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“Eastern Europe: The State of Democracy and Freedom”

Chairman Burton, Ranking Member Meeks, and members of the subcommittee:

Thank you for inviting me to join in today’s very timely hearing on a region that continues to hold tremendous importance for freedom and democracy around the world. My own experience in the region both as an academic and also as a program specialist at the National Endowment for Democracy (NED) spans well over a quarter century, and together with the years devoted to the region by my colleagues on the panel, David Kramer from Freedom House and Steve Nix of the International Republican Institute, as well as our colleague Tom Melia who is now in government, we represent over a hundred years of accumulated experience in this field.

For the record, I would also like to note that the National Endowment for Democracy does not take policy positions, so all the recommendations I offer today come as a result of my own assessments.

As you know, this year marks the twentieth anniversary of the dissolution of the Soviet Union and just over twenty years since the countries of the region we previously called Eastern Europe stepped onto the path of freedom and democracy having cast out the Communist systems that kept them as “Captive Nations” and shackled them to the Soviet Union. This is a good time to rethink the terminology we use when we speak of the post-communist states. Thankfully the old Eastern Europe has disappeared, and has been replaced by the new Central Europe with states such as Poland, Hungary, the Czech Republic and Slovakia now fully integrated into the European Union and all of its institutions. Entry into Europe, with all its institutions, has proven to be one of the main guarantors of freedom and democracy in these states—an aim that we should support for the countries still on the outside. For this reason I am pleased to see that the title of this hearing refers to “Eastern Europe.” We should view Moldova, Ukraine, Belarus and even Russia as the new Eastern Europe, and also consider the inclusion of Georgia, Azerbaijan and Armenia, which are, after all, already members of the Council of Europe.

Backsliding and Reversal

Looking around the region, I would like to present for you a picture of the state of freedom and democracy that has been informed by reports, discussions, and feedback from the many non-governmental groups NED supports. Although there have been some achievements in the past couple of years, the general trend has been a slow backsliding and in some cases dramatic reversals in the topics under our review.

In four of the Western Balkan states that are still outside of the EU—**Serbia, Kosovo, Albania** and **Bosnia and Herzegovina**—the leaders are well aware of the need to improve their electoral systems, hold politicians accountable, continue dialogue on reconciliation, promote tolerance, ensure the rights of minorities, arrest war criminals, and come to terms with the past. The close proximity of the EU and active interest of EU officials in assessing these countries' eligibility for EU membership has had a positive and sobering effect.

NED programs in these countries have focused on support for numerous independent media outlets and the considerable efforts of civic groups to promote interethnic tolerance, as well as programs to advance the process of ethnic and historic reconciliation and to increase trust and participation in the political process. A good proportion of NED support in the Western Balkans has gone to prodemocracy youth groups.

Moving to the east, the deteriorating state of democracy and freedom in the Southern Caucasus is of continuing concern. Despite the welcome release of the imprisoned youth movement bloggers and a leading independent journalist earlier this year, arrests of democracy activists continue in **Azerbaijan**, where the overall trend is a slow and painful decline of political pluralism and civil society. Constitutional amendments adopted in March 2009 removed presidential term limits, the November 2010 parliamentary elections were considered to be the worst ever, and an attempt to introduce an extremely restrictive NGO law in 2009 was diverted only as a result of international pressure. Civic activists and human rights defenders continue to suffer harassment, and the freedom of association is non-existent. Many young activists have recently been detained usually on trumped up charges of narcotics possession, hooliganism or other fabricated criminal offences. One youth activist imprisoned in 2005, Ruslan Bashirli, is still in jail. The prospects for democracy and freedom look more hopeful in **Armenia**, where protest rallies of up to 15,000 people have taken place recently and the political prisoners who were held after the 2008 protests have been released.

Despite the real gains achieved by **Georgia** in the past few years, there is cause for concern about some creeping authoritarian tendencies on the part of the authorities. The continuing political maneuvering of the government to disenfranchise the opposition, the crackdown against protesters by government forces and moves against independent trade unions, especially against the teachers' union, are reversals that could mar Georgia's record as a leader for democracy and freedom in the region.

NED programs in Azerbaijan, Armenia, and Georgia offer support to human rights defenders, promote freedom of information, and provide assistance to youth groups.

Moving back into the heart of the new Eastern Europe, **Moldova** is the one bright spot where trends toward democracy are positive since the transition that was launched in April 2009 when protests brought down the last communist government in Europe. The breakaway region of **Transnistria** remains a problem, however. The rogue republic maintains strong ties with Russia and is a haven for arms trading and illicit business interests. The authoritarian regime of Igor Smirnov continues to stifle independent media and persecute civic groups. An NGO law signed in 2010 limits foreign funding. In late 2010 and early 2011, two journalists were convicted of high treason and sentenced to 14 and 15 years in prison, respectively. NED is one of only a few donors able to operate in Transnistria. Since 2007, more than 50 civil society and media projects have been funded in the breakaway territory. In Moldova as a whole, NED support played a key role in helping to promote democratic change prior to the 2009 and 2010 elections, especially in assisting independent media. NED programs in 2011 help civic groups to monitor progress on democratic reforms.

The situation in **Belarus** remains dire as the crackdown begun after the presidential election on December 19th continues. The brutal repressions have been among the worst in Europe since martial law was imposed against the Solidarity trade union movement in Poland in 1981. For the past few months, thousands of Belarusians—many of whom did not previously participate in the protest movement—have mobilized in response to the protracted political economic and political crisis and against the repressions. Forms of protest such as “maintaining silence,” simply standing in the street, and clapping hands in “prolonged applause” have infuriated the authorities, who have redoubled their brutal tactics. More than 1,800 protesters have been detained in the last two months and hundreds have been jailed and fined; leading opposition activists have accused the regime of torture of the detainees.

I should note here, Mr. Chairman, that the NED is the leading US supporter of the independent press, Internet-based media and human rights groups in Belarus, having supported hundreds of programs to assist civic groups, political prisoners and their families, the initiatives of numerous youth groups, and the work of religious freedom advocates.

Ukraine and Russia

Mr. Chairman, I have left Ukraine and Russia until last in order to underscore their importance and influence in the region. The interrelationship between the two states and the direction each takes will determine the future of freedom and democracy not only in their own countries but in the region as a whole.

The trend lines for freedom and democracy in **Russia** have been unremittingly negative since Vladimir Putin took power and set about the systematic construction of a controlled vertical arrangement of power. Human rights defenders and independent journalists have been killed, we have witnessed the grizzly death in detention of the lawyer Sergei Magnitsky, and civic activists have been routinely harassed, especially those who work on the North Caucasus. The Putin regime has worked to disenfranchise the Russian people and deprive them of the means to participate in the political process.

By creating an array of government controlled commissions, public chambers and councils which have essentially replaced the role of political parties in aggregating and expressing the interests of the people, and by refusing the registration of truly independent political parties, the Kremlin has effectively created two classes in Russia—those who wield political power and control all the private and public assets of the state and the second class of citizens who have limited access to justice and no genuine representation of their interests within the state. Despite the growing frustration within society, the obvious disdain for the current leadership of some parts of the political elite and the increasing number of street protests such as the “31” movement and its attempts to draw attention to the lack of freedom of association, it is ironic that the current regime will likely use the upcoming parliamentary elections in December 2011 and presidential election in March 2012 with the inevitable falsifications and manipulations, to claim the continued legitimacy of its rule.

I mention the interrelationship between Russia and Ukraine partly because of the influence it has had in Russia. When the protests against authoritarian rule during Ukraine’s Orange Revolution brought down the government in 2004, Russian citizens saw a vision across the border of an alternative future for themselves as a Slavic nation. But the rulers in the Kremlin also took note of the threat to their power and responded by strengthening their control over civil society groups and further curbing the independent media—the now standard method used by dictators to launch a backlash against democracy. Many authoritarian rulers have followed Russia’s lead and have adopted similar strategies for dealing with dissent. At the same time, the leaders in the Kremlin—always the most creative innovators in the club of authoritarians—have also taken active measures to promote support of the government and undermine the democratic opposition, for example, through the sponsorship of the youth group *Nashi* (Ours), whose jingoistic ideology challenges and erodes the nascent democratic values that civic and human rights activists in Russia struggle to advance. This group’s philosophy has included an uncritical glorification of the Soviet past without much assessment of the devastation wrought by leaders such as Stalin. These trends have been accompanied by the attempt to curtail religious freedom and the favoring of the Russian Orthodox Church.

NED has maintained an extensive program of support for a broad range of civic groups and human rights organizations in Russia over many years. Funding has gone toward civic education especially as it related to the preservation of historical memory, freedom of information, support for political processes, strengthening civic organizations, promoting accountability of government officials, rule of law initiatives and human rights. NED has been one of the leading donors for human rights and freedom of information programs in the North Caucasus.

This brings me to **Ukraine**, where I met last week with both government officials and civic leaders. Just a few years ago, Ukraine played a pivotal role as a champion of democracy and freedom in the region. Indeed, one prominent Russian prodemocracy commentator declared at that time that the best way to promote democracy in Russia was to make sure it succeeded in Ukraine. Since the election of Viktor Yanukovich in February 2010, however, the prospects for freedom and democracy have taken a sharp downturn. The Constitution has been amended to recentralize power with the presidency, the judicial system has been manipulated to launch criminal proceedings in selective prosecutions against former officials, last year’s local elections were considered to have been manipulated in favor of the ruling power, independent media have

come under pressure, the security services have started to monitor civic organizations, and there has been a concerted effort by the authorities to coopt advisory councils of civic organizations. As in Russia, there have also been efforts to undermine freedom of religion.

Despite these negative trends, civil society in Ukraine remains strong and motivated to preserve and push back against repression to retain the freedoms that it enjoyed after the Orange Revolution. Ukraine's significance for the region's democracy activists cannot be underestimated: they come to Ukraine to conduct training seminars, exchange experiences and generally to "breathe the air of freedom" which is not available in their own countries. Without the possibility to travel easily into Europe past the Shengen curtain, Russian journalists, Belarusan human rights defenders, and civic leaders from the South Caucasus have all come to Ukraine to work and meet. Ukraine's crucial role as the democratic anchor in the region should not be overlooked despite the backsliding of its own democracy.

NED funding in Ukraine has supported civic groups, analytical centers, youth groups, human rights organizations, religious freedom groups, independent trade union programs and efforts to promote independent business associations and a free market economy. NED grantees in Ukraine have spearheaded innovative programs: On the twentieth anniversary of the fall of the Berlin Wall, NED funding helped to launch a process to bring together the veteran activists of the Polish, Czech, Slovak, and Lithuanian freedom movements with the civic activists of the present day Eastern Partnership countries—Belarus, Ukraine, Moldova, Georgia, Armenia and Azerbaijan—to pass on experiences and to promote regional solidarity. The conference took place in Lviv, Ukraine under the recognizable slogan: "For your freedom and ours, for our common future."

Recommendations

Mr. Chairman, if there is one point I would like to leave you with after today's hearing, it would be that the state of freedom and democracy in Ukraine is crucial not only for its own citizens but also for the entire region. If we need to be strategic in our approach, greater attention to Ukraine on these issues would be my first recommendation.

We should also recognize that where human rights and civic freedoms are being abused, international pressure on the rogue governments has an effect. The positive outcome in the trial of human rights defender Oleg Orlov in Russia was a case where the authorities appeared to take international concerns into account; the case of the Azerbaijani bloggers became an international cause celebre which put pressure on the government and contributed to their release; the Ukrainian government is very sensitive to its international image and has responded positively to some criticisms. Even though there are many cases where international pressure has not worked, we should not let up in using this as a valuable instrument.

We should work with our European partners at both the governmental and non-governmental levels to consolidate the new regional configuration and to support the integration of these states into Europe's institutions.

We should recognize the tremendous contribution and experience of the former communist states now in Europe to the struggle for democracy and freedom and work with them in their efforts to bring along their neighbors. Lithuania has set a standard in the region with its chairmanship of the Community of Democracies and is heading up the OSCE this year. On July 1, 2011 Poland took up the Presidency of the Council of the European Union. These countries have experienced activists both in and outside of government who are eager and ready to engage with us in efforts to promote democracy and freedom in this region.

We should be aware that human rights and civic activists in the region benefit from exchanging experience and rely on each other for support. We should assist these regional efforts in addition to our support for single country programs.

I have not singled out the problems with gender balance and access to democratic institutions for women simply because it is a general problem in all authoritarian states. We should do what we can to encourage greater gender balance in all of these states. On an institutional level, we should support the increased participation of women in the political system, particularly since it has been proven that the presence of women usually reduces the amount of corruption and has a tendency to break up the opaque and corrupt relationships promoted by male-dominated political elites. On a cultural level, we should encourage changing attitudes toward women, to facilitate their full participation as equals in society and politics at all levels.

Mr. Chairman, we should recognize, particularly at this time when so much attention is focused on the democratic breakthroughs in the Middle East, that Eastern Europe has a great deal to offer in contributing to our understanding of the effective strategies that support and the difficulties that slow down democratic transition. We should look to this region as the source of a great wealth of experience on how the enemies of freedom are ever on the alert to assert their dominance, but also how the forces for freedom and democracy will always find a way to push back in a struggle that demands our support. And as we look forward to a period of austerity, we should be mindful that a strategic and concerted effort through both diplomatic and non-governmental actors is the most cost-effective way to achieve these aims.

Thank you. I look forward to answering your questions.

United States House of Representatives
Committee on Foreign Affairs

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Clause 2(g) of rule XI of the Rules of the House of Representatives and the Rules of the Committee require the disclosure of the following information. A copy of this form should be attached to your written testimony.

1. Name: Dr. Nadia M. Diuk	2. Organization or organizations you are representing: National Endowment for Democracy
3. Date of Committee hearing: July 26, 2011	
4. Have you received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	5. Have any of the organizations you are representing received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. If you answered yes to either item 4 or 5, please list the source and amount of each grant or contract, and indicate whether the recipient of such grant was you or the organization(s) you are representing. You may list additional grants or contracts on additional sheets. <i>The organization with which I am affiliated, the National Endowment for Democracy, receives an annual appropriation from Congress that is passed to NED through a State Department grant. The amount of the grant for FY2011 is \$117,764,000.</i>	
7. Signature: <i>Nadia M. Diuk</i>	

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