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CSCE Digest

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Commission Mourns Death of First Chairman Dante Fascell

The first chairman of the Commission on Security and Cooperation in Europe, Dante Fascell, who served in the House of Representatives for 38 years before retiring in 1993, died of cancer November 28 at his home in Clearwater, Florida. He was 81.

Mr. Fascell became chairman of the Commission in 1976 when the Commission was created to monitor and report to Congress on compliance with the Helsinki Accords of 1975. He later became chairman of the Foreign Affairs Committee, a position he held until his retirement from the House.

Fascell, *continued on page 125*

Photo: Chadwick R. Gore

l to r, ***Paul McCarthy, Boris Karajcic, Slavko Curuvija and Milan Panic testify before the Commission***

Milosevic's Impact on Serbian Democracy Analyzed

by Robert Hand and Elizabeth Campbell

On December 10, Co-Chairman Rep. Christopher H. Smith (R-NJ) convened a hearing of the Helsinki Commission on "The Milosevic Regime Versus Serbian Democracy and Balkan Stability," which painted Yugoslav President Slobodan Milosevic as the source of instability in the region and criticized U.S. policy for dealing with him. Throughout the hearing there was a clear message from all of the panelists that Milosevic must be ousted from power and that the opposition to Milosevic, which includes political parties, journalists, and students, must be supported in their democratic cause by the international community. The main thrust of the witnesses was that Milosevic has used the grievances of the Serbian people to stay in power. Negotiating with Milosevic to stop the conflicts he starts only perpetuates his image as the sole Serbian leader who can deal with the international community.

Chairman Smith, noting that it was International Human Rights Day, drew attention to this regime known for severe human rights violations. "Milosevic is a man

Milosevic, *continued on page 122*

The Commission on Security and Cooperation in Europe, by law, monitors and encourages progress in implementing the provisions of the Helsinki Accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives, and one official each from the Departments of State, Defense, and Commerce. For more information, please call (202) 225-1901.

The Current Situation in Nagorno-Karabakh

by Michael Ochs

Though the 1994 cease-fire remains in effect, the OSCE-brokered talks have been stalled for years. In 1997, the Minsk Group put forward a phased approach that Baku accepted as a basis for negotiations, as did Armenian President Levon Ter-Petrossyan, if reluctantly. But more hard-line elements in Armenia, led by Prime Minister Robert Kocharian and Defense Minister Vazgen Sarkissian, along with Nagorno-Karabakh, rejected the proposals. They forced Ter-Petrossyan out in March 1998 and Kocharian, the former president of Nagorno-Karabakh, won the extraordinary election called that month. Once in power, he categorically rejected the OSCE plan, demanding that Nagorno-Karabakh's status be decided in a package deal with other contentious points, rather than give up occupied regions first and then engage in a long negotiating process on that key issue. Furthermore, he ruled out any status that would leave Nagorno-Karabakh in a subordinate position *vis-a-vis* Baku, insisting on "horizontal relations." [See Commission on Security and Cooperation in Europe, *Report on Armenia's March 1998 Presidential Election*, Washington, D.C., 1998.] A subsequent remark by Foreign Minister Oskanian that Yerevan might consider annexing Nagorno-Karabakh if negotiations proved fruitless evoked condemnation from many OSCE states, including Russia. Since then, Armenian officials have been calling for a status between full independence—which they recognize Baku will never accept—and autonomy—which neither Yerevan nor Stepanakert will swallow. The formulation "unconventional status" for Nagorno-Karabakh has come into vogue in official Armenian statements, which sometimes make reference to Andorra, a small principality between France and Spain.

Yerevan's refusal to consider the OSCE 1997 plan apparently led the Troika of Minsk Group chairmen—France, Russia and the United States—to rethink their approach. In November 1998, they returned to the region with a new plan. As before, details remain confidential, but the proposals constitute a package deal and envision a "common state" between Nagorno-Karabakh and Azerbaijan. According to President Kocharian, the novel plan does not stipulate Azerbaijan's territorial integrity, Karabakh's status as a part of Azerbaijan or vertical relations between Karabakh and Azerbaijan. Acceptance of the proposals would involve Armenian return of six occupied regions bordering Karabakh, with a special status for the Lachin corridor, which links Karabakh and Armenia. Kocharian said the mediators had tried to combine the rights to territorial integrity and self-determination, as was done in Bosnia. Furthermore, he maintained that Azerbaijani leaders "are aware that no other solution is available, and the Azerbaijani public is prepared for it." [Interfax, December 1, 1998.]

That assessment must have been wishful thinking. President Aliev, for his part, said in early November the proposals would be considered but simultaneously signaled disapproval through his senior advisor and negotiator, Vafa Guluzade, who maintained they were unacceptable. Baku continues to see Armenia and Azerbaijan as parties to the conflict, characterizing the Armenian and Azerbaijani communities of Nagorno-Karabakh as "interested parties." More important, a "common state" was open to interpretation, Guluzade explained, which could place in question Azerbaijan's territorial integrity. On November 20, Foreign Minister Zulfugarov officially rejected the new OSCE plan, offering instead to resume negotiations on the basis of OSCE's previous proposals. President Aliev subsequently elaborated that creating a "common state" with Nagorno-Karabakh would essentially mean recognizing it and then uniting with it, a scenario he rejected. The idea, he told visiting Members of the U.S. Congress, must have been a Russian initiative. [Interfax, December 3, 1998.]

Nagorno-Karabakh, *continued on page 120*

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Roma Protest Light Sentences for Skinheads; Racially Motivated Attacks in the Czech Republic Continue

by Erika Schlager

On November 9, Romani representatives in the Czech Republic delivered a statement to Czech Government officials protesting the lenient sentences given on October 26 to the four "skinheads" who attacked Milan Lacko in March. Lacko, a Romani father of six, was attacked in Orlova while walking home with his daughter. The skinheads left him unconscious in a road, where he was struck and killed by a truck. His funeral was reportedly attended by 1,000 Rom, who called for his attackers to be put to death. The Czech Republic has banned the use of capital punishment.

None of the four assailants, aged 16 to 22, was charged with murder but instead were charged with attempted bodily harm and hooliganism. The longest sentence meted out by the court was 22 months. According to the Czech press, skinheads celebrated outside the court room when the light sentences were handed down. It was also reported that the skinheads taunted Lacko's widow and sought to intimidate Romani activists who came to the sentencing hearing. Two weeks after the sentencing in the Lacko case, a Czech Jewish soldier was attacked by skinheads in Prague.

Meanwhile, a steady stream of Romani asylum seekers from the Czech Republic continues to arrive in various European capitals. Some Roma from the Czech Republic have already been granted asylum in Canada, based on a well-founded fear of persecution within the meaning of the U.N. Convention on Refugees. ❑

Photo: Erika B. Schlager

Maticni: Street in Usti nad Labem, where local authorities have proposed walling off Romani residents because "their children are noisy."

Racially Motivated Attacks and other Racist Manifestations in the Czech Republic

updated November 16, 1998

November 15, 1998—Two hundred people gathered in Zlin to protest racism, but their demonstration was broken up by skinheads who pelted them with stones and other objects.

November 14, 1998—Five skinheads attacked a British citizen in the Prague Metro. The police reported that the skinheads taunted the 36-year-old man, who is black, with racially abusive language, beat him up and kicked him out of the train, leaving him lying on the platform.

Czechs, *continued on page 118*

Czechs, *continued from page 117*

November 11, 1998—On the sixtieth anniversary of "Krystallnacht," a Jewish cemetery in Trutnov was desecrated; about 40 headstones were destroyed in the attack. The words "Death to Jews" were sprayed on a Jewish memorial, and a monument to Jewish girls who had been slave laborers at a Trutnov textile factory during the Second World War and who were later tortured to death by the Nazis was overturned; the words "Jude Raus" were painted on it.

November 8, 1998—A Czech Jewish soldier was stabbed in a Prague restaurant by skinheads after he protested their fascist and racist slogans.

October 17, 1998—Monika Horakova, a Member of Parliament elected from the Freedom Union party and the only Romani PM,was reportedly barred from entering a Brno disco, allegedly because the disco was full, while other non-Roma were admitted.

June 14, 1998—A Rom was attacked by a skinhead in the Kolin train station.

early June, 1998—District court in Teplice stripped criminal defendant Milan Sivak, a Rom, of his Czech citizenship in violation of national and international law

c. May 18, 1998—Pilsen city council announced plans for ghetto for "socially unadaptable citizens"

c. May 18, 1998—Usti nad Labem authorities declared plans to build a 15-foot-high wall around Roma apartment buildings as a "social hygiene" measure

May 16-17, 1998—Milan Lacko, a Rom and father of five, was beaten by skinheads in Orlova and left in a road, where he was subsequently hit and killed by a truck

May 8, 1998—two Indians were attacked by skinheads in a Metro station in Prague

May 7, 1998—an Algerian in Prague was stabbed in the kidneys by skinheads in a Metro station

late March, 1998—skinheads in Trutnov attacked a Jewish couple

March 1998—a Congolese doctor was beaten in the town of Prostejov

early March, 1998—two Romani men in Decin were assaulted by a man with a pistol

February 15, 1998—Helena Bihariova, Romani mother of four, was attacked, beaten, and forced into the Elbe river and drowned

February 13, 1998—a Romani apartment in Orlov na Karvinsku was firebombed

January 17, 1998—a Romani woman was seriously injured in Krnov when her home was fire bombed; the same night, a Romani car was also firebombed in the same village

November 1997—Sudanese student Hassan Elamin Aldelradi was killed by a skinhead in Prague

September 1997—Erika Gaborova, a Romani woman in Domazlice, died when a gang of skinheads encircled her house firing guns; she died during an epileptic fit during the event. ❑

Photo: Robert Hand

l to r, ***Dr. Vladan Batic, Mr. Hoyer and Dr. Vuk Obradovic discuss Serbia's future***

Serbian Opposition Meets with Hoyer

by Robert Hand

The prospect of democracy in Serbia was the topic of discussion in recent Commission meetings with members of two Serbian opposition parties. Dr. Vuk Obradovic, President of the Social Democracy Party, and Dr. Vladan Batic, President of the Christian Democratic Party met with Commission staff November 18 and met with Ranking Member Rep. Steny H. Hoyer (D-MD) on November 20.

The Commission's efforts at promoting democratic change in Serbia were described to underscore that democracy is essential to long-term stability in the Balkans and is something which the citizens of each republic deserve.

Dr. Obradovic and Dr. Batic first described the current situation in Serbia. According to Dr. Obradovic, Serbia is in a very serious crisis—one that is decades old, but has culminated under Milosevic's regime. Although Kosovo remains the key problem in Serbia, other factors affect the country's stability. The Yugoslav Federation, constituted in 1992, itself is facing demise. The economy is functioning at 20% capacity, and currently one million people are unemployed. Social problems in the country are also accumulating, the main one being poverty which, according to Dr. Obradovic, is taking over the country. In connection with the great abuses of power that have been occurring, there has been an escalation of criminal activities throughout the country. In addition, the international isolation that Serbia has faced as a consequence of the government's actions in Kosovo is strongly affecting the people of Serbia. The question of total international isolation, according to Dr. Obradovic, is of great concern to the Serbian people. When asked about the mood of the people, Dr. Batic described it as increasingly anti-American. Since the United States has negotiated solely with President Milosevic, Serbs view this as support for the Milosevic regime. The attitude of the people has also been affected by the government-controlled media, which is the only provider of information since legislation was passed restricting independent media.

On October 21, the Serbian Parliament passed legislation placing restrictions on independent media, incorporating into law and expanding upon principles set forward in a recent government decree. This is just the most recent of steps taken by the regime to consolidate and centralize power. The media law will severely limit public access to information. According to a spokesman from the Association of Independent Electronic Media, this new law "introduces an absolute and open dictatorship and an information black-out, which will result in an inevitable decay of the state and nation." CSCE Chairman Senator Alfonse D'Amato (R-NY) addressed this pressing issue in a statement on the Senate floor October 21. D'Amato stated that "while we cannot save the independent media in Serbia from Milosevic's wrath, we must let them know that we care, that we have not forgotten them, that we support them,

Opposition, *continued on page 124*

Nagorno-Karabakh, *continued from page 116*

> But Aliev is 75 years old and there are no apparent arrangements for succession or a tradition of choosing a leader through free and fair elections...

OSCE's 1997 proposals are, of course, unacceptable to Yerevan and Stepanakert, so the Minsk Group negotiations appear dead in the water. The refusal by Armenia and Nagorno-Karabakh to consider the earlier plan has brought about wholesale changes in the OSCE's mediation, leading to the conclusion that stubbornness yields dividends. If Baku draws this inference and sticks to its position, the Minsk Group will either have to devise a new compromise plan somewhere between the two already proffered or face growing irrelevance. All the contenders in Azerbaijan's October 11 presidential election, except for Heydar Aliev, voiced doubts about OSCE's ability to resolve the conflict, with some calling for UN Security Council involvement. [Given the UN's record on conflict-resolution, the hopes vested in that body may indicate more desperation than reason.] Despite disappointment and frustration, OSCE can hardly step back from the negotiations, if only for bureaucratic turf considerations. Participating states want the conflict resolved, and the December 3 OSCE Ministerial Council Meeting called for continued efforts. Still, neither the Armenian nor Azerbaijani side seems ready to budge on critical issues, rendering a compromise practically unattainable.

Perhaps neither the Armenian nor the Azerbaijani side feels any great urgency to settle the conflict. From the perspective of Yerevan and Stepakanert, the disputed territory, as well as surrounding regions, are solidly under Armenian control and linked to Armenia. The only justification for settling now would be to gain Baku's recognition of Nagorno-Karabakh's independence—which is out of the question—or to avert or mitigate some problem which threatens to grow worse in the future. Former President Ter-Petrossyan's fears of Armenia's isolation from the region's accelerating economic cooperation were a factor in his acceptance of the OSCE's proposals last year. But President Kocharian and his government do not believe time is working against Armenia and are determined that Yerevan and Stepanakert will have a role in the developing Eurasian Corridor. [To keep Armenia from benefitting from the Silk Road without making concessions on Nagorno-Karabakh, Baku inserted a reservation into the September 1998 document regulating transport through the corridor stipulating that no goods from, to or through Armenia may transit Azerbaijan.] True, Heydar Aliev is more inclined to a negotiated settlement than anyone in the opposition, so perhaps it would be easier to strike a deal with him than anyone else. [On December 17, the Movement for Democracy said Azerbaijan should prepare for war. *Turan*, December 17, 1998.] But Aliev is 75 years old and there are no apparent arrangements for succession or a tradi-

> ...so a struggle for power could well erupt upon his departure that would leave Azerbaijan even weaker than today.

Nagorno-Karabakh, *continued on page 125*

Photo: Chadwick R. Gore

l to r, ***Mike Hathaway, Commission Chief of Staff, introduces Mr. Dean Gottehrer***

The Role of Ombudsmen in the OSCE Examined

by Chadwick R. Gore

On December 2, the Commission on Security and Cooperation in Europe held a briefing on the current status of ombudsmen in OSCE States with Dean Gottehrer, professional in residence on ombudsmen and human rights institutions for the United Nations Development Programme (UNDP), the Office for Democratic Institutions and Human Rights (ODIHR), the OSCE and the United States Information Agency (USIA). Mr. Gottehrer has written a number of articles on ombudsmen, his most recent being the "Ombudsman and Human Rights Institutions in OSCE Participating States 1998 Report," which was presented at the OSCE Implementation Review Meeting in Warsaw, Poland last October.

The first Ombudsman was created in Sweden in 1809, the result of a decision of parliament. In successive years, ombudsmen were established in many other countries. The Ombudsman serves as a monitor of the government, investigating allegations of maladministration. As of 1946, the Ombudsman took on the additional role of protecting and promoting human rights. Consistent with the increasing importance of the human dimension of the OSCE, a majority of participating States have established national or state ombudsmen and human rights protection institutions.

The ombudsman is usually an independent office appointed by the legislature and typically responds to complaints from individuals, but may also act on its own initiative. In conducting its investigations, the ombudsman asks questions, compels people and agencies to produce evidence, and publicizes its findings. Describing the institution, Mr. Gottehrer stated that it is simultaneously powerful and powerless, that while it has the power to ask questions and investigate complaints, it has no power to force any agencies do anything.

Mr. Gottehrer felt that an ombudsman needs a democratic society to be successful where there is a willingness in the government to resolve administration problems and end human rights violations. The citizenry must also be willing to bring complaints to the Ombudsman without fear, and the media must be actively involved, informing the public when the government does not act in accord with the office.

Responding to a question regarding the ombudsman's interaction with other forces in the government, Gottehrer stated that "the ombudsman is the essence of the rule of law." As creatures of the legislature, ombudsmen are trying to make sure that the country follows the laws. By requiring government agencies to be open to investiga-

Ombudsman, *continued on page 125*

Milosevic, *continued from page 115*

Photo: Chadwick R. Gore

l to r, ***Ylber Hysa, Nebojsa Covic (****interpreter****), Srdjan Darmanovic and Daniel Serwer testify***

to be stopped, not coaxed, in fact" and he said that the U.S. and the international community should not deal with him. In order to achieve peace and stability in Serbia and in the Balkans, there must be a democratic change and an alternative to Milosevic. Milosevic does not care about his own people, Smith said, but only about his own power. The first panel focused attention on Milosevic as a factor of instability in Serbia. Daniel Serwer, a Senior Fellow at the U.S. Institute of Peace, stated that the main threat to Balkan stability is the lack of a true democracy in Serbia; the illegitimate autocracy that is now in place has only brought division, suffering, and fear to the Serbian people. In order to foster democracy, there must be room for "free civic institutions", including free media, an independent judicial system, multiple political parties, unconstrained universities, a transparent election process, and non-governmental organizations. This would require international support in the form of money for democratization programs that will be able to produce long-term democratic results.

The second speaker was Nebojsa Covic, the coordinator for the Alliance for Change, the leading coalition of opposition political parties, and former mayor of Belgrade. He stressed the fact that Milosevic's power comes from manipulation of the Serbian people and the ability to adapt to any circumstance. Also, with Milosevic being perceived as the sole negotiator for his people, Covic said the "source of [Milosevic's] power is the legitimacy given *de facto* to him by the international community. He is able to use the media, financial institutions, and the secret police to control the people and place himself above their will. Democracy and stability will only have a chance in Serbia if there are free media and free elections, which will only come with the support of the international community. This support can be shown through public opposition to the current regime and support for opposition parties such as the Alliance for Change."

Next was Srdjan Darmanovic, the head of the Center for Democracy and Human Rights in Podgorica, Montenegro, testified that Milosevic prolongs his power by using and even creating crises to stay in power. Montenegro strives to avoid falling into this trap, but Milosevic is trying to create a stir by not accepting the results of the Montenegrin elections and by using propaganda to interfere in the Montenegrin Government. The U.S. needs to clarify its position on Serbia, he added, and a stronger international presence should be established, including the creation of an OSCE mission to Montenegro, in order to prevent yet another convenient crisis in Serbia.

The last witness on the first panel was Ylber Hysa, director of "Kosova Action for Civic Initiative" (K.A.C.I.) and a journalist with *Koha Ditore*. In his opinion, Milosevic has caused problems in Kosovo with the in-

tention of using the situation to maintain power by becoming the sole negotiator with the West. Milosevic was able to turn Richard Holbrooke's mission from one that threatened to one that negotiated. The resulting agreement was not valid because it "does not solve the problem of Kosovo and does not democratize Serbia." Milosevic has been given a free hand in Kosovo that may once again show itself in the spring.

The second panel, focusing on the struggle for a democratic Serbia, was opened by Milan Panic, the C.E.O. and Chairman of the Board of ICN Pharmaceuticals, Inc., and former Prime Minister of Yugoslavia. His testimony set the tone with the strong statement that "until there is true democracy in Serbia, there will not be peace and stability in the Balkans." In order to create this true democracy, several changes must be made in Serbia, including independent media, a free election system that does not allow Milosevic to "steal" elections, and support from the international community for opposition parties, including the Alliance for Change Coalition. Furthermore, the international community must stop meeting with Milosevic because that only boosts his public image, and instead recognize and support the democratic opposition. Finally, the sanctions in Serbia should only be lifted if Milosevic "establishes conditions for free and fair elections under massive and total international supervision at all stages" to prevent any chance of interference in the democratic process.

A stirring personal saga was related by the next panelist, Slavko Curuvija, publisher of the newspaper *Dnevni Telegraf* and news magazine *Evropljanin*, and head of an association which defends press freedoms in Serbia. He shared that the new October 1998 information law has limited freedom of the press and has profoundly affected him as both of his publications were shut down and banned, and his company ruined. His experience has been used as an example to others; the law has affected freedom of the press, speech, and thought throughout Serbia. Milosevic has survived while the Serbian people have suffered and have been held hostage to his rule. His rule is perpetuated since the economic and financial resources are in Milosevic's hands, many Serbs believe that Milosevic is the only one who can negotiate with the United States, and therefore the democratic opposition has begun to give up after its many failures. Curuvija ended his testimony with a stinging accusation of the United States, "[the U.S.] government has weakened democratic forces in [Serbia] by strengthening Milosevic's hand…" through exemption "…from democratic and economic reforms", imposing sanctions on the people, and allowing him to use Kosovo as an excuse to get away with anything that he wants.

Third on the panel was Boris Karajcic, a founder of the student movement "OTPOR" (Resistance) in Serbia. He described restrictions that have now been imposed on Serbian universities. These include deans of the schools being appointed by the state based on their standing as loyal party members and not on their expertise in the field; in other words, Milosevic controls what is and is not discussed, which can particularly affect discussions of freedom and politics. Also, professors are being forced to sign declarations of loyalty to the state, which many of them have refused to do. The students support the values of truth, free markets, and democracy, but they have been disappointed in what they have seen in political parties. Karajcic believes that the international community must help to force democracy, and the Serbian people must join together to fight the regime.

The final speaker was Paul McCarthy, program officer for South-Eastern Europe at the National Endowment for Democracy. His testimony encouraged international assistance organizations to increase support in several areas. These would include direct support for an independent media, especially electronic media. The democratic political opposition needs help to "develop a concrete program which offers positive alternatives to the destructive policies of the Milosevic regime" such as through the foundation of think tanks and research organizations. Non-governmental organizations need funding and recognition, as do alternative educational institutions and trade unions. Democratic alternatives should be developed in Montenegro and cross-border programs that can bring cooperation must be supported.

The hearing concluded with Mr. Smith suggesting that Congress needs to take seriously the indictment of U.S. policy in relation to Serbia, which witnesses claim perpetuates Milosevic's rule. He also said Congress needs to support programs aimed at democratization in Serbia. ❑

Opposition, *continued from page 119*

Photo: Robert Hand

Mr. Hoyer (*center****) convenes a meeting with Serb opposition leaders***

and that we understand that a democratic Serbia open to the West and the world is the solution to lasting peace in the Balkans."

In their meetings, Dr. Obradovic and Dr. Batic described a new opposition coalition in Serbia, the goal of which is to establish a democracy. The "Alliance for Change" represents a range of groups, including national minorities, students, labor unions, and several political parties. Two well-known members of the alliance are the former prime minister of Yugoslavia, Milan Panic, as well as the former governor of the National Bank, Dragolav Avramovic. The Alliance encourages political activism on the part of the Serbian people and hopes to force elections in 1999. The coalition looks to remove Milosevic from office through such elections, subsequently leading to the democratization of the country. The establishment of democracy, however, is impossible without a solution to the problem in Kosovo. The "Alliance for Change" advocates peaceful political means to end violence on both sides. The coalition is against outside military intervention in the crisis, asserting that such an intervention would only sustain Milosevic's power.

Although they acknowledged that the problem in Serbia should be solved by Serbs themselves, the two leaders did express the need for help from the United States. The coalition needs media and technical assistance, as their own resources have been substantially limited. The Alliance believes it is critical that the United States distances itself from Milosevic and engages in talks with the democratic opposition—actions that would have a positive impact on the Serbian people's view of the United States. Mr. Hoyer was very receptive to the requests and recommendations of Dr. Obradovic and Dr. Batic, and had some encouraging words as well. He emphasized the fact that Slobodan Milosevic is not an ally of the United States, rather he is perceived as the principal problem. Mr. Hoyer also said that he would urge greater support for democratic opposition groups in Serbia at upcoming meetings of the OSCE Parliamentary Assembly. *Catherine Corliss contributed to this article.* ❑

Azerbaijan, *continued from page 120*

tion of choosing a leader through free and fair elections, so a struggle for power could well erupt upon his departure that would leave Azerbaijan even weaker than today.

Heydar Aliev may also not see any great need to settle the conflict. Granted, according to official statistics, one in seven Azerbaijanis is a refugee. In other countries, such a huge number of people would form a powerful bloc and the head of state would be under serious pressure to ensure their return home. Even in neighboring Georgia, the 250,000 refugees from Abkhazia have organized and constitute an interest group neither the parliament nor Eduard Shevardnadze can ignore. This has not happened in Azerbaijan, where refugees remain unorganized after five years, have not staged demonstrations or otherwise sought to pressure Aliev. Nor do they appear to threaten his continued rule or even to ally with his political opposition. [Aliev's recent measures to improve the conditions of refugees raise interesting questions about what the election returns revealed about the loyalty of refugees.]

Absent such pressure, for Aliev, the awful *status quo* may well be preferable to any deal with the Armenians that would violate or threaten Azerbaijan's territorial integrity and make future historians see him as the man who gave up Nagorno-Karabakh. And even if Aliev were interested in a deal, the October 11 elections have not strengthened his negotiating hand. Some Armenian politicians, including Nagorno-Karabakh's Foreign Minister Naira Melkoumian, for example, argue that he has been weakened by an election the international community deemed unfair and the domestic opposition refuses to accept. Others, pointing to the collapse, at least for the foreseeable future, of the Baku-Ceyhan option for the Main Export Pipeline, claim there is no need for any concessions to Azerbaijan. Moreover, Aliev's opposition at home, which is more hardline than he, even according to official statistics, commands some twenty percent of the electorate. If there is any one issue that could unite opposition and populace against Aliev, it would be an unfavorable deal on Nagorno-Karabakh.

To complicate matters further, both Azerbaijan and Armenia have parliamentary elections coming up in 1999 and 2000, which will not foster an atmosphere conducive to negotiations. Given all these considerations, the current impasse may last quite a while. ❑

Fascell, *continued from page 115*

He was considered the embodiment of "bipartisan foreign policy" in which the United States spoke to the world in a single voice—and that voice was the president's. Congressional disagreements were held within the halls of Congress.

Mr. Fascell was an advocate for extensive use of U.S. Government radio propaganda abroad and was a supporter of the Voice of America, Radio Free Europe/Radio Liberty and Radio/TV Marti.

President Clinton presented Mr. Fascell with the Presidential Medal of Freedom in October, the nation's highest civilian honor, calling him a "man of reason and conscience" who was "courageous in war and public service." ❑

Ombudsman, *continued from page 121*

tion, the ombudsman encourages and upholds democracy.

There were a number of questions regarding ombudsmen in specific OSCE countries. Mr. Gottehrer said that ombudsmen have acted in cases involving privatization, and also concerning the release of political prisoners. Religious liberty, a growing issue of concern in the OSCE, has not yet been the subject of complaint to ombudsmen, although Mr. Gottehrer did say that complaints are expected in Uzbekistan.

Mr. Gottehrer concluded that the development of the role of ombudsmen has been slow, that it takes time to get established and for people to realize what the institution is, and how it can be helpful to them. In attempts to encourage the use of the ombudsman, Mr. Gottehrer has met with numerous human rights NGOs, and has urged them to bring complaints to the office. After all, according to Mr. Gottehrer, this is the only way that ombudsmen will be tested and finally establish their role in society. ❑

Commission on Security and Cooperation in Europe

234 Ford House Office Building
Washington, DC 20515-6460
E-mail address: csce@mail.house.gov
Internet Web Site: http://www.house.gov/csce/

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Ronald McNamara, *Staff Advisor*
Michael Ochs, *Staff Advisor*
Erika B. Schlager, *Counsel for International Law*
Maureen Walsh, *Counsel for Property Rights*

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