

Calendar No. 726

111TH CONGRESS
2^D SESSION

S. J. RES. 37

Calling upon the President to issue a proclamation recognizing the 35th anniversary of the Helsinki Final Act.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2010

Mr. CARDIN (for himself, Mr. BROWNBACK, Mr. WHITEHOUSE, Mrs. SHAHEEN, and Mr. COONS) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

DECEMBER 21, 2010

Reported by Mr. KERRY, with an amendment and an amendment to the preamble and an amendment to the title

[Strike all after the resolving clause and insert the part printed in italic]

[Strike the preamble and insert the part printed in italic]

JOINT RESOLUTION

Calling upon the President to issue a proclamation recognizing the 35th anniversary of the Helsinki Final Act.

Whereas ~~August 1, 2010,~~ is the ~~35th~~ anniversary of the ~~Final Act of the Conference on Security and Cooperation in Europe (CSCE), renamed the Organization for Security and Cooperation in Europe (OSCE) in January 1995~~ (hereafter in this resolution referred to as the “Helsinki Final Act”);

Whereas the Helsinki Final Act provides a comprehensive concept of security encompassing the military security, economic and human dimensions rooted in the “Declaration on Principles Guiding Relations between Participating States”;

Whereas the Helsinki Final Act was the first international agreement to accord human rights the status of a fundamental principle regulating international relations;

Whereas, during the Communist era, members of nongovernmental organizations, such as the Helsinki Monitoring Groups in Russia, Ukraine, Lithuania, Georgia, and Armenia and similar groups in Czechoslovakia and Poland, sacrificed their personal freedom and even their lives in their courageous and vocal support for the principles enshrined in the Helsinki Final Act;

Whereas Congress contributed to advancing the aims of the Helsinki Final Act by creating the Commission on Security and Cooperation in Europe to monitor and encourage compliance with provisions of the Helsinki Final Act;

Whereas, in the 1990 Charter of Paris for a New Europe, the participating States in the OSCE (hereafter in this resolution referred to as the “participating States”) declared that “[h]uman rights and fundamental freedoms are the birthright of all human beings, are inalienable and are guaranteed by law” and that “[t]heir protection and promotion is the first responsibility of government”;

Whereas, in the 1990 Charter of Paris for a New Europe, the participating States committed themselves “to build, consolidate, and strengthen democracy as the only system of government of our nations”;

Whereas, in the 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension, the participating States committed “to build democratic societies based on free elections” and recognized “that vigorous democracy depends on the existence as an integral part of national life of democratic values and practices as well as an extensive range of democratic institutions”, including nongovernmental organizations and independent media;

Whereas, in the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension, the participating States “categorically and irrevocably declare[d] that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned”;

Whereas the OSCE and the participating States have undertaken a series of measures aimed at combating anti-Semitism, racism, xenophobia, and discrimination including through the convening of related high-level conferences and the appointment of Personal Representatives of the Chairman-in-Office;

Whereas the 1999 Istanbul OSCE Charter for European Security and the Istanbul Summit Declaration note the particular challenges of ending violence against women and children as well as sexual exploitation and all forms of trafficking in human beings, and commit the participating States to strengthen efforts to combat corruption, eradicate torture, and end discrimination against Roma;

Whereas the OSCE maintains important relations with countries beyond the OSCE region, including the Mediterra-

near Partners for Cooperation countries of Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia, and, since the early 1990s, the Asian Partners for Co-operation countries of Afghanistan, Australia, Japan, the Republic of Korea, Mongolia, and Thailand;

Whereas OSCE institutions, such as the OSCE Parliamentary Assembly, the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities, and the OSCE Representative on Freedom of the Media are important instruments for advancing democracy, human rights, and the rule of law as well as preventing conflicts;

Whereas field missions deployed by the OSCE in several participating States have contributed directly to regional security and cooperation in particular by deterring the spill over effects of conflict, assisting with post-conflict recovery, providing expertise on democracy-building, and monitoring closely the situation of vulnerable or threatened communities of people;

Whereas the main challenge facing the participating States remains the implementation of the principles and provisions contained in the Helsinki Final Act and other OSCE documents adopted on the basis of consensus;

Whereas the participating States have recognized that economic liberty, social justice, and environmental responsibility are indispensable to prosperity;

Whereas the participating States have committed themselves to promoting economic reforms through enhanced transparency for economic activity, with the aim of advancing the principles of market economies;

Whereas the participating States have stressed the importance of respect for the rule of law and vigorous efforts to fight organized crime and corruption, which constitute a great threat to economic reform and prosperity;

Whereas OSCE has expanded the scope and substance of its efforts, undertaking a variety of preventive diplomacy initiatives designed to prevent, manage, and resolve conflict within and among the participating States;

Whereas the politico-military aspects of security remain vital to the interests of the participating States and constitute a core element of OSCE's concept of comprehensive security;

Whereas the OSCE has played an active role in civilian police-related activities, including training, as an integral part of OSCE's efforts in conflict prevention, crisis management, and post-conflict rehabilitation; and

Whereas the participating States bear primary responsibility for raising awareness of violations of commitments contained in the Helsinki Final Act and other OSCE documents: Now, therefore, be it

Whereas August 1, 2010, is the 35th anniversary of the Final Act of the Conference on Security and Cooperation in Europe (CSCE), renamed the Organization for Security and Cooperation in Europe (OSCE) in January 1995 (hereafter in this resolution referred to as the "Helsinki Final Act");

Whereas the Helsinki Final Act provides a comprehensive concept of security encompassing the military security, economic and human dimensions rooted in the "Declaration on Principles Guiding Relations between Participating States";

Whereas the Helsinki Final Act was the first international agreement to accord human rights the status of a fundamental principle regulating international relations;

Whereas, during the Communist era, members of nongovernmental organizations, such as the Helsinki Monitoring Groups in Russia, Ukraine, Lithuania, Georgia, and Armenia and similar groups in Czechoslovakia and Poland, sacrificed their personal freedom and even their lives in their courageous and vocal support for the principles enshrined in the Helsinki Final Act;

Whereas Congress contributed to advancing the aims of the Helsinki Final Act by creating the Commission on Security and Cooperation in Europe to monitor and encourage compliance with provisions of the Helsinki Final Act;

Whereas, in the 1990 Charter of Paris for a New Europe, the participating States in the OSCE (hereafter in this resolution referred to as the “participating States”) declared that “[h]uman rights and fundamental freedoms are the birthright of all human beings, are inalienable and are guaranteed by law” and that “[t]heir protection and promotion is the first responsibility of government”;

Whereas, in the 1990 Charter of Paris for a New Europe, the participating States committed themselves “to build, consolidate, and strengthen democracy as the only system of government of our nations”;

Whereas, in the 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension, the participating States committed “to build democratic societies based on free elections” and recognized “that vigorous democracy depends on the existence as an integral part of national life of democratic values and practices as well as

an extensive range of democratic institutions”, including nongovernmental organizations and independent media;

Whereas, in the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension, the participating States “categorically and irrevocably declare[d] that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned”;

Whereas the OSCE and the participating States have undertaken a series of measures aimed at combating anti-Semitism, racism, xenophobia, and discrimination including through the convening of related high-level conferences and the appointment of Personal Representatives of the Chairman-in-Office;

Whereas the 1999 Istanbul OSCE Charter for European Security and the Istanbul Summit Declaration note the particular challenges of ending violence against women and children as well as sexual exploitation and all forms of trafficking in human beings, and commit the participating States to strengthen efforts to combat corruption, eradicate torture, and end discrimination against Roma;

Whereas the OSCE maintains important relations with countries beyond the OSCE region, including the Mediterranean Partners for Cooperation countries of Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia, and, since the early 1990s, the Asian Partners for Co-operation countries of Afghanistan, Australia, Japan, the Republic of Korea, Mongolia, and Thailand;

Whereas OSCE institutions, such as the OSCE Parliamentary Assembly, the Office for Democratic Institutions and

Human Rights, the High Commissioner on National Minorities, and the OSCE Representative on Freedom of the Media are important instruments for advancing democracy, human rights, and the rule of law as well as preventing conflicts;

Whereas field missions deployed by the OSCE in several participating States have contributed directly to regional security and cooperation in particular by deterring the spill over effects of conflict, assisting with post-conflict recovery, providing expertise on democracy-building, and monitoring closely the situation of vulnerable or threatened communities of people;

Whereas the main challenge facing the participating States remains the implementation of the principles and provisions contained in the Helsinki Final Act and other OSCE documents adopted on the basis of consensus;

Whereas the participating States have recognized that economic liberty, social justice, and environmental responsibility are indispensable to prosperity;

Whereas the participating States have committed themselves to promoting economic reforms through enhanced transparency for economic activity, with the aim of advancing the principles of market economies;

Whereas the participating States have stressed the importance of respect for the rule of law and vigorous efforts to fight organized crime and corruption, which constitute a great threat to economic reform and prosperity;

Whereas OSCE has expanded the scope and substance of its efforts, undertaking a variety of preventive diplomacy initiatives designed to prevent, manage, and resolve conflict within and among the participating States;

Whereas the politico-military aspects of security remain vital to the interests of the participating States and constitute a core element of OSCE's concept of comprehensive security;

Whereas the OSCE has played an active role in civilian police-related activities, including training, as an integral part of OSCE's efforts in conflict prevention, crisis management, and post-conflict rehabilitation;

Whereas the participating States bear primary responsibility for raising awareness of violations of commitments contained in the Helsinki Final Act and other OSCE documents;

Whereas, on November 30, 2010, President Barack Obama issued a proclamation designating December 1, 2010, as "Helsinki Human Rights Day"; and

Whereas Secretary of State Hilary Rodham Clinton, at the OSCE summit held in Astana, Kazakhstan on December 1-2, 2010, acknowledged that the principles and commitments enshrined in the Helsinki Final Act face serious challenges: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*

2 *of the United States of America in Congress assembled,*

3 *That Congress calls upon the President—*

4 ~~(1)~~ *to issue a proclamation—*

5 ~~(A)~~ *recognizing the 35th anniversary of the*

6 *signing of the Final Act of the Conference on*

7 *Security and Cooperation in Europe;*

1 ~~(B)~~ reasserting the commitment of the
2 United States to full implementation of the
3 Helsinki Final Act;

4 ~~(C)~~ urging all participating States to abide
5 by their commitments under the Helsinki Final
6 Act and subsequent OSCE documents adopted
7 by consensus; and

8 ~~(D)~~ encouraging the people of the United
9 States to join the President and Congress in
10 observance of this anniversary with appropriate
11 programs, ceremonies, and activities; and

12 ~~(2)~~ to convey to all signatories of the Helsinki
13 Final Act that respect for human rights and funda-
14 mental freedoms, democratic principles, economic
15 liberty, and the implementation of related commit-
16 ments continue to be vital elements in promoting a
17 new era of democracy, peace, and unity in the region
18 covered by the Organization for Security and Co-
19 operation in Europe.

20 *That Congress calls upon the President—*

21 *(1) to ensure robust United States leadership in*
22 *advancing the aims of the Helsinki Final Act and up-*
23 *holding the principles enshrined in that historic docu-*
24 *ment, including by issuing a proclamation—*

1 (A) recognizing the responsibility of the
2 United States as an original signatory to the
3 Final Act of the Conference on Security and Co-
4 operation in Europe;

5 (B) reasserting the commitment of the
6 United States to full implementation of the Hel-
7 sinki Final Act;

8 (C) urging all participating States to abide
9 by their commitments under the Helsinki Final
10 Act and subsequent OSCE documents adopted by
11 consensus; and

12 (D) encouraging the people of the United
13 States to join the President and Congress in ob-
14 servance of this anniversary with appropriate
15 programs, ceremonies, and activities; and

16 (2) to convey to all signatories of the Helsinki
17 Final Act that respect for human rights and funda-
18 mental freedoms, democratic principles, economic lib-
19 erty, and the implementation of related commitments
20 continue to be vital elements in promoting a new era
21 of democracy, peace, and unity in the region covered
22 by the Organization for Security and Cooperation in
23 Europe.

Amend the title so as to read: “Calling upon the President to ensure robust United States leadership in advancing the aims of the Helsinki Final Act and upholding the principles enshrined in that historic document and marking the observance of its 35th anniversary.”.

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