious movements as dangerous. Governments instead should focus on the practice of such groups, and whether any practice constitutes criminal activity.

Russia, Turkey, Uzbekistan, Austria, France, and Belgium all maintained in their rights of reply that there were no religious liberty violations occurring in their respective countries. The Russian delegation dismissed one NGO’s intervention as a “political” view and maintained that the new law does not discriminate in any way or limit religious practice in Russia. The Russian delegation also surmised that the current case against the Jehovah’s Witnesses in Moscow may move Russian jurisprudence in a positive direction and therefore cannot be seen as a negative factor. Turkey argued that any right, including religious liberty, has its limits and then launched into a discussion of the Lausanne Treaty. Uzbekistan maintained that it implemented all of the OSCE commitments and that it was a gross exaggeration that there were human rights violations in Uzbekistan. Austria was adamant on the point that the government’s role is prevention of tragedies such as the 1978 Jonestown mass suicide and stated that this was why there is an independent government agency in Austria to review and warn the public of dangerous groups. France specifically stated that two groups, the Church of Scientology and Jehovah’s Witnesses, were problems and that the Government of France was concerned over the rights of children, corruption of the financial systems and the abuse of the tax system. Belgium defended its new law instituting an advice and information center on dangerous sects as being aimed at the practices of these groups. The Belgian delegation stressed that the harmful character of these groups is scrutinized based on Constitutional principles.

Overall, the Supplemental Meeting had the same qualities of an Implementation Review meeting: pre-written statements by country delegations; NGO interventions pointing out problems but offering very little in the way of solutions; governments lodging a right of reply which becomes the final word on the subject. The discussion could have been more dynamic if the meeting were broken into smaller more informal groups to facilitate dialogue. Perhaps with a more informal atmosphere government representatives would feel freer to speak without reading a prepared statement. □

Religious liberty in Central Asia: recent developments

by Michael Koby

As participating States of the OSCE, all the Central Asian republics (Uzbekistan, Turkmenistan, Kazakstan, Kyrgyzstan, and Tajikistan) have committed to ensuring that religious liberty is respected in law and in practice. For example, in section 16.3 of the Vienna Concluding Document, the participating States have committed to grant legal status to religious communities to practice their faith. The Helsinki documents affirm the right of the individual to freedom of expression, including the right to hold opinions and to receive and impart information and ideas without interference by public authorities. (See Copenhagen Concluding Document, Section 9.1) This right covers all communication, whether political, philosophical, or religious in nature. Participating States have further agreed to respect the right of believers to acquire and use sacred books *in the language of their choice*. In addition, religious organizations have the right to produce, import and disseminate religious publications and materials. (See Vienna Concluding Document, Sections 16.9 and 16.10)

Unfortunately, the Central Asian republics, though to varying degrees, routinely violate, flout or ignore these commitments. The following survey of the religious liberty situation in each of the Central Asian Republics includes reports that have come to the attention of the Helsinki Commission. This survey is by no means exhaustive, and further investigation is ongoing.

Uzbekistan

In May 1998, a new law regulating religion was enacted, ostensibly in response to religious extremism, specifically "Islamic extremism," which government officials refer to as "Wahabbism." Other minority religions, however, are also affected by this new governmental attempt to restrict religious freedom. The law requires, among other things, that religious groups number 100 in order to register with the government, and that any group that is not registered must cease all activities. Religious leaders who fail to comply are subjected to *criminal liability*, including heavy fines, prison sentences, and confiscation of church property. The legislature has approved an amendment to the Criminal Code that makes membership in non-registered religious organizations punishable by 5 to 15 years in prison—more than even the old Soviet code provided. Very few religious communities meet the numerical requirements and the prohibition on religious ac-

tivity outside of a registered group makes it virtually impossible to organize legally in order to create a legal entity under the law.

The fear of Islamic extremism has led to blatant violations of human rights, particularly in the Ferghana Valley. Muslim religious teachers Obidkhon Nazarov, Rahim Otagulov, and Olinjon Glofurov have been harassed, evicted and arrested by government authorities repeatedly over the past two years. Islamic teaching institutions that are not recognized by the government have been forced to close. There are also reports that men wearing beards or women wearing the *hjab* (headscarf) are targeted for official harassment and detention merely for their appearance.

Under the new law, registration entails submitting a complex set of documents to the Ministry of Justice, many of which require several government officials' signatures. The deadline for registering was August 15, 1998. For those religious groups who managed to register successfully, the new law forbids several aspects of religious free expression, including proselytism. Religious groups must also present to the government quarterly and annual accounts verifying their activities. The government can cancel a group's registration at any time. These provisions are in clear violation of OSCE commitments.

Reports indicate that many religious groups are unable to register due to the discretion, often obstructionist, of local government officials. For example, government officials in Navoi had until recently blocked registration of a Seventh-Day Adventist congregation. Only after President Karimov intervened on behalf of the church, was the church's application for registration successfully processed.

There have also been recent reports indicating that the Uzbek Government is cracking down on Protestant Christians who are attempting to register under its law. There have been two reported cases this year of arrests premised on false drug charges. In each case, those arrested were active in a religious group that was attempting to register.

Numerous provisions in the 1998 law on religious associations violate Uzbekistan's OSCE commitments on religious liberty, freedom of association, and freedom of expression. Where the government has reason to suspect

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criminal violations, due process and fair procedures must prevail; however, all too often reports have indicated that religious believers are the target of criminal proceedings based on trumped-up charges because of their membership in a particular religious group.

Turkmenistan

Turkmenistan is the most repressive former Soviet republic in all areas of civil society, including freedom of religion. Under Turkmenistan's law, religious groups need at least 500 members to apply for registration. Many groups meeting the 500-member threshold, however, have been denied registration. Reports indicate that unregistered groups, including Baha'is, Baptists, Jehovah's Witnesses and Pentecostal Christians, have been harassed for holding unregistered religious gatherings.

The government denies registration in several ways: 1) refusing to accept registration forms because of grammatical/technical mistakes; 2) intimidating the religious group's members who sign the registration forms, which causes many members to remove their names from the registration form; 3) requiring that all members of the religious group submit their passports for verification, which is untenable because passports are needed in order to collect salaries; and 4) requiring that a religious group have 500 members in the city in which it wants to register (so that while a given religious group has over 500 members in the country, the government now requires that it has 500 hundred members in each city in which it hopes to register).

The law also contains vague provisions strictly punishing religious groups that issue propaganda that threatens the state or stirs up religious tensions. For example, there have been recent reports that Seventh-Day Adventists are facing harassment, intimidation, and denial of their rights to religious worship and other minority religious groups have reported similar problems. On March 25, 1998, an Adventist pastor and his fellow church worker were detained by secret police and religious materials were confiscated. Their money was also confiscated as a fine for practicing their religion without being properly registered. In the town of Bezmein, Adventist members were warned not to have any further meetings until they are officially registered.

Turkmenistan has committed to "fostering a climate of mutual tolerance and respect" and "grant[ing] upon their request to communities of believers. . . recognition of the status provided for them in their respective countries"

(1989 Vienna Concluding Document). While OSCE commitments do not specifically address the issue of registration, the manner in which the Government of Turkmenistan registers or fails to register groups constitutes a violation of religious liberty found in the OSCE documents, specifically the 1989 Vienna Concluding Document.

Kazakstan

Kazakstan was the latest Central Asian republic to attempt to increase government control and regulation of religious associations. A draft bill amending the 1992 Law on Freedom of Conscience and Religious Associations was written earlier this year by the Kazak Ministry of Information and Social Accord. According to NGOs, the Government of Kazakstan stated that it was modeling its draft law after the 1997 Russian law on religious associations. Due to concerns raised by national NGOs, international observers, and foreign governments, Kazakstan recently withdrew the draft with an official statement that the issue of religious liberty was too delicate an area to legislate at this time.

The vague provisions in the draft could have diminished religious freedoms, as the loosely worded amendments easily allowed for interpretations that would grant the state far-reaching regulatory and intervention powers. The apparent goal of this draft law was the prevention of ethnic and religious conflict between Kazaks of Muslim background and Slavs of Christian background. Unfortunately, in an effort to prevent possible religious and social unrest, many of the new provisions in the draft seemed to target minority or non-traditional religious groups to prevent them from gaining full legal status.

One such provision required religious groups to have existed for over 10 years in a given geographic locality before being granted full legal status. In addition to the 10-year requirement, groups seeking registration would also have to present a long, costly, and exhaustive list of documents. These would have included, but would not have been limited to, a list of people in the religious association, a report on its attitude toward the family, marriage, and education, and an explanation of the association's religious teachings and practices. While neither the 1992 law nor the new draft amendments specifically outlawed unregistered religious activity, there was concern regarding government treatment of religious groups that have not successfully registered. A religious group that lacks legal status would not have been allowed to publish religious literature and would probably have been unable to acquire property.

Kazakstan should be commended for its withdrawal of the draft law on religion.

Kyrgyzstan

Although Kyrgyzstan remains the most liberal country in the region, its early reputation as a model new democracy and leader in individual rights has been tarnished since the mid-1990s. Recent reports of police abuse, religious persecution, trafficking of women, and violations of the right to free expression have raised concern in the international community.

In Kyrgyzstan, all religious organizations are obliged to undergo official registration with a state commission. As of mid-December 1998, there were 217 registered religious groups in Kyrgyzstan. The majority of the groups, about 188, are Christian. There are seventeen Muslim organizations, ten Baha'i organizations, a Jewish organization, and some Buddhist groups.

The Kyrgyz Government has launched a methodical and deliberate campaign against Muslim extremists, which it calls "Wahhabis." In late 1997, special government units under the control of the Ministry of National Security (MNS) were set up to find, stop, prevent, and control "Wahhabi" activities. Throughout 1997 and 1998, there were repeated incidents of alleged "Wahhabi" supporters being expelled from Kyrgyzstan. Examples of outright discrimination against Muslim groups include the following accounts: (1) The Muslim Spiritual Board, the government-controlled Muslim organization, forced the Islamic Center to close after it accused Sadykjan Kamalov, the Center's leader, of being a "Wahhabi"; (2) the expulsion of 20 "Wahhabi" supporters in 1997; (3) the arrest of about 20 ethnic Uighurs in April and May of 1998 on the charge of possessing "Wahhabi" video tapes.

Reports surfaced in early 1998 that Kyrgyzstan was considering a new law on religion. The ambiguous text of a proposed draft have led some to conclude that the law could be used to harass and intimidate nontraditional religious groups. As written, the law would extend rights primarily to traditional religious groups, excluding nontraditional religious groups from disseminating their ideas in schools, in public places, or through the media. Religious groups would be allowed to import religious literature, but only if such literature does not stir up ethnic hatred or social unrest, in the opinion of government authorities.

Tajikistan

Religious groups in Tajikistan, other than Islam, have experienced relative openness from the government, although religious groups remain insecure as the viability of

the current regime remains unclear. While the government does not appear to be curtailing minority groups outright there have been reports of Christians being beaten or threatened by citizens—and by the police—for practicing their faith. The government appears to be interested in protecting the dwindling Russian minority, which entails special protections for the Russian Orthodox Church.

The Baptist Church is active and no reports have been received regarding official repression of their evangelistic activities. A branch of the Bible Society has also received registration and is active in the country. Islamic groups—80% of the population is Sunni Muslim and 5% are Shi'a—have not enjoyed the same tolerance, largely due to fear on the government's part of Islamic extremists and their political aspirations. The neo-communists in the government strongly oppose the Islamic Renaissance Party which briefly held a key role in the regime before being ousted. A peace agreement was signed in Moscow in June 1997 between the Tajik Government and the Islamic opposition, but implementation of the accord, given residual animosity and distrust, has been slow and problematic. □

Belarus focus of Commission hearing

by *Orest Deychakivsky*

At an April 27 Commission hearing, “Belarus: Back in the USSR?”, witnesses focused attention on the erosion of human rights and the assault on the rule of law stemming from President Alexander Lukashenka’s extension of his personal powers, and the international community’s response.

Chairman Rep. Christopher H. Smith (R-NJ) opened the hearing by recalling the anniversary of Chornobyl, and its devastating legacy for Belarus, noting also that Lukashenka’s amassing of power in the illegitimate 1996 referendum has been described as a “legal Chornobyl.” He also cited the efforts of the international community, including the Commission, to encourage greater compliance by the Belarusian Government with OSCE norms, principles and commitments in the area of human rights and democracy. Mr. Smith also called upon Belarusian authorities to release from prison former Prime Minister Mikhail Chygir, who was a presidential candidate in the opposition-organized May 16 presidential elections and “... begin a constructive dialogue with the opposition to address the current constitutional impasse created by the illegitimate 1996 referendum.”

Sen Sam Brownback (R-KS), in his opening remarks, stressed that it is not the West isolating Belarus, but Belarus isolating itself by its transgressing fundamental principles in the Helsinki Final Act and other international human rights agreements.

Testifying at the hearing were Ross Wilson, Principal Deputy to the Ambassador-at-Large and Special Advisor to the Secretary of State for the New Independent States; His Excellency Ambassador Hans-Georg Wieck, Head of the OSCE Advisory and Monitoring Group in Minsk; Arkady Cherepansky, Charge D’Affaires at the Belarusian Embassy; Andrei Sannikov, former Deputy Foreign Minister of Belarus and International Coordinator for Charter 97; Rachel Denber from Human Rights Watch; and Catherine A. Fitzpatrick of the International League for Human Rights.

In his testimony, Ross Wilson stated that President Lukashenka has “destroyed the constitutional balance of power, disbanded the Supreme Soviet, installed a rubber stamp legislature, and subordinated the judiciary... clamped down on dissent and independent political organizations... rejected economic reform, [and] worked to keep the old Soviet economic machine in his

country alive....” Nevertheless, he stressed that the United States must not ignore Belarus and must continue to work with the OSCE, European Union and other democratic partners to push for change. He also described the OSCE Parliamentary Assembly’s continued recognition of Belarus’ 13th Supreme Soviet which Lukashenka abolished in 1996 as a “... burr in the side of President Lukashenka.” Mr. Wilson characterized the U.S. assistance program in Belarus as active and focused on supporting democratic change, with no assistance going to the government. “Belarus had promise,” he noted, “in the years following independence. That promise reflected the democratic and European aspirations of the Belarusian people, who have seen such suffering in this century. We want to see it live up to that promise.”

Ranking Member Rep. Steny H. Hoyer (D-MD) echoed Mr. Wilson’s observation about “not forgetting the Belarusian people” and emphasized that “we keep in mind—as we are involved in Kosovo and Serbia—that our argument is not with the Serbian people or with the people of Belarus, but with the leadership and the dictatorship that’s being imposed upon them.”

Mr. Wilson observed that progress toward forming a union between Belarus and Russia has been slow, that “Belarusians are not as supportive of the idea of Belarusian-Russian unity as some might pretend.” He also noted that Belarus’ relations with Poland, Ukraine and Lithuania are complicated, and that their governments have shared their concerns with the United States, as well as with Belarus’ leadership.

Ambassador Wieck outlined the AMG’s efforts over the past year and the OSCE’s strategy in Belarus. He noted a willingness and readiness, not only among the opposition, but also within the Belarusian Government, to move toward democratic structures. The AMG’s objective is to “further the peaceful solution to the existing conflict within the country, and to introduce the principles, as well as the practice, of peaceful conflict resolution into the political climate of the country”, pursuing these objectives through programs to further democratic legislation and the rule of law, and human rights monitoring and education. While acknowledging that a great deal needs to be done to further these objectives, Ambassador Wieck argued for the West’s continued constructive engagement with Belarus, stating, “The renovation, the innovation, the

modernization of industrial potential of Belarus cannot be achieved with Russia, it can be achieved only with the West.” He noted that there were a number of difficulties in working with a government which does not follow the rule of law. “I will work to have free and fair parliamentary elections in 2000, but opposition parties must have access to the media,” he said.

Arkady Cherepansky defended his government’s human rights record, arguing that there has been progress in comparison to the Soviet era, and that “the only substantive aspect in the current discussion should be the pace of democratic and political transformation in the country.” He reiterated his government’s position that any dialogue between the government and opposition should proceed on the basis of Lukashenka’s 1996 constitution (which is considered illegitimate by most of the international community). Smith and Hoyer challenged Mr. Cherepansky’s perspective on the pace of reform, contending that the issue is not only the pace of transformation, but its direction, namely, that it is moving away from democracy.

The Commissioners queried Mr. Cherepansky as to whether there would be a massive crackdown against opposition political parties if they carry out local elections on May 16. Cherepansky assured the Commissioners that no massive crackdown would occur, “though those elections will be in violation of existing law. The only punishment meted out will be according to the current laws of the government. We are actually working with international experts on a new criminal code.” Mr. Hoyer then pointed out that “if your existing laws are not compliant with international standards, it does not rationalize them nor excuse the denial of human rights to your people.” Chairman Smith also emphasized concern about Presidential Decree Number 2, which introduces extensive restrictions on non-governmental activity and mandates re-registration of political parties, NGOs and trade unions, asserting that “we stand as a Commission very determined to ensure that non-governmental organizations, as well as the opposition party members, be free to express themselves without hindrance, without having the government retaliate and do some of the awful things that have happened in the past.”

In addition to criticizing the Belarusian Government’s violations of OSCE human rights commitments and Lukashenka’s illegal concentration of power in his hands, Amb. Sannikov, Ms. Fitzpatrick and Ms. Denber, while recognizing the challenges that OSCE’s AMG encounters

in dealing with the Belarusian Government, criticized its work. Sannikov urged support for Belarusian independence, questioning the legitimacy of Lukashenka’s efforts to realize a Belarusian-Russian union, as the will of the people cannot be expressed freely in Belarus. Ambassador Sannikov also stressed that the Belarusian democratic opposition, of which he is a leading member, is “unanimous in its views that President Lukashenka’s term of office expires on July 20. International recognition of the legitimacy of President Lukashenka after July 20 will perpetuate the situation of dictatorship in Belarus, and give the authorities a free hand in abusing every human right and basic freedom.” He contended that the authorities have rejected conditions that would be conducive to a serious dialogue between the government and opposition, namely opposition “access to the mass media and the release of political prisoners and cessation of the harassment and intimidation of the opponents of the regime.” Despite initially welcoming the AMG, “today, unfortunately,” said Ambassador Sannikov, “the AMG’s activities in Belarus are seen by many in the democratic opposition as too loyal to the authorities and aimed at the gradual recognition of the unlawful constitution and President Lukashenka after his July 20 term expires.” Amb. Sannikov felt that the AMG funds spent on election training and monitoring “were a waste of the resources of the OSCE participating States. It is wasted in a country that doesn’t have the rule of law.”

Both Ambassador Sannikov and Ms. Fitzpatrick called for the return of the U.S. Ambassador to Minsk, arguing that the presence of an American ambassador would help to put pressure on Belarusian authorities to move towards democracy. Ms. Fitzpatrick also called for an aggressive plan of outreach to opposition and civic groups and programs to improve foreign radio broadcasting to Belarus as well as funding of activities to strengthen civil society, including academic exchanges and a major media development fund. She urged the AMG to make public its interventions with the Belarusian Government and to note publicly when it was denied access to prisons, and called for future OSCE election observation to be linked explicitly to the re-registration of NGOs, trade unions, and parties under international standards for freedom of association.

Ms. Denber observed that the conditions prevailing in Belarus have only worsened since the AMG began its

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work in February 1998, especially the growing impasse between the government and opposition. She argued that the AMG's early reliance on quiet diplomacy resulted in a failure "to make its presence felt among the people who needed it the most" and urged the AMG to focus more attention on cases and "to intervene on behalf of besieged and marginalized institutions and actors in Belarus, NGOs, individuals." Echoing Amb. Sannikov and Ms. Fitzpatrick, she urged greater transparency in the AMG's work in Belarus. Ms. Denber did note, however, that as of a few months ago, Human Rights Watch began to notice marked improvements in the work of the AMG, especially a greater willingness to intervene in political cases and monitor trials.

A few days after the hearing, U.S. Ambassador Daniel Speckhard, who attended the hearing, returned to Belarus for the first time since last summer, when foreign ambassadors were evicted from their residences in the Drazdy compound by President Lukashenka. While in Belarus for a week, Amb. Speckhard said that the United States regards the May 16 presidential elections in Belarus as a statement of the political will of the Belarusian people, and hoped that the opposition's elections will lead to a constructive dialogue between the government and opposition. □

Administration certifies Russia under Smith amendment

by John Finerty

For the second year in a row, the Clinton Administration has determined, in accordance with the Smith Amendment (Sen. Gordon Smith, R-OR) to the 1997 Foreign Operations Appropriations Act, that "the government of the Russian Federation has implemented no statute, executive order, regulation, or similar government action that would discriminate, or would have as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party." The determination issued by the Secretary of State on April 15, added, however, that "this issue requires continued and close monitoring as the [Russian] Law on Religion furnishes regional officials with an instrument that has been interpreted and used by officials at the local level to restrict the activities of religious minorities."

Lack of such certification, by law, would have cut off U.S. foreign assistance to the government of the Russian Federation.

In a statement published in the *Congressional Record*, Helsinki Commission Chairman Rep. Christopher H. Smith (R-NJ) called the determination "by and large, acceptable at this time" and "probably a fair one, given the lack of firm legal structure and the geopolitical situation in the present-day Russian Federation." Moreover, noted Smith, "Russia is hardly the worst offender" in the former Soviet Union, in view of the circumstances facing believers in Turkmenistan and Uzbekistan.

Nevertheless, asserted Smith, "there are still several problems in Russia that should be noted and corrected, especially if a considerable sum of U.S. taxpayer money continues to go to Russia." Specifically, the Chairman mentioned the recent denial of registration to the Jesuit Order in Russia, the continuing trial of the Jehovah's Witnesses organization in Moscow, and the refusal by authorities in Stavropol to allow Muslims to hold worship services in the city. □

Chairman underscores founding principles of NATO as alliance marks fiftieth anniversary

by Ronald McNamara

Commission Chairman Rep. Christopher H. Smith (R-NJ) wrote to the White House as Washington prepared to host the leaders of the North Atlantic Treaty Organization (NATO) and those aspiring to eventual membership in the Alliance April 26-28, urging the President to underscore in public and in private the fundamental importance of the principles upon which NATO was founded: democracy, individual liberty, and the rule of law. "The genocide unfolding in Kosovo today," Smith observed, "is a poignant reminder of the essential nature of these principles to the maintenance of peace and security. Protection and promotion of human rights is thus an integral aspect of genuine security."

Smith urged the President to take advantage of the unique opportunity to embrace those countries in the region that have demonstrated their commitment to democracy, human rights, and the rule of law. A mere rhetorical affirmation that the door to the Alliance remains open will not do justice to those countries that have endeavored to meet established criteria for NATO membership, the Chairman observed, while warning against artificially delaying the extension of invitations to qualified candidates.

With respect to long-standing NATO allies, Smith urged the President to forthrightly raise human rights issues during the summit with the leaders of Turkey. The Commission held a hearing on developments in Turkey on March 18, "The Road to the OSCE Istanbul Summit and Human Rights in the Republic of Turkey." Experts at the hearing documented Turkey's clear, gross and uncorrected human rights violations, including the widespread and systematic use of torture. Pointing to the irony that Turkey's current President, Suleyman Demirel, signed the Helsinki Final Act in 1975, Smith called upon President Clinton to establish a high-level bilateral working group with Turkey aimed at encouraging much needed systemic and legal reforms, as well as reviewing individual human rights cases in advance of the OSCE Istanbul Summit and beyond. Turkey is scheduled to host the next OSCE summit in Istanbul, November 18-19.

As a strong supporter of NATO enlargement and in his capacity as Chairman of the Commission, Smith has consistently emphasized the importance of human rights and democratization in the expansion process. The NATO

Enlargement Facilitation Act (P.L. 104-208) makes clear that the human rights records of emerging democracies in Central and Eastern Europe interested in joining NATO should be evaluated in light of the obligations and commitments of these countries under the United Nations Charter, the Universal Declaration of Human Rights, and the Helsinki Final Act.

Turning to those recently admitted to the Alliance, Mr. Smith urged the President to raise with Czech leaders the need to pass legislation ensuring that Roma who have been denied Czech citizenship since 1993 regain their previous status and rights, and end discrimination against Czech Americans in the area of property restitution and compensation.

With respect to countries that have expressed an interest in Alliance membership, Smith cited the extraordinary turnaround in Slovakia and the commitment of the Slovak people to democracy, both illustrated by the most recent parliamentary elections. He noted that the Government of Bulgaria has demonstrated its commitment to NATO's core values and continues to aggressively pursue political and economic reform. "Bulgaria should also be recognized for the constructive and important role it has played in promoting peace and stability in the Balkans," Smith wrote. Regarding Romania, the Chairman underscored the importance of building upon reforms instituted since President Constantinescu's 1996 election.

Smith pointed out that Croatia holds the potential for significant political change in the near future and recommended that "the door should be opened to Croatia's participation in the Partnership for Peace Program if the parliamentary elections scheduled for later this year are free and fair and do not contribute to continued concerns about Croatia's involvement in Bosnia's internal politics." The Chairman stressed the need for steady progress in the return of Serbs originally from Croatia.

Concerning the Baltic States, Smith wrote, "I see no justification in further delay in opening accession negotiations with Latvia, Lithuania, and Estonia. Having persevered for fifty years and having overcome the odds by regaining their independence, the Baltic countries deserve to be fully integrated into the West—including NATO." □

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