

S. HRG. 110-777

# NOMINATIONS OF THE 110TH CONGRESS—SECOND SESSION

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## HEARINGS

BEFORE THE

## COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

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JANUARY 30 THROUGH SEPTEMBER 24, 2008

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Printed for the use of the Committee on Foreign Relations



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COMMITTEE ON FOREIGN RELATIONS  
110TH CONGRESS—FIRST SESSION

JOSEPH R. BIDEN, Jr., Delaware, *Chairman*

CHRISTOPHER J. DODD, Connecticut	RICHARD G. LUGAR, Indiana
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BILL NELSON, Florida	JOHN E. SUNUNU, New Hampshire*
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JIM WEBB, Virginia	DAVID VITTER, Louisiana

ANTONY J. BLINKEN, *Staff Director*

KENNETH A. MYERS, Jr., *Republican Staff Director*

\*Note: Reassigned to Committee on Finance January 24, 2008.

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COMMITTEE ON FOREIGN RELATIONS  
110TH CONGRESS—SECOND SESSION

JOSEPH R. BIDEN, Jr., Delaware, *Chairman*

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ROBERT MENENDEZ, New Jersey	JIM DEMINT, South Carolina
BENJAMIN L. CARDIN, Maryland	JOHNNY ISAKSON, Georgia
ROBERT P. CASEY, Pennsylvania	DAVID VITTER, Louisiana
JIM WEBB, Virginia	JOHN BARRASSO, Wyoming*

ANTONY J. BLINKEN, *Staff Director*

KENNETH A. MYERS, Jr., *Republican Staff Director*

\*Note: Appointed February 12, 2008.



## NOMINATIONS

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THURSDAY, JUNE 19, 2008

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

Beyrle, John R., to be Ambassador to the Russian Federation  
Chaudhry, Asif, to be Ambassador to the Republic of Moldova  
Culbertson, James, nominated to be Ambassador to the Kingdom of  
The Netherlands  
Girard-diCarlo, David F., to be Ambassador to the Republic of  
Austria  
Kaidanow, Tina S., to be Ambassador to the Republic of Kosovo  
Reeker, Phillip Thomas, to be Ambassador to the Republic of Mac-  
edonia  
Silverberg, Kristen, to be the U.S. Representative to the European  
Union  
Yovanovitch, Maria L., to be Ambassador to the Republic of Arme-  
nia

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The committee met, pursuant to notice, at 2:15 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Benjamin Cardin presiding.

Present: Senators Cardin, Lugar, Menendez, and DeMint.

Also present: Senators Levin, Specter, Burr, Elizabeth Dole, Corryn, and Robert Dole.

### OPENING STATEMENT OF HON. BENJAMIN CARDIN, U.S. SENATOR FROM MARYLAND

Senator CARDIN. The Committee on Foreign Relations will come to order. I want to thank Chairman Biden for giving me the opportunity to chair today's hearing.

This is a very important hearing. We are considering eight nominees for very important positions representing our country in Europe. I want to thank all of the nominees for their public service and thank their families for the sacrifices that they have made and particularly the nominees' willingness to come forward to serve our country.

Europe is very important to the United States. Historically, it's important to this country. We have had a strong tie between the United States and Europe. I have had the opportunity to personally visit Normandy where valiant American soldiers, together with our allies, mounted an invasion that would change the course of European history. One hundred eighty-three Marylanders are among

those interred in the nearby cemetery, the final resting place for thousands of Americans.

I would like to point out that since 1975 and the Helsinki Accords that were entered into that year, institutionalized regional organization where the United States played a critical role in developing strategies with our European allies dealing with security, economics, and human rights. So this has been a relationship that has grown over the years. Some of our top priorities have been to deal with combating corruption, human trafficking, sexual exploitation of children, as well as fighting anti-Semitism and forms of intolerance and promoting fundamental freedoms in democratic governance.

Today's hearing, we will have an opportunity to hear from eight individuals in two panels. The first panel will be Mr. James Culbertson, nominated to be the Ambassador to the Kingdom of The Netherlands, Mr. David F. Girard-diCarlo to be Ambassador to the Republic of Austria, Ms. Kristen Silverberg to be the U.S. Representative to the European Union with the rank and status of Ambassador.

In the second panel, we'll hear from Mr. John R. Beyrle to be Ambassador to the Russian Federation, Mr. Asif Chaudhry to be Ambassador to the Republic of Moldova, Ms. Tina S. Kaidanow to be Ambassador to the Republic of Kosovo, Mr. Phillip Thomas Reeker to be Ambassador to the Republic of Macedonia, and Ms. Maria L. Yovanovitch to be Ambassador to the Republic of Armenia.

We are very honored to have many of our colleagues here today. I'm going to ask Senator Dole to lead off. Senator Dole, of course, a very distinguished Member of the United States Senate, a long history of leadership in this country, but one role that really I want to just bring out was his leadership on the Helsinki Commission when he was in the United States Senate, and I think really elevated the Commission to a very important part here in the United States and Europe.

Senator Dole, it's always a pleasure to have you back before our committee.

**STATEMENT OF HON. ROBERT DOLE,  
U.S. SENATOR FROM KANSAS**

Senator ROBERT DOLE. There's another Dole's name up here, a real Senator, but I need to go first so I can go home and get dinner ready. [Laughter.]

I have the great privilege today to introduce a woman to this panel who's highly qualified to be Ambassador of Armenia. Maria Yovanovitch is someone I've known and someone I've worked with and someone I know that will do an outstanding job. She's been the Ambassador to Kyrgyzstan and I've been there and I've seen how she's worked with American Manas Base and which is very important when it comes to Afghanistan and I met with the President of Kyrgyzstan and he told me what a great job she'd been doing and how she had worked out some of the problems that they had with America and so this is a country of particular interest to me, Armenia, and somebody may wonder why. So I'll tell you in about one minute.

My history with Armenia goes back more than 60 years. As I recovered from World War II wounds—I was wounded late in the war and all the good doctors were leaving the Army hospitals—and so I was running around the country looking for a miracle to put me back to where I was before and I met a doctor in Chicago, then Wesley Hospital. An Armenian American named Dr. Kalikian who has written books on orthopedic surgery and his son, Arman, is now a great orthopedic surgeon in Chicago.

But to make a long story short, I spent a great deal of time with him. He became almost a second father and operated on me at least a half a dozen times and wouldn't let me pay him one cent because he had lost a brother in World War II and so I've had contact with—oh, uh-oh. I better get back to my original text.[Laughter.]

But I think his treatment, just to show his gratitude to this great country of ours and it's been, as I said, a blessing for me and I've been a strong supporter of the Armenian community and the people of Armenia. I've been there a few times. I planted a tree in honor of Dr. Kalikian and I've seen, you know, the country's got some very serious problems. They need an ambassador. They've been without one for almost 2 years.

If it weren't for Kirk Kerkorian, I'm not certain what would be happening in that country and he's a very modest man, but I can tell you if you add up what he's been doing as far as housing and streets and highways and hotels, libraries and schools and businesses, I've got to believe it adds up to hundreds and hundreds of millions of dollars that this one Armenian American has spent trying to help his fellow Armenians and I think he's been there but once.

But in any event, the country's per capita GDP is less than \$2,000 and it's politically weak and they need help and they're listed now as only partly free and so they can't get enough money from remittances from Armenians who live in America.

So the point is, is they need an ambassador and it just happens that we have an outstanding person who I think will do an outstanding job. As I said, I got to know Marie in her work in Kyrgyzstan and I met with the President of Kyrgyzstan. We've talked about her stewardship there. She's made a very serious contribution to our national interests in securing our airport's base and establishing a constructive relationship with the government after what they call the Tulip Revolution in 2005.

So she knows all about the Stans countries which is another one of her best friends is former Ambassador Beth Jones of Kazakhstan and they worked closely together when Beth was in the State Department.

So for all those reasons, Marie reminds me a little of the children of Dr. Kalikian. She is the daughter of immigrants who escaped the horrors of the homelands and gained a second chance in the United States and like them, she worked hard. Nobody gave her anything. She worked for everything that's happened to her. She attended Princeton, one of our Nation's greatest universities, and she's sort of a tribute or a symbol of America, "the land of opportunity," and she's career Foreign Service, and I recommend her to this committee and I say God Bless America and God Bless Armenia.

Senator CARDIN. Thank you very much.

Senator ROBERT DOLE. I'll have dinner ready by 6:30. [Laughter.]

PREPARED STATEMENT OF SENATOR ROBERT DOLE

Mr. Chairman and distinguished committee members, it's my privilege to introduce Ambassador Marie Yovanovitch to this committee. Marie was previously confirmed to serve as our Ambassador to Kyrgyzstan and has now been nominated to serve in Armenia.

As many of you are aware, my history with Armenia goes back more than 60 years. As I recovered from grave wounds in World War II, Dr. Hampar Kelikian, an Armenian immigrant surgeon, helped to restore my health and operated on me repeatedly—for free, in selfless gratitude for the opportunity and success he enjoyed in his new homeland.

Since then, I've been a friend and supporter of the Armenian-American community, the people of Armenia, and the country itself—including its independence and political and free-market development.

It is vital that Armenia and its American benefactors concentrate on this development. Armenia's post-independence brain-drain represents a serious crisis. The country's per capita GDP is less than \$2,000. Its political class is insular and weak.

Seventeen years after independence, Freedom House ranks it as only a "partly free" country—and it is one that needs more than remittances from Armenian-Americans to make it in today's global economy.

Armenia has needed an American ambassador for the past couple of years. Today, it especially needs Ambassador Yovanovitch. I had the privilege of getting to know Marie and her work during her tenure in Kyrgyzstan. I met there last year with President Bakiyev, who spoke highly of the Ambassador and her work.

In her time in Kyrgyzstan, Marie made a serious contribution to our national interests in securing our air force base and establishing a constructive relationship with the government after the 2005 "Tulip Revolution."

Marie's expertise in the "Stans" and the former Soviet Union is particularly strong, as is her appreciation of Armenia and its diaspora.

Marie reminds me of the children of Dr. Kelikian. Like them, she is the daughter of immigrants who escaped the horrors of their homelands and gained a second chance in the United States.

Like them, she worked hard. She attended Princeton, one of our Nation's finest universities. Marie is a tribute to our "land of opportunity" and to our Foreign Service. I wholeheartedly recommend her to you.

Thank you. God Bless America, and God Bless Armenia.

Senator CARDIN. We will now recognize the Senator Dole that has a vote.

**STATEMENT OF HON. ELIZABETH DOLE,  
U.S. SENATOR FROM NORTH CAROLINA**

Senator ELIZABETH DOLE. Well, Chairman Cardin, Ranking Member Lugar, certainly it's a great privilege to introduce Mr. James Culbertson of North Carolina who's been nominated by the President to serve as our 64th Ambassador to the Kingdom of The Netherlands.

It's also important at this time to express gratitude to the late Ambassador Roland Arndt who previously held the post until just 10 days before his death last March. He served our country with great distinction and the post of ambassador has since remained vacant.

Today, I'm honored to come before the committee to express my strong support for Jim Culbertson's nomination. My husband, Bob Dole, and I have known Jim and his supportive, very supportive and talented wife, Germaine, for many years and I submit to you today that Jim is amply qualified to join the ranks of our diplomatic corps.

Indeed, the United States is blessed to have leaders like Jim willing to serve in our embassies overseas, and I'm confident he will serve at The Hague with great distinction as our ambassador.

Jim is an American patriot and military veteran. He graduated from The Citadel with honors, meaning the top 8 percent of his class, and afterward served our country as an intelligence officer in the United States Army.

He currently serves as Commissioner on the American Battle Monuments Commission, guarding America's overseas cemeteries and memorials which honor the service, achievements, and sacrifice of the United States Armed Forces at 24 sites around the world.

Jim is also a successful innovator, entrepreneur, and business leader. He founded and then served 26 years as president of Financial Computing, Incorporated, which provides financial application software and hardware to automobile dealers and community banks.

As a business leader, he has also served as a member of the North Carolina Economic Development Board which oversees North Carolina's economic development research and planning and makes policy recommendations.

As a member of the board, Jim works side-by-side with State Government officials, elected officials, nonprofits, economic development organizations, and private industry in developing a comprehensive economic development plan and then advocating and holding entities accountable for the implementation of the plan.

Jim also served as a member of the North Carolina Banking Commission, responsible for regulating almost all of the financial institutions operating in the State, banks, trust companies, brokers, and other consumer finance companies. As a business owner, himself, Jim also served on the National Federation of Independent Business National Board, promoting the priorities and growth of small and independent businesses in the marketplace and around the country.

In keeping with his civic responsibilities, Jim has served on the board of the American Council for Young Political Leaders, as well as the Board of the Fund for American Studies, and let me just add here that I can recall when Bob Dole and I were dating and he was——

Senator ROBERT DOLE. He was in high school at the time.

Senator ELIZABETH DOLE. Yeah. I went off on a trip with the American Council for Young Political Leaders. There were 11 Republicans and 11 Democrats, 22 of us, and Bob said, "What? Where are you going?" I said, "I'm off to Japan for three weeks," and I want you to know, since he happens to be sitting beside me today, that when I got back, he met me with an engagement ring and a dozen roses. So that trip was very productive, Jim. I think he missed me.

But both of these organizations, focusing on the youth of our country, promote international exchange and dialog. Through his work in this effort, students from across the country, like myself in those days, and around the world have the benefit of knowing the value of freedom and democracy. Future foreign leaders now know future American leaders and those relationships are fostered through the years.

This is the type of endeavor that uses the full force of U.S. diplomacy and the type of effort the 9/11 Commission recommended to us. Jim Culbertson had the foresight to already be personally involved in this type of activity. He's exhibited strong leadership in the past and I have every confidence that he will continue to show that strong leadership and good judgment as our Ambassador to the Netherlands.

If confirmed, Jim will be responsible for promoting and protecting United States interests in the Netherlands, a country with which the United States has long shared a beneficial relationship. The partnership between the United States and the Netherlands dates back to the American Revolution and it's one of our country's oldest continuous relationships.

The United States and the Netherlands share common ideals, a common dedication to individual freedom and human rights. Our two countries also have strong economic ties where Jim's economic background will serve us well.

The Netherlands is the third largest direct foreign investor in the United States and the United States is the third largest direct foreign investor in The Netherlands. Dutch, like us, believe in a market-led economy and in Jim, we will have an ambassador who embodies a market-driven economy.

From our economic, commercial, and trade relationship to our partnerships in foreign aid and global security, Jim Culbertson will continue strong United States-Dutch relations. With his vast experience and numerous talents, Jim Culbertson is the right person to be our chief representative to the Kingdom of the Netherlands, possessing the critical diplomatic and leadership skills needed to succeed in this important position.

Mr. Chairman, Senator Lugar, you have a wonderful nominee before you today, and I thank you for the privilege of expressing my views.

Thank you.

Senator CARDIN. Senator Burr, you're here also on the same nominee?

Senator BURR. I am, Mr. Chairman.

Senator CARDIN. Why don't you proceed at this point.

**STATEMENT OF HON. RICHARD BURR,  
U.S. SENATOR FROM NORTH CAROLINA**

Senator BURR. Mr. Chairman, thank you. Senator Lugar, I thank you, and Senator Menendez.

I looked down the list of nominees and I'd like to speak for all of them. I'm not sure all of them would have me do it but I feel like I know most of them and this is an unbelievable group.

Mr. Chairman, I'm honored to be here to make an introduction for Jim Culbertson. In the fashion that she always displays, Senator Dole has mentioned everything that I could possibly talk about, but let me pick a few things that I think are important for the members here to know.

One, he has a beautiful wife and Germaine's here, and she's joined by her daughter, their son-in-law, and two grandsons, and I say that so Jim won't forget to introduce them as he makes his remarks.

The United States and the Netherlands have shared strong relationships since the earliest days of our Nation. This relationship grew into a deep friendship following the Second World War when Allied Forces, including two American Airborne Divisions, helped liberate the people of the Netherlands from Nazi occupation.

Following World War II, most American servicemen returned to their homes and their families but many did not. In the Village of Margraten in the Netherlands, there is today an American cemetery that's the final resting place for over 8,000 American soldiers. As the commissioner of the Battle of the American Battle Monuments Commission and as a veteran himself, Jim knows this place well, and I'm confident that he is the right man to continue and enhance the already strong relationship between our two countries.

If confirmed, I have no doubt he will be the best person that has served this country there. A successful businessman, a wonderful husband, a father, Jim has in fact been serving the United States for many years and we in North Carolina are proud to call him our own.

Following graduation at The Citadel, he was in the Army and the intelligence arena. As an accomplished small business owner, Jim initiated his foresight to start his own business in the early 1970s in his hometown of Winston-Salem. Today, Financial Computing, Inc., the business he founded and ran for almost 30 years, continues to be one of the most successful financial computing companies in the Southeast.

Jim has also been a leader in his community, my community, and throughout North Carolina, serving on the Banking Commission and on the North Carolina Board of Economic Development where he contributed his talents and his time to enhance life for his fellow North Carolinians.

He's been active on the national level. A 20-year member of the Board of Trustees of the Fund for American Studies, as mentioned, and has taken a leading role for over two decades in educating the next generation of young Americans on the values of freedom and democracy, the ideals he champions and embodies, and will continue to promote as United States Ambassador to The Netherlands.

The United States relations, Mr. Chairman, in Europe are more important today than they've ever been since the fall of the Berlin Wall. Once again, we see a familiar Russia seeking to exert its influence throughout Eastern Europe and the Baltics. The Netherlands has been a committed friend in the war on terror and in combating the scourge of the international narcotics trade.

This crucial time is why we need a man like Jim Culbertson with his deep understanding of business and foreign relations to cement the United States-Dutch relationship and reassert the United States support for a free and democratic Europe.

Mr. Chairman, let me say out of all the qualities, out of all the experience that Jim brings to this nomination, let me say he's a good man. He's the type of person we would be proud to look at and refer to as our ambassador.

I thank the chair.

Senator CARDIN. I thank our Senators for the introduction.  
Senator Levin.

Senator LEVIN. Mr. Chairman, could I just put my statement, the full statement in the record?

Senator CARDIN. Oh, absolutely. Without objection, your full statement will be made part of the record.

**STATEMENT OF HON. CARL LEVIN,  
U.S. SENATOR FROM MICHIGAN**

Senator LEVIN. Before Senator Dole leaves, the old Senator Dole, the ancient Senator Dole, no, the ancient one, I'm going to send this to you, this introduction of our new Ambassador to Russia because of the reference that it makes to a World War II hero whose story is one of the most extraordinary stories I've ever heard. I know you have to leave, but I want to send this to you.

John Beyrle, who's the nominee's father, had an experience which is truly unique and this is kind of an emotional sentimental moment when kind of history's coming full circle for reasons you'll understand when you get my introduction, but I do want to, just before you leave, alert you to it and I'll send it out to you.

Mr. Chairman and Senator Lugar, Senator Menendez, it's a pleasure here to be with you to lend my support to John Beyrle's nomination to be our Ambassador to Russia. It's an outstanding nomination, first and foremost, because of his distinguished career in the diplomatic service of this country, but it's also a wonderful nomination because of his family's history.

I think that destiny had a hand in John Beyrle's appointment to be United States Ambassador to Russia. I'm going to take just a few minutes longer than I do customarily for reasons which you will shortly understand and, I think, appreciate.

Usually I talk about the nominee first when introducing a nominee, but today I'm going to begin with the story of his dad, Joe Beyrle, truly one of the great members of the greatest generation and one of my personal heroes.

Joe Beyrle was born in Muskegon, MI, and in 1944, John's dad, Joe Beyrle, now no longer alive, was called Jumping Joe Beyrle because he was an expert paratrooper who was selected for clandestine drops in Occupied France to supply the French Resistance with gold.

He was captured on D-Day by the Germans. He was put into a prison camp, was repeatedly tortured, made a number of escapes, was recaptured, was tortured again. Finally, he showed such a dogged determination that he finally did escape in an effort to rejoin his unit.

However, he didn't rejoin his unit, he wasn't able to get to it and instead hooked up with the Russian Army, and this was a very courageous decision, as you can imagine. He decided to join the Russian Army Tank Unit. It was commanded by a woman, by the way, and Joe actually helped the Russians to liberate the very same prisoner of war camp from which he had escaped.

He was then wounded. He was sent to a Polish convent for treatment. He made a remarkable journey then to the American Embassy in Moscow and that's where the wheel comes full circle, where American officials had kept him under house arrest for a week because they thought he was a spy. The reason for that was that his dog tags had been somehow or other lost during this entire



process and ended up on a dead soldier. His family was notified in 1944 that he had died and they held a memorial service in his church back in Muskegon.

But it took about a week for the Americans in Moscow to finally determine that not only wasn't he a spy, he was a hero, and that he was who he said he was. He returned to a hero's welcome in Muskegon, MI, in May of 1945, and a little over a year later married his wife, JoAnne, and the service was officiated by the same priest in the same church where the funeral mass had been held for him in 1944. He is the only soldier that we know of that fought both with the American and Russian Armies against Nazi Germany and he was honored by Presidents Clinton and Yeltsin on the 50th Anniversary of D-Day.

Now his devotion to his country and his commitment to service live on in his son, John. John was born and raised in Muskegon. He graduated with honors from Grand Valley State University in Allendale, MI, received a Master's degree as a distinguished graduate from the National War College. His distinguished career in the Foreign Service has spanned more than two decades.

During that time, he's held numerous policy positions in overseas assignments with an emphasis on United States relations with Russia and Central and Eastern Europe. Prior to his current appointment as the United States Ambassador to Bulgaria, John served as the deputy chief of mission at the United States Embassy in Moscow.

In an editorial in his hometown paper, Muskegon Chronicle said that "Beyrle's choice honors family and Nation and that the President has chosen well and our Nation will be well served by another Beyrle in Russia." We certainly will.

Mr. Chairman, members of this committee, John Beyrle will do an outstanding job as our Ambassador to Russia. He will direct the work at the U.S. Embassy where a wounded and determined young paratrooper named Joe Beyrle sought refuge 68 years ago. We're proud to support his nomination, Senator Stabenow and I both, obviously. Hess ready to continue that distinguished career of service to our country, and I only could wish that his mom and dad were still with us to experience this day.

Thank you.

[The prepared statement of Senator Levin follows:]

Senator CARDIN. Well, Senator Levin, thank you for sharing that story with the committee. We need to record the best that we can of what was done during World War II, and I think your introduction here honored World War II in our record. So we thank you for that.

Senator LEVIN. Thank you.

Senator CARDIN. Senator Specter.

**STATEMENT OF HON. ARLEN SPECTER,  
U.S. SENATOR FROM PENNSYLVANIA**

Senator SPECTER. Thank you, Mr. Chairman, Ranking Member Lugar, and Senator Menendez.

I congratulate the President on the nomination of David GirardiCarlo to be Ambassador to Austria and I congratulate Mr. Gi-

rard-diCarlo for accepting this assignment at this stage of the administration.

I'm honored to appear here with a man I've known really intimately for more than 30 years. We are fellow Philadelphia lawyers, but more broadly than that, we have both participated very, very extensively in the life of the city on community matters, on cultural matters, on civic matters, on governmental matters, on political matters, and very frequently I seek his counseling. Occasionally he seeks mine. So the President has an outstanding individual here.

I will submit his resume which is too long to go into detail here, considering the number of witnesses which the committee has to hear, but just a couple of items.

He took the helm of a law firm in Philadelphia, Blank, Rome, some 25 years ago, and it was a moderate size firm and it now has 1,200 professionals and is extraordinarily active and has many offices—eight in the United States—stretches all the way to Hong Kong, and he has been the driving force.

In a move of his customary insights and sagacity, he recently decided to step down on an interval of a couple of years to give an opportunity for grooming and was heralded with his tide of managerial experience. He's been very active in so many corporations that I won't list them, but he took on the job of board chairman of the Greater Philadelphia Chamber of Commerce and served there with great distinction. He was on the disciplinary board of the Supreme Court of Pennsylvania, and his managerial experience, I think, suits him very well for being in Vienna which has so many different missions—mission to the United Nations and the mission on Organization for Security and Cooperation in Europe.

At a time when the United States is in urgent need of its best and brightest, we have one here today. So I'm delighted to give him my unqualified recommendation which isn't based on hearsay, it's based on firsthand experience.

Thank you. Senator CARDIN. Senator Specter, thank you for your testimony.

Senator Cornyn.

**STATEMENT OF HON. JOHN CORNYN,  
U.S. SENATOR FROM TEXAS**

Senator CORNYN. Thank you, Mr. Chairman, and Senator Lugar, Senator Menendez.

It's a pleasure to be here before you today to introduce to you an outstanding public servant and fellow Texan, Kristen Silverberg.

I was just telling Kristen, she's come a long way from Alpine, TX, where she was born, and you'll see what I mean in just a minute.

Ms. Silverberg's been nominated by President Bush to serve in the capacity of U.S. Representative to the European Union, a role I have no doubt she will fill with the same sort of commitment and dedication to excellence that she has demonstrated through her career up to this point.

Ms. Silverberg currently served as the Assistant Secretary of State for International Organization Affairs, a position she's held since 2005. She's led her Bureau of the State Department in the advancement of U.S. foreign policy, strategic goals, and U.S. interests through multilateral diplomacy while ensuring that inter-

national organizations through which we work remain viable and effective.

She's consistently demonstrated the experience, political acumen, and leadership ability required to represent the United States to the European Union.

Before her appointment as Assistant Secretary, she served as Deputy Assistant to the President and Advisor to the Chief of Staff in the White House, a position in which she assisted in the coordination and development of White House policy.

She's also served in the capacity of Deputy Assistant to President Bush for Domestic Policy, Special Assistant to the President in the White House Office of the Chief of Staff, and Senior Advisor to Ambassador Paul Bremer in the Coalition Provisional Authority.

Ms. Silverberg holds a Bachelor's Degree from Harvard and a Doctor of Juris Prudence from the University of Texas where she graduated with high honors. She's served on the DC. Circuit Court of Appeals as a law clerk there and also for Justice Thomas on the Supreme Court.

She's been recognized for her commitment to public service by the University of Texas and she's received a Secretary of Defense Outstanding Public Service Award for her service in Iraq and so it's with great pride that I recommend and present to the committee a great Texan, Kristen L. Silverberg.

Senator CARDIN. Thank you very much, Senator Cornyn.

Senator CORNYN. Thank you.

Senator CARDIN. At this time, I would turn to Senator Lugar for any comments that you would like to make.

Senator LUGAR. Mr. Chairman, we can proceed to hear the witnesses.

Senator CARDIN. Thank you. Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman. I have a lot of questions for the second panel, so I will wait to ask my questions.

Senator CARDIN. Thank you. We will start with Panel 1. We will start with Mr. James Culbertson, nominated to be the Ambassador to the Kingdom of the Netherlands.

We would ask that if you have your family, that you please introduce your family to our committee, and again we very much appreciate your willingness to serve our Nation and the positions that you have been nominated for.

**STATEMENT OF JAMES CULBERTSON, NOMINEE TO BE  
AMBASSADOR TO THE KINGDOM OF THE NETHERLANDS**

Mr. CULBERTSON. Thank you, Senator Cardin. Yes, I do have my wife, Germaine. Would you stand, please? Next is the grandson, William, my daughter, Blair, grandson George, and son-in-law, James Robbins, and we're very happy to have all of them here today, I am anyway.

Senator CARDIN. We know this is a family effort, so we want to make sure the family gets acknowledged.

Mr. CULBERTSON. Thank you. And would you like for me to proceed?

Senator CARDIN. Yes.

Mr. CULBERTSON. Mr. Chairman and distinguished members of this committee, I am honored to appear before you today as the

President's nominee to serve as United States Ambassador to the Kingdom of the Netherlands.

I am grateful for the trust President Bush and Secretary Rice have shown in nominating me to represent our country to one of the oldest and strongest allies of the United States.

Since graduating from The Citadel in 1960 and serving in the Army as an officer in military intelligence, I have maintained a keen interest in the politics and foreign policy interests of our country.

If confirmed, I will bring my professional experiences and lifelong interests in community service to bear as chief of mission for our embassy in The Hague, and I must say Senator Dole and Senator Burr included many more things that I was going to say about my personal private life.

I'm going to skip a lot of that and keep you from the boredom of hearing it again.

I would like to say as a member of the Council of Young Political Leaders, I made three trips to Europe. We visited with our counterparts, Young European Leaders, and their government and on one of the trips, I did visit The Hague and Amsterdam.

I'll skip the Economic Development Board. I would like to say a little more about the Fund for American Studies.

We sponsored summer courses for college students from across America and the world at Georgetown since 1970 and we teach free markets, free government, and free and open journalism. We initiated similar arrangements with universities in Prague around 1991, in Greece in 1996, and in Hong Kong in 2000, and we're getting ready to do one for South America.

One word about our Greek institute. It's the most unique and held in Crete. It's comprised primarily of Israeli and Arab students with a sprinkling of American students and a few other Europeans, but I'd say at least 80 percent of them are from either Israelis or Arab and when they come there, they literally hate each other and by the closing week, we had our 10th Anniversary over there in 2006, I believe, and which I attended, and they are literally dancing and partying together on closing week and in all of these institutes with our young people, we hope that these are the young leaders, whether it be politics or industry or whatever capacity, academic, that will be make it a little easier to live together peacefully.

One quick word about the American Battle Monuments Commission I've served on Margraten in the Netherlands. You know, there are 8,301 of our veterans, war casualties buried there. It's rather unique. The Dutch people have adopted each grave—each one of those 8,301 graves—and they personally come out and bring flowers and paid appropriate moments, like Memorial Day, come out and visit and we even have a waiting list of Dutch citizens who want to service those graves—help us maintain those graves there.

I'll skip everything about my business background and would like to offer a few words on how I would like to build upon our strong and enduring relationship with the Netherlands.

The Dutch share our commitment to uphold freedom and alleviate poverty around the world. Leaders of a major military contingent in the dangerous Southern region of Afghanistan, the Dutch

are also significant development partners in Afghanistan, Iraq, Latin America, and Africa. I will strive to enhance our military and development cooperation and expand Dutch support for peace, security, and democracy around the globe.

The Netherlands, a nation of fewer than 17 million residents, is a key trading partner of the United States, and Senator Dole touched on that and I'll skip the next few sentences there.

Our embassy has a goal to promote a greater and more favorable understanding of the United States and its policies. I would like to expand on a program of dialog and exchange that has won rave reviews from leaders in the Dutch Muslim community and contributed to enhanced mutual understanding.

Mr. Chairman, members of the committee, thank you again for the opportunity to appear before you. With your consent, I pledge to serve our country to the best of my abilities.

[The prepared statement of Mr. Culbertson follows:]

PREPARED STATEMENT OF JAMES CULBERTSON, NOMINEE  
TO BE AMBASSADOR TO THE KINGDOM OF THE NETHERLANDS

Mr. Chairman and distinguished members of this committee, I am honored to appear before you today as the President's nominee to serve as United States Ambassador to the Kingdom of the Netherlands. I am grateful for the trust President Bush and Secretary Rice have shown in nominating me to represent our country to one of the oldest and strongest allies of the United States.

Please allow me to introduce my wife, Germaine. She will be an enormous asset to me, if I am confirmed, a most gracious representative of our country to the people of the Netherlands. Also, we have with us today our daughter, Blair, our son-in-law James, and our two grandsons, William and George Robbins.

Since graduating from The Citadel in 1960, and serving in the Army as an officer in the military intelligence branch, I have maintained a keen interest in the politics and foreign policy interests of our country. If confirmed, I will bring my professional experiences and lifelong interest in community service to bear as chief of mission for our embassy in The Hague.

As a 6-year board member of the American Council of Young Political Leaders, which was composed of an equal number of young Democrats and young Republicans, I was a member of three State Department-sponsored delegations to Europe. In 1967, I first saw the Berlin Wall and went through Checkpoint Charlie for a brief visit to East Berlin. The stark image of communism, supposedly at its best, contrasted sharply with the freedom we enjoy, and remains vivid with me to this day. In 1970, our visit included stops in The Hague and Amsterdam. We were at NATO Headquarters in Brussels in 1974, and also visited to London and Paris. During all of these trips we were hosted by young European leaders and their governments.

For 8 years, from 1985-1992, I served on the Governor's Economic Development Board in North Carolina. We undertook trade missions to other countries, as well as receiving trade missions to our State.

For the last 20 years, I have been on the Board of Trustees for The Fund for American Studies. We have sponsored summer courses for college students from across America and the world since 1970 at Georgetown University, which teach free markets, democratic government, and journalism. We initiated similar arrangements with universities in Prague in 1991, in Greece in 1996, and in Hong Kong in 2000. Our Greek institute, which is held on the island of Crete, is our most unique. It is comprised primarily of Israeli and Arab students. Many arrive literally hating their counterparts from the other confession, but by the closing week, they are dancing and partying together. It is our fervent hope that one day they will be leaders in their countries and that this experience will hasten their living together peacefully.

For the last 3 years, I have served on the American Battle Monuments Commission and have visited several cemeteries in France and Italy. Each is a moving reminder of our dedication to freedom and the sacrifices we have made to keep it secure.

For 28 years, I owned a company which I started in 1972. We primarily sold financial software, but also sold the computers, printers, networks, etc., which the customer needed. Being a "one stop shop" gave us an advantage over our large, na-

tional, competitors who sold software only. My experience as the owner of a medium-size firm provided insight into the challenges of management and successful client relations.

I would now like to offer a few words on how I would like to build upon our strong and enduring relationship with the Netherlands.

The Dutch share our commitment to uphold freedom and alleviate poverty around the world. Leaders of a major military contingent in the dangerous southern region of Afghanistan, the Dutch are also significant development partners in Afghanistan, Iraq, Latin America, and Africa. I will strive to enhance our military and development cooperation and expand Dutch support for peace, security, and democracy around the globe.

Since the tragic events of 9/11 and subsequent terrorist attacks in Europe, the Dutch have devoted increasing resources to counterterrorism and law enforcement. Six U.S. law enforcement agencies are represented at our mission, and I will work with these professionals to deepen law enforcement ties to combat terrorism, narcotics trafficking, human trafficking, and financial crimes.

The Netherlands, a nation of fewer than 17 million residents, is a key trading partner of the United States. As centers of global finance and innovation, we have invested billions of dollars in each other's economies and created hundreds of thousands of jobs. I intend to facilitate continued trade expansion and will explore new investment opportunities for U.S. firms.

Our embassy has a goal to promote a greater and more favorable understanding of the United States and its policies. I would like to expand on a program of dialog and exchange that has won rave reviews from leaders in the Dutch Muslim community and contributed to enhanced mutual understanding.

Mr. Chairman, members of the committee, thank you again for the opportunity to appear before you. With your consent, I pledge to serve our country and nurture our valued relationship with the Kingdom of the Netherlands to the best of my abilities.

I would be happy to answer any questions you may have. Thank you.

Senator CARDIN. Thank you very much. We appreciate your testimony.

I will now turn to Mr. David Girard-diCarlo to be Ambassador to the Republic of Austria.

**STATEMENT OF DAVID GIRARD-diCARLO,  
AMBASSADOR-DESIGNATE TO AUSTRIA**

Mr. GIRARD-diCARLO. Thank you, Mr. Chairman, and thank you, Senator Lugar and Senator Menendez.

I would like to introduce my wife of more than 35 years, who's been my closest friend and advisor and confidante over that period of time, my wife, Connie.

Mr. Chairman, it's my understanding that my full remarks will be provided for the record, so I will try to summarize those remarks in the interest of time.

I am honored to appear before you today as the President's nominee to be the United States Ambassador to the Republic of Austria.

I am grateful for the confidence and trust that President Bush and Secretary Rice have placed in me to serve, if confirmed, as chief of mission. I certainly thank Senator Specter for his very gracious introduction.

As you heard from Senator Specter, if confirmed, I would bring to this position more than 35 years of experience as a lawyer, an advocate, a leader, and a manager.

Over the past 25 of those years, I've had the honor and privilege of leading Blank, Rome, LLP, a professional service firm. It is today comprised of over 1,200 individuals.

As you heard, we have eight offices in the United States and one office in Hong Kong. I believe my management and leadership background will provide me the experience that is necessary not

only to advance the United States interests with Austria but to help Embassy Vienna fulfill its multioffice location operations and I can, I think, ably help provide the joint management support that is necessary for the transmission that is in Vienna as well as some joint management responsibilities we have with the nearby embassy in Bratislava.

As you heard from Senator Specter, in addition to my professional responsibilities, my experience over the past three decades has given me the opportunity to actively participate in the business and cultural organizations within the communities in which I have lived and worked.

This participation has given me a very keen appreciation for the interconnections between the public and private sectors, and I have learned that when these two sectors work in concert with one another, the whole becomes much greater than the sum of the parts, thereby enriching the lives and spirit of the entire community.

The public diplomacy programs that are so important for our country, such as the Fulbright Program, and other academic, cultural, professional exchanges, work on those same interconnections. To increase the understanding and knowledge of the United States, not just government-to-government but people-to-people, and if confirmed as ambassador, I would most heartily support those programs so that the people of Austria understand the many values and goals that we share.

Mr. Chairman, as you know and we all know, Austria has a proud history and its capital, Vienna, is a world-renowned cultural center. It serves as an exemplar of democracy, freedom, stability, and prosperity and even though a small country, it has contributed to peacekeeping missions around the world. In Southeastern Europe, it has contributed troops and assistance that are vital to the success of the United Nations missions in Kosovo and Bosnia. It has a contingent of peacekeepers in Chad which was its first foray into Africa as part of the European Union mission there, and it has assisted in aiding victims of civil unrest in Darfur, and in this time of global insecurity, no issue is of more immediate importance than our collaboration in the fight against international terrorism and transnational crime.

As an active partner in this fight, Austria has sent police instructors to the Iraqi Police Academy in Jordan. It has provided advisors in Afghanistan. It has deployed peacekeepers to the Golan Heights as part of the U.N. mission there, and together with the United States and the European Union, it operated two counterterrorism-related training programs for countries in Central Asia.

If confirmed as ambassador, I would continue to press Austria for its active participation in the Partnership for Peace and would urge Austria to work more vigilantly with NATO when our interests converge.

Mr. Chairman, as we know, this is a time of change in Austria. The European Union's enlargement eastward has shifted Austria to the center of Europe. Austria has strong historical and cultural ties with countries to its south and east and sees a role for itself in helping countries of these regions integrate more successfully into an enlarged European Union. The United States encourages that

integration which is important to the stability of Europe as a whole.

Mr. Chairman, distinguished members of the committee, Austria is a solid friend of Europe. If I am confirmed as ambassador, I pledge to use my experience as a leader and manager to build on the strong relations our two countries have and to lead our U.S. mission team in advancing the United States interests and forging even closer ties.

I look forward to this challenge and opportunity. I thank you for the opportunity to speak before you today and I would welcome the opportunity, if confirmed, to serve my country. Thank you, sir.

[The prepared statement of Mr. Girard-diCarlo follows:]

PREPARED STATEMENT OF DAVID F. GIRARD-DICARLO, NOMINEE  
TO BE AMBASSADOR TO THE REPUBLIC OF AUSTRIA

Mr. Chairman and distinguished members of the committee, I am honored to appear before you today as the President's nominee to be United States Ambassador to the Republic of Austria. I am grateful for the confidence and trust that President Bush and Secretary Rice have placed in me to serve, if confirmed, as chief of mission. I also thank Senator Specter for his very generous introduction.

If confirmed, I would bring to this position more than 35 years' experience as a lawyer, an advocate, a leader, and a manager. For the past 25 years, I have had the honor and privilege of leading and managing Blank Rome LLP. Currently, Blank Rome is comprised of approximately 1,200 professionals and nonprofessionals in eight offices within the United States and one office in Hong Kong. I am proud to report that during my tenure as the firm's leader, the firm grew more than six-fold and is, today, one of the top 100 law firms in the United States.

I believe that my management and leadership experience will enable me to advance the United States interests with Austria and help Embassy Vienna fulfill its bilateral mission. My experiences managing multilocation operations will enable me to assist Embassy Vienna as it provides joint management support to the United States Mission to the United Nations and the United States Mission to the Organization for Security and Cooperation in Europe in Vienna, and it also provides management and resource support for the nearby mission in Bratislava.

I believe it is noteworthy to comment that relatively early in my career, I was appointed to the Board of Directors of the Southeastern Pennsylvania Transportation Authority (SEPTA) by the then-Governor of Pennsylvania, Richard Thornburgh. Immediately after joining the board, I was elected chairman and chief executive officer. During my 3½ year-tenure there, SEPTA employed approximately 7,000 people, had an operating budget of about \$500 million dollars, and had capital facilities worth several billion dollars.

As the only noncareer professional among a cadre of career transportation professionals, I learned firsthand the importance of valuing the commitment, talent, and dedication that those professionals brought to their jobs. I committed myself to making SEPTA a better place when I left than it had been when I joined. I believe I accomplished that goal. If confirmed, I believe my responsibility to the President, to the American people and to Embassy Vienna should be, and will be, to do everything in my power to leave Embassy Vienna a better place at the conclusion of my assignment.

In addition to my professional responsibilities, my experience over the past three decades has included my active participation in the business and cultural organizations within the communities in which I have lived and worked. I have served in leadership positions at the Greater Philadelphia Chamber of Commerce, the Philadelphia Orchestra and Academy of Music, the Walnut Street Theatre, the John F. Kennedy Center for the Performing Arts here in Washington, and the Arizona Heart Foundation in Phoenix—to name only a few.

Furthermore, I have always been committed to and actively involved with educational institutions in my community. At the request of Cardinal Anthony Bevilacqua, for 5 years, I chaired Business Leaders Organized for Catholic Schools, a Philadelphia-based organization which raised money for scholarships for children attending Catholic schools. I have also served on the boards of St. Joseph's University, Drexel University, Harcum Junior College and Villanova University School of Law.



I believe my civic activities and community involvement have given me a keen appreciation for the interconnections between the public sector and the private sector. I have learned that the whole becomes greater than the sum of the parts and, when these two sectors work in concert with one another, together they enrich the lives and the spirit of the people in the community.

I would bring this experience and understanding to my new position if I am confirmed as Ambassador to Austria. Public diplomacy programs such as the Fulbright program and other academic, cultural, and professional exchanges work on those same interconnections to increase understanding and knowledge of the United States, not just government-to-government, but people-to-people, across a variety of sectors.

I look forward to assuring a distinguished beginning to Ambassador McCaw's initiative for a scholarship exchange program. This 10-year program would use funds from the Austrian Marshall Plan Foundation for Austrian and American exchange students to study at universities and technical colleges in each other's country. If confirmed as ambassador, I would support these programs so that the younger generation of Austria would better understand the many values and goals we have in common.

Mr. Chairman, Austria has a proud history and its capital, Vienna, is a world-renowned cultural center. Today, Austria serves as an exemplar of democracy, freedom, stability, and prosperity. Though a small country, Austria has contributed to peacekeeping missions around the world. For example, in southeastern Europe it has contributed troops and assistance that are vital to the success of U.N. missions in Kosovo and Bosnia. Austria has a contingent of peacekeepers in Chad as part of the European Union mission there and it has assisted in aiding victims of civil unrest in Darfur.

In this time of global insecurity, no issue is of more immediate importance than our collaboration in the fight against international terrorism and transnational crime. Austria is an active partner in this fight. Austria has sent police instructors to the Iraqi Police Academy in Jordan; has provided advisors in Afghanistan; and has deployed peacekeepers to the Golan Heights as part of the U.N. mission there. Together with the United States and the European Union, Austria operated two counterterrorism-related training programs for countries in Central Asia. If confirmed as ambassador, I would continue to press for Austria's active participation in the Partnership for Peace and would urge Austria to work with NATO whenever our interests converge.

Austria faces terrorist threats just as we do in the United States and other democracies do. This is why we must work to forge strong ties and fight this threat together. Austria has provided extensive cooperation to United States law enforcement agencies and has supported regional antiterrorism initiatives. If confirmed as ambassador, I would work to strengthen information exchange and cooperation on counterterrorism, and I would work to expand outreach to populations vulnerable to radicalization and terrorist recruitment.

Mr. Chairman, this is a time of change in Austria. The European Union's enlargement eastward has shifted Austria to the center of Europe. Austria has strong historical and cultural ties with countries to its south and east and sees a role for itself in helping countries of these regions integrate successfully into an enlarged European Union. The United States encourages that integration, which is important to the stability of Europe as a whole.

Mr. Chairman and distinguished members of the committee, Austria is a solid friend in Europe. If I am confirmed as ambassador, I pledge to use my experience as a leader and manager to build on the strong relations our two countries have and to lead our United States mission team in advancing America's interests and forging even closer ties between the people of the United States and the people of Austria. I look forward to this challenge and thank you for both this opportunity to appear before you and the opportunity to serve my country.

In closing, I want to thank my wife, Connie, my best friend for more than 35 years, for her continuing support and counsel and for her enthusiasm with regard to this possible new venture in our lives.

I would be happy to answer any questions.

Senator CARDIN. Thank you very much for your comments.

Ms. Kristen Silverberg to be the United States Representative to the European Union with the rank and status of ambassador.

**STATEMENT OF KRISTEN SILVERBERG, NOMINEE TO BE U.S.  
REPRESENTATIVE TO THE EUROPEAN UNION**

Dr. SILVERBERG. Thank you, Mr. Chairman and members of the committee.

I would like to introduce my mother, Rhoda Silverberg, my father-in-law and mother-in-law, Judge Charles Ledow and Sue Ledow, and my sisters-in-law, Renee Lerner Ledow and Alexandra Ledow. Thank you for being here.

Mr. Chairman, I'm deeply honored to appear before you today as President Bush's nominee to serve as United States Representative to the European Union. I would like to begin by thanking President Bush and Secretary Rice for their trust and confidence in nominating me for this important position.

It has been my great privilege to serve for the last 3 years as Assistant Secretary of State for International Organization Affairs and for the previous 4 years as a policy advisor to the President.

For the last 60 years, our agenda with Europe has been principally about Europe. From the passage of the Marshall Plan, to the defeat of communism, to our support for new democracies in Central and Eastern Europe, the United States has worked to support a Europe that is free, prosperous, and united, and while that work continues even today, Europe has made tremendous strides.

Today, the 27 countries of the European Union form a single market with, collectively, the largest economy in the world and Europe's leaders are working to ensure that the European Union has the will and the capacity to fulfill its responsibilities as a global leader.

Indeed, today Europe is our leading partner in advancing democracy and freedom around the globe. As we work to promote democracy, confront terrorism, prevent the spread of weapons of mass destruction, and defend human rights, we depend on what President Bush has called a powerful and purposeful Europe that advances the values of liberty within its borders and beyond.

With respect to countless global issues, the strength of our partnership with the European Union will help determine success or failure in the months and years ahead. Continued United States-European Union cooperation will be necessary to convince Iran to comply with four U.N. Security Council resolutions. Cooperation will be necessary to lower regulatory barriers and unleash our full economic potential with more trade investment and innovation.

We must work together to negotiate an ambitious market opening agreement in the DOHA Trade Round. We must together encourage Russia to play a constructive role in the international stage, improve human rights within its borders and bring energy resources to market within a free and competitive framework.

We must work to bring all major economies into a global agreement to reduce greenhouse gas emissions. We must work together to support Israeli and Palestinian peace efforts. We must strengthen Governments in Iraq and Afghanistan and support a democracy in Lebanon as it resists foreign interference.

We must defeat HIV/AIDS and malaria and help developing countries support their own development by promoting good governance and responsible free market practices, and we must join

forces to defend human rights and promote democratic reform in countries, like Burma and Zimbabwe and Cuba.

Mr. Chairman and members of the committee, if confirmed, I look forward to working with the members and the staff of this committee to strengthen our relationship with the leadership and the people of the European Union for the benefit of both sides of the Atlantic and the global community.

Thank you again for granting me the honor of appearing before you today. I look forward to answering any questions.

[The prepared statement of Dr. Silverberg follows:]

PREPARED STATEMENT OF KRISTEN SILVERBERG, NOMINEE TO BE THE U.S. REPRESENTATIVE TO THE EUROPEAN UNION WITH THE RANK AND STATUS OF AMBASSADOR

Mr. Chairman and members of the committee, I am deeply honored to appear before you today as President Bush's nominee to serve as United States Representative to the European Union. I would like to begin by thanking President Bush and Secretary Rice for their trust and confidence in nominating me for this important position. It has been my great privilege to represent the United States for the last 3 years as Assistant Secretary of State for International Organization Affairs and for the previous 4 years as a policy advisor to the President.

For the last 60 years, our agenda with Europe has been principally about Europe. From the passage of the Marshall Plan, to the defeat of communism, to our support for new democracies in Central and Eastern Europe, the United States has worked to support a Europe that is free, united, and prosperous. And while that work continues even today, especially as we support Kosovo's independence, Europe has made tremendous strides. Today, the 27 countries of the European Union form a single market with, collectively, the largest economy in the world, and Europe's leaders are working to ensure that the European Union has the will and capacity to fulfill its responsibilities as a global leader.

Indeed, today, Europe is our leading partner in advancing freedom and prosperity around the globe. As we work closely with Europe to promote democracy and the rule of law, confront international terrorism, prevent the spread of weapons of mass destruction, and defend international human rights, we depend on what President Bush has called "a powerful and purposeful Europe that advances the values of liberty within its borders, and beyond."

With respect to countless global issues, the strength of our partnership with the European Union will help determine success or failure in the months and years ahead.

- To prevent nuclear proliferation, continued United States-European Union cooperation will be necessary to convince Iran to suspend its enrichment and reprocessing activities as demanded by four U.N. Security Council resolutions;
- To strengthen our economies, we must work together to lower regulatory barriers and unleash our full economic potential with more trade, investment, and innovation; we must work to negotiate an ambitious, market-opening agreement in the Doha trade round;
- We must together encourage Russia to play a constructive role on the international stage, improve human rights within its borders, and bring its energy resources to markets within a free and competitive framework;
- To address climate change, we must work to bring all major economies into a global agreement to reduce greenhouse gas emissions;
- To advance peace in the Middle East, we should work together to support Israeli and Palestinian peace efforts;
- Standing together, we can strengthen Governments in Iraq and Afghanistan against terrorist threats and support a democracy in Lebanon as it resists foreign interference;
- Working together, we must defeat HIV/AIDS and malaria, and help developing countries support their own development by promoting good governance and responsible free market practices;
- And, we must join forces to defend human rights and promote democratic reform in countries like Burma, Zimbabwe, and Cuba.

Mr. Chairman and members of the committee, on these and many issues, our relationship with the European Union will continue to be vital to our ability to support peace, stability, and prosperity.

If confirmed, I look forward to working with the members and staff of this committee to strengthen our relationship with the leadership and people of the European Union for the benefit of both sides of the Atlantic and the global community.

Thank you again for granting me the honor of appearing before you today. I look forward to answering any questions.

Senator CARDIN. Well, thank you for your testimony. Again, I thank all three of our nominees for their testimony here today.

Ms. Silverberg, let me start with you, if I might. There's a lot of issues concerning the United States and Europe, so you have a very broad agenda. I think about the decision yesterday on the appeal of the Boeing decision and, of course, there's a longstanding dispute between the United States and Europe on subsidies for the aircraft industry.

Both have filed claims with the WTO and there is, at least in Congress, a concern as to whether the WTO is the forum in which we can adequately present our claims. Our batting average there has not been very strong. Add to that the DOHA Round that you mentioned in which Europe basically undermined our ability to move forward because of their policies on agriculture.

So I guess my question to you is how do you see your role in trying to deal with the growing problems between Europe and the United States on trade where we really seem to be at odds in using adversarial procedures rather than trying to work out our problems in a more amicable way?

Dr. SILVERBERG. Mr. Chairman, I think one thing that distinguishes this DOHA Round from previous trade rounds is that in fact the United States and Europe are much closer together. In previous rounds the real heavy lifting was done between the United States and Europe and once that agreement was in place, the rest of the negotiations fell into place. In this round, United States and Europe are actually relatively close together and the real heavy lift is whether we'll be able to persuade the major developing economies to come on board.

Now that's not to say that we don't have persistent disagreements—we do—and as you point out in this DOHA Round, we have Ag disagreements on level of subsidies and market access issues on export credits, but what we're finding in our trading relationship with Europe is that the major obstacles aren't the traditional high tariffs, it's regulatory barriers. So it's things, regulation in Europe that prevents market access because it's designed to protect health and safety or to protect consumers.

That's the kind of thing we've seen with respect to GMOs where, of course, we have an outstanding WTO favorable decision. It's the kind of thing we've seen with respect to poultry where we have a very serious pending disagreement with the Europeans.

I think on all of these issues, our response is going to require a number of different tools. Sometimes that will be a negotiated settlement which is usually the preferable situation. Sometimes that's going to be a WTO case. In most cases, I don't think that WTO case indicates that our relationship is broken down. It really more indicates that our trading relationship is enormously complex.

If confirmed, I would work to press market access issues in the strongest possible way.

Senator CARDIN. Let me just observe, and I'm sure you are aware of it, the negotiations between Europe and the United States in trade has gotten more difficult in recent years.

I agree with you, historically,—well, we've had a lot of battle with developing countries, but the agriculture issues are only getting more complicated, considering the world circumstances on food.

So I would just urge you to really place this as a high priority area in trying to work out a better working relationship between Europe and the United States.

Let me move to one other question, if I might, for you and that is, the future of NATO as it relates to the efforts within Europe to develop their own security system under the European Union. Is this compatible or do you see that we may be in conflict with our strategic needs?

Dr. SILVERBERG. I think it may be too early to tell. We've said that we welcome a Europe that's ready and willing to assume its greater role for international peace and security and that there's a role for the European Union in that and so we see European Union missions that we support in Chad which is critical to help resolve the humanitarian crisis in Darfur. We have a European Union mission in Afghanistan we strongly support, but what we've said is that the ESDP should result in more European resources for international peace and security. We don't want to see the European Union in competition with NATO over scarce resources, so we don't want to see an overlapping bureaucracy in Brussels. We don't want to see the kind of overlapping conflict between the two organizations.

We've called for what our current Ambassador to NATO, Troy M. Newland, has called seamless cooperation. This is thankfully an issue for the French presidency. President Sarkozy has taken this seamless cooperation on as part of his agenda and so the French will be hosting a conference this next month but that's our general approach to the issue.

Senator CARDIN. Thank you. Mr. Girard-diCarlo, Austria has been a close ally of the United States. We've had a very strong relationship.

The popular view in Austria is against Turkey's admission to the European Union. Our position has been that we want to see the integration of Turkey within Europe.

How do you see your role as our ambassador to deal with promoting the United States goal of further integration, particularly of Turkey, in Europe?

Mr. GIRARD-DICARLO. Senator, I think that's a very important issue. It is incumbent upon Embassy Vienna and, if confirmed, I would use whatever energies I have to be applied to this issue.

It is in part an educational issue. It is in part perhaps a commercial issue. It's in part perhaps a religious issue. It's complex. As I'm sure you know, Austria now has a significant Muslim population which is not, from what I understand, being integrated very successfully into its society and that causes some problems.

So I think it would be incumbent on me as ambassador, if I'm confirmed, to aggressively pursue educational informational views so that I can help promote the interests of the United States and

the interests of a global and stable Europe and without Turkey's participation in that, I think we would be encumbered somewhat and Europe would be encumbered somewhat.

So I would look forward to every opportunity that I have to not only inform and maybe influence but certainly engage the Austrians on this issue.

Senator CARDIN. Thank you. Let me ask Mr. Culbertson. Let me—the Netherlands is one of our strongest trading partners, significant investment back and forth between our countries. We share a lot of common goals.

There are some concerns developing within the Netherlands in regard to its policies related to minorities. There seems like there is a growing intolerance within—concerning the minority community, and I would just like to get your observations as to how high a priority that's going to be, if you're confirmed, in dealing with the respect for the minority population.

There's a Muslim population in the Netherlands that's having difficulties, Jewish population. There's been a rise in anti-Semitism within the Netherlands, and how this will be on your radar screen.

Mr. CULBERTSON. Mr. Chairman, that would certainly be one of the top three priorities. They have had a—we've had a minority immigration problem, I guess, for several hundred years. They've had this problem for around 30 years.

I understand they have the second largest Muslim minority in Europe percentagewise. They're 60 percent now. There's a lot of hostility there. They haven't, as of this point, done a great job in integrating that society, assimilating that society.

We have, on the other hand, developed an outstanding outreach program to the Muslim community from our embassy. I think the prior ambassador has done a good job in a good outreach start. I certainly want to continue that, continue a dialog with the leaders of the Muslim community, the young folks, just the key leaders.

By the way, the latest polls, I think, show that 62 percent of the Muslims have a very unfavorable view of the United States. Perhaps if we can find out the common interests and correct some of the incorrect viewpoints and try to deal with some issues that are more irreconcilable, it will help the Muslims and the Dutch even come to better terms.

We can talk about our long struggle with civil rights in this country as well as our immigration problems and the ways we've dealt with it and sometimes the ways we haven't properly dealt with it, but it's an ongoing thing and I would—I understand public diplomacy has made the Netherlands a pilot country for even more outreach in the Muslim community and I'm looking forward to doing everything I can to be part of that program and lead it and see that it's successful.

Senator CARDIN. Thank you. Senator Lugar.

Senator LUGAR. Thank you very much, Mr. Chairman. In the interest of time, I'm not going to ask questions of each of the three because I know we have pressures of potential Roll Call votes and other witnesses to hear.

I would like to second the chairman's thought that the intersection of the world food crisis and the world energy crisis has a dra-

matic impact on the United States and our European allies. It is clear we must work together to solve these crises.

Certainly our farm subsidies are controversial, the Europeans likewise. Frequently in our Agriculture Committee meetings, Senators say we're not going to unilaterally disarm and discontinue subsidies here in the United States. The United States and European subsidies are disastrous for the world in light of dangers of food shortages.

Exacerbating this problem is a specific European problem and that is genetically modified seed. It will be virtually impossible, despite all the brave talk about increasing production in the world, for the world to increase production without the use of technology. We have found in American agriculture that we are able to triple and quadruple yields in our lifetimes in corn and soybeans and wheat and other crops, largely through these breakthroughs.

Europeans in most cases have resisted this. I think this is a protectionist device against our exports, but this influences many countries in Africa and in Asia as almost a theological resistance to genetically modified seeds.

Now, the net result is even in Switzerland, the Financial Times says in the last couple of days, that people raided a facility in which experiments on genetically modified organisms were occurring just to exemplify their antipathy to this.

Now normally we talk about relationships with Russia, with China, with the European Union and so forth. This is a gut issue with regard to the possibilities that a lot of people are going to starve if we are not successful in convincing Europeans to work with us in this area. It will be a very tough one because emotion is running against us, both on subsidy as well as the genetically modified seeds.

But I wish each of you well and you're all well qualified in my judgment. I appreciate your willingness to serve our country in these capacities. I wanted to take this opportunity to say if we're serious and we must be about the world food crisis, it will not be solved without European and United States cooperation.

I thank you, Mr. Chairman.

Senator CARDIN. Thank you, Senator.

Senator MENENDEZ.

Senator MENENDEZ. Thank you, Mr. Chairman. Let me congratulate you all on your nominations and your willingness to serve the country. I appreciate it and I think everyone spoke very highly about you.

I do have one question for Ms. Silverberg, two actually. One is I appreciate your statement. At the end of a long list, you talked about human rights and promoting democracy and you mentioned several countries.

As we speak, the European Union is thinking about what it will do as it relates to Cuba. I certainly hope that if you are successful in being confirmed by the Senate, that you will put that high on the agenda. It's a challenge. The Europeans don't necessarily have the same views as us. They espouse that they believe in democracy and human rights for the people of Cuba but they have a much different way of approaching it and so I hope that you will put that not only on your radar screen but that you'll use the power of your

office in a significant way to promote both the administration's and to this point, the majority of the Congress's views in that regard.

I do have a question and that is, with reference to the Middle East: It seems to us, many of us, that we don't quite understand why United States policy choices seem to differ often with the Europeans, even though we have largely the same goals, and yet we seem to come out in very different ways on how to pursue those goals.

I'm wondering how is it that you assess the United States-European Union cooperation toward the Middle East, where are our differences, and how do we narrow those differences to pursue a common goal?

Dr. SILVERBERG. Thank you, Senator. First, I can assure you that if confirmed, Cuba and pressing human rights in Cuba would be a fundamental priority for my mission. It's been a priority in my current post and we agree strongly that this is the wrong time to send that kind of message to the Cuban Government, that it has somehow removed itself from the list of concerns of the international community.

President Bush pressed this issue very strongly in his visit to Europe last week, and so we hope that the European Union will not take that position and we've been glad to see some European countries and particularly former Soviet bloc countries, the ones with the most recent experience with a repressive government, taking the most responsible line on that.

On the Middle East, there are disagreements, of course, between us and the European Union and there may be a lot of reasons for that. They've had a different approach with respect to engagement with the Syrian Government than we have had. We have a closer bilateral relationship with Israel, I think it's fair to say, but we do cooperate, I think, constructively across the board on the Middle East peace process. We both agree on the importance of the bilateral negotiations. We agree on the importance of building Palestinian institutions. We agree on building regional support for the process, and I think the European Union was strongly supportive of the Annapolis process.

We support—we've cooperated on Iran, very successfully producing four Security Council resolutions, working with the Europeans as part of this P5+1 exchange. We've worked very closely with the French in particular on Lebanon which isn't to say we've agreed on every tactical issue but on the whole, we've had very good cooperation, and I think even on Iraq where I think we had the greatest amount of disagreement, we've moved closer together in terms of encouraging the European Union to take on some of the important rule of law activities and other things.

So generally, I am reasonably optimistic. There will be disagreements, but I think we can work within a broader framework.

Senator MENENDEZ. Thank you, Mr. Chairman.

Senator CARDIN. Senator DeMint.

**STATEMENT OF HON. JAMES DEMINT,  
U.S. SENATOR FROM SOUTH CAROLINA**

Senator DEMINT. Thank you, Senator Cardin, and I want to thank all three of you for your willingness to serve as well, and I'll



just maybe make just a quick challenge to Ms. Silverberg and let you have a quick response.

The tie between the United States and Europe is much stronger on the economic level and more positive than political and I really think that's the long-term bond that's going to keep us as strong trading partners and allies.

My hope is, is that, you will use every opportunity to promote free trade zone between the United States and Europe, overcome barriers, such as Senator Lugar was talking about, but I do believe we can set a model for the world since Europe and the United States are closest on a lot of their just humanitarian interests and environmental interests and I just think that's real important for our country.

I know from having a number of European companies in our State, that even when we're squabbling with the French or the Germans on the political side, we're great friends and business partners when it comes to doing business around the world.

So I just see that as the tie that binds long term and I hope you see that as a priority going forward.

Dr. SILVERBERG. Senator, I do, and if confirmed, it would be essential to continue to break down trade barriers, especially on Ag, but really across the board, and I know that the administration has taken this on as part of the TransAtlantic Economic Council discussions and it will continue to be a high priority.

Senator DEMINT. Thank you.

Senator CARDIN. Let me thank our three nominees for their response to our questions. We will now turn to the second panel. Thank you all very much.

While we're setting up for the second panel, let me announce that there's anticipated votes on the Senate floor starting in about 10 minutes. Senator Menendez and I will attempt to keep the committee in session during that period of time by us rotating voting, if that is possible, in order not to inconvenience the witnesses and those who are in the committee room.

Senator DEMINT. Senator Cardin—

Senator CARDIN. Yes?

Senator DEMINT [continuing]. Could I ask consent to submit my formal statement for the record?

Senator CARDIN. Absolutely. Without objection, your statement will be made part of the record.

[The prepared statement of Senator DeMint follows:]

Senator CARDIN. On this panel, we do have five nominees for ambassadorships with European countries. The first nominee that we will hear from will be Mr. John R. Beyrle to be Ambassador to the Russian Federation.

Mr. Beyrle has already been introduced by Senator Levin.

Let me just tell you that I was humbled and impressed by the story of your father, a true hero, and I thank Senator Levin for sharing that with us, and thank you for your public service, all of you.

**STATEMENT OF JOHN R. BEYRLE, NOMINEE TO BE  
AMBASSADOR TO THE RUSSIAN FEDERATION**

Mr. BEYRLE. Thank you very much, Mr. Chairman and members of the committee.

I'd like to recognize, if I could, members of my family. My father- and mother-in-law, Kenneth and Ann Greene, and my daughter, Allison, who are here with me today. And I'd also like to thank Senator Levin for honoring the memory of my father and mother with his kind words. Thanks to him, I feel like they're here with us today, as well.

Mr. Chairman, I have a longer statement that I'd request be entered into the record.

Senator CARDIN. Without objection, all of your statements will be entered into the record.

Mr. BEYRLE. I'm honored to appear before you today as President Bush's nominee to be the next U.S. Ambassador to the Russian Federation. I, too, am grateful for the confidence and trust expressed in me by the President and Secretary Rice through this nomination and, if confirmed, I will do my utmost to advance and defend American interests in Russia and I look forward to consulting and cooperating closely with the committee, with its staff, in pursuit of the goals of the United States.

Mr. Chairman, I have to say it's a special pleasure for me to be back in Dirksen 419 where I spent so many hours as a Pearson Fellow on the staff of Senator Paul Simon in the 101st Congress. When I see Bertie on the job here, I know that we're in very good hands, indeed.

I've now spent over three decades of my life studying, working, and living in Eastern Europe, the Soviet Union, and in Russia, and I believe, thanks to that, that I've gained a broad range of experience that relates directly to the challenges and the opportunities that I would face if confirmed.

I made my first trip to Russia as a somewhat younger university student in Leningrad in 1976, after 4 years of studying Russia at college in Michigan. I spent 2002 to 2005 as deputy chief of mission at our mission in Russia, but my first posting to the U.S. Embassy was 25 years ago. Obviously the world has been transformed since then. No longer are the United States and the Soviet Union pitted in that ideological and military confrontation of the cold war.

Our bilateral relationship has experienced great changes over these years and I would say the world is a safer place in large part for those changes. Today, our relationship is much more complex, including elements of strategic cooperation and areas where we have sharp differences.

As much as things have changed, however, I think important elements remain the same. Russia remains a great power. The largest country in the world, Russia's attitudes and influence matter in almost every issue of importance to America, whether we're talking about the fight against global terrorism, nonproliferation of weapons of mass destruction, or strategic and regional issues involving North Korea, Iran, or the Middle East.

The United States recognizes the shared challenges that our two countries face and we will seek to cooperate with the Government of Russia whenever and wherever possible because we will always

achieve much more with Russia's cooperation than we will without it.

This principle was spelled out in the Strategic Framework Declaration announced by Presidents Bush and Putin in Sochi in April. A roadmap for the way forward in United States-Russian relations, the Declaration states that the two countries will work together to promote security, prevent the spread of weapons of mass destruction, combat terrorism, and advance economic cooperation.

In less than two decades, we built a strong record of concrete cooperative achievements in these areas. For example, under the Cooperative Threat Reduction Program, the United States has helped Russia improve physical security at chemical, biological, and nuclear research production and storage facilities. The United States has helped Russia dispose of fissile materials through the agreement. Material from dismantled warheads is being downblended into nuclear fuel used in the United States.

Senator Lugar, thank you for your leadership in that from the very start.

United States-Russia trade is growing. It totals now nearly \$27 billion. There are many other examples and I think the United States and Russia can point to those examples and should point to these achievements with pride.

At the same time, our desire to strengthen our relations with Russia and our desire to see a democratic and a strong Russia as a constructive influence in world affairs means that we must be honest and open about the areas in which we have disagreements or in which we have concerns about Russia's development.

The President and Secretary Rice have been forthright about these issues in their public statements and their discussions with Russian leaders. They include concerns about trends that are moving Russia away from a stronger democratic future, weakening the institutions of civil society and endangering the sustainability of economic growth.

We've seen opposition political parties and supporters facing increased restrictions. Nongovernmental organizations and the media have been subject to pressure, harassment, and sometimes violence. Problems with corruption and the rule of law persist in ways that hinder the operation of foreign businesses and dampen the investment climate.

We are also very concerned about Russia's relations with its closest neighbors. While we appreciate the great influence that Russia has in the world, we would like to see Russian leaders exercise that influence in a way that does not increase regional tensions but contributes to peace and stability.

Russia's long-term interests are best served by having strong sovereign and prospering neighbors and by energy dealings in which the terms are transparent, market-driven, and mutually beneficial.

Mr. Chairman, the United States has a strong stake in Russia's success. However, that success, as Russian President Dmitry Medvedev recently acknowledged, can be built only upon a foundation of democratic and free market reforms. These reforms are in Russia's own interests and we remain committed to working with the Russian people and their leaders to implement them.

If confirmed, Mr. Chairman, I plan to build on the excellent work of my distinguished predecessor, Ambassador Bill Burns, to expand the cooperation we've already undertaken with the Government of Russia and to speak honestly and constructively with Russian leaders when we encounter areas of disagreement.

If confirmed, I believe that my experience in and knowledge of Russia, its history, culture, people, and language, will enable me to be an effective advocate for United States foreign policy interests.

I thank you for the honor of appearing before this committee and look forward to your questions.

[The prepared statement of Mr. Beyrle follows:]

PREPARED STATEMENT OF JOHN R. BEYRLE, NOMINEE  
TO BE AMBASSADOR TO THE RUSSIAN FEDERATION

Mr. Chairman and members of the committee, I am honored to appear before you today as President Bush's nominee to be the next United States Ambassador to Russia. I am grateful for the confidence and trust expressed in me by the President and Secretary Rice through this nomination. If confirmed, I will do my utmost to advance and defend American interests in Russia, and look forward to consulting and cooperating closely with the committee and its staff, and with your colleagues in Congress, in pursuit of those goals.

It's a special pleasure to be back here in Dirksen 419, where I spent so many hours during the 101st Congress as a Pearson fellow on the staff of the late Senator Paul Simon.

I've now spent over three decades studying, working, and living in Eastern Europe, the Soviet Union, and in Russia. I believe I have gained a broad range of experience related directly to the challenges and opportunities I would face if confirmed for this position.

I made my first trip to Russia as a university student in Leningrad in 1976, after 4 years of studying Russian in college. In the late 1970s, I spent almost 3 years traveling to dozens of cities across the USSR on American cultural exhibitions organized by the U.S. Information Agency. I spent 2002 to 2005 as deputy chief of our mission in Russia, but my first tour at the United States Embassy in Moscow was 25 years ago. The world has been transformed since then. Most importantly, no longer are the United States and the Soviet Union pitted in the ideological and military confrontation of the cold war. Our bilateral relationship has experienced great change in these years, and the world is a safer place for those changes. Today our relationship is much more complex, including elements of strategic cooperation, and areas where we have sharp differences.

As much as things have changed, however, important elements remain the same. Russia remains a great power. The largest country in the world, the Russian Federation enjoys enormous global influence. It is the only nuclear power comparable to the United States, and the world's largest producer of hydrocarbons. As a permanent member of the United Nations Security Council, Russia's attitudes and influence matter in almost every issue of importance to America, whether the fight against global terrorism, nonproliferation of weapons of mass destruction, or strategic and regional issues involving North Korea, Iran, or the Middle East.

The United States recognizes the shared challenges that our countries face. We seek to cooperate with the Government of Russia wherever possible, because we will always achieve much more with Russia's cooperation than without it. This principle was spelled out in the Strategic Framework Declaration announced by Presidents Bush and Putin at Sochi in April. A roadmap for the way forward in United States-Russian relations, the declaration states that the two countries will work together to promote security, prevent the spread of weapons of mass destruction, combat terrorism, and advance economic cooperation. In less than two decades, we have built a strong record of concrete, cooperative achievements in these areas. For example, under the 20-year-old Intermediate Nuclear Forces Treaty, together we have eliminated an entire category of our nuclear weapons. Under the Cooperative Threat Reduction program, the United States has helped Russia improve physical security at chemical, biological, and nuclear research, production, and storage facilities. The United States has helped Russia dispose of fissile material through the agreement—material from dismantled warheads is being down-blended into nuclear fuel used in the United States. Two Russian plutonium-production reactors have recently been shut down and will be replaced by fossil fuel plants with United States assistance.

United States-Russia trade is growing, totaling nearly \$27 billion last year. United States companies and their foreign subsidiaries have invested more than \$16 billion in Russia, and Russian companies have invested more than \$5 billion in the United States since 2000. Both Russia and the United States can and should point to such achievements with pride—and use them as benchmarks for future progress.

At the same time, our desire to strengthen our relations with Russia—and to see a democratic and strong Russia as a constructive influence in world affairs—means that we must be open and honest about the areas in which we have disagreements, or concerns about Russia's development. Both the President and Secretary Rice have been forthright about these issues in their public statements and their discussions with Russian leaders. They include concerns about trends that are moving Russia away from a stronger democratic future, weakening the institutions of civil society, and endangering the sustainability of economic growth. We have seen opposition political parties and supporters facing increased restrictions. Nongovernmental organizations and the media have been subject to pressure, harassment, and sometimes violence. Problems with corruption and the rule of law persist in ways that hinder the operation of foreign businesses and dampen the investment climate. Freedom for civil society to operate and for citizens to express their political will is vital to the democratic development of any country, but especially a country as influential as Russia.

We are also very concerned about Russia's relations with its closest neighbors. While we appreciate the great influence Russia has in the world, we would like to see Russian leaders exercise that influence in a way that does not increase regional tensions, but contributes to peace and stability. Russia's long-term interests are best served by having strong, sovereign, prospering neighbors, and by energy dealings in which the terms are transparent, market-driven, and mutually beneficial.

The United States has a strong stake in Russia's success. However, that success, as Russian President Dmitry Medvedev recently acknowledged, can be built only upon a foundation of democratic and free market reforms. These reforms are in Russia's own interest, and we remain committed to working with the Russian people and their leaders to implement them.

Mr. Chairman, if confirmed I will build upon the excellent work of my predecessor, Ambassador William Burns, to expand the cooperation we have already undertaken with the Government of the Russian Federation, and to speak plainly with Russian leaders when we encounter areas of disagreement. We will work to implement the roadmap of the Strategic Framework Declaration, including cooperation in the field of nuclear energy and nonproliferation; the expansion of Russian-American commercial ties and the integration of Russia into global economic institutions; the struggle against terrorism and transnational crime; and the encouragement of the development of democratic institutions, rule of law, and a vibrant civil society in Russia.

Mr. Chairman, these are but a few of the many challenges and opportunities that define the relationship between the United States and Russia today. If confirmed, I believe that my experience in and knowledge of Russia, its history, culture, people, and language will enable me to be an effective advocate for the United States foreign policy interests. Thank you for the honor of appearing before you today, and for considering my nomination.

Senator CARDIN. Thank you very much. We'll now turn to Mr. Asif Chaudhry to be Ambassador of the Republic of Moldova.

#### **STATEMENT OF ASIF J. CHAUDHRY, NOMINEE TO BE AMBASSADOR TO THE REPUBLIC OF MOLDOVA**

Mr. CHAUDHRY. Thank you, Mr. Chairman. If I may, I would like to introduce my family. My wife, Charla Chaudhry, my daughter, Brianna Chaudhry, and my son, Rishan Chaudhry. Thank you.

Mr. Chairman and members of the committee, it is an honor and a privilege to appear before you today as the President's nominee to be the Ambassador to the Republic of Moldova. I deeply appreciate the confidence and trust President Bush and Secretary Rice have placed in me. If confirmed, I look forward to working closely with Congress to promote United States interests in Moldova.

Mr. Chairman, the United States is a strong partner with Moldova as it continues along the path of building viable demo-

cratic institutions and a free market economic system. While Moldova has made tremendous strides toward achieving these objectives, the country has faced serious challenges along this path.

I would like to take a moment today to focus on four United States priority interests with Moldova that are directly linked with these challenges.

First and foremost, the United States objective in Moldova is to help strengthen its democratic institutions, such that the citizens of that country can have faith in its political system. I believe that a democratic system supported by a free media is an essential element in facilitating Moldova's integration with the EuroAtlantic community.

The second priority area is keeping Moldova on the path of economic reform and development and making sure that the government consistently implements the laws on economic reform that are being passed by the country's Parliament.

Since corruption remains a major obstacle to sustained economic growth and development, the Millennium Challenge Corporation has implemented a \$24.7 million threshold program to support Moldova's fight against corruption and is reviewing a \$518 million Compact proposal that will focus on positive economic growth.

The issue that presents the most serious challenge to achieving the first two objectives is the unresolved conflict in Transnistria. The United States is committed to a resolution of this issue that guarantees Moldova's territorial integrity and includes the withdrawal of Russian soldiers. This is a key to establishing Moldova's sovereignty over all its territory.

If confirmed, I will make this a major part of my mission as Ambassador to Moldova.

The fourth area of priority interest for the United States is the issue of transporter crime and the tragic prevalence of trafficking in persons. Better controls over its border and economic prosperity within the country, along with a more concerted effort to fight domestic corruption, will do much to assist Moldova's struggle to protect its citizens, especially women and young girls, from being exploited.

If confirmed, I will urge the recently-appointed Prime Minister Greceanii to fulfill her commitment to fight crime, especially discourage of trafficking persons.

Mr. Chairman, as Moldova is strategically located at the border of the European Union, it is important for us to engage its leadership on these key areas of interest. It is worth mentioning that in spite of these serious issues, Moldova has made noticeable strides in economic and political development. It is a friendly country where the United States enjoys considerable influence. It deserves our support and encouragement.

Before concluding, I would like to once again take the opportunity, Mr. Chairman, to thank my wife and children for all the sacrifices they make as we move from country to country as a result of my commitment to serve our country around the globe.

I thank you, Mr. Chairman, for the opportunity to share my thoughts. If confirmed, I look forward to working with you closely to advance the interests of the United States in Moldova.

Thank you, sir.

[The prepared statement of Mr. Chaudhry follows:]

PREPARED STATEMENT OF ASIF J. CHAUDHRY, NOMINEE  
TO BE AMBASSADOR TO THE REPUBLIC OF MOLDOVA

Mr. Chairman and members of the committee, it is an honor and a privilege to appear before you today as the President's nominee to be Ambassador to the Republic of Moldova. I deeply appreciate the confidence and trust that President Bush and Secretary Rice have placed in me. If confirmed, I look forward to working closely with Congress to promote United States interests in Moldova.

I am a career Foreign Service officer with the Foreign Agricultural Service (FAS) of the United States Department of Agriculture. I am currently assigned as the Deputy Administrator of FAS, in charge of the Office of Global Analysis. I have spent most of my career working on issues dealing with international trade, market reforms, and developing economic infrastructure in Eastern Europe and the Former Soviet Union countries. As the Agricultural Attache at the United States Embassy in Warsaw, Poland, in the early 1990s, I was fortunate to have been a part of United States Government efforts to establish rural infrastructure that was key to the successful transition of its economy to a new direction.

As the Agricultural Counselor in Moscow Russia during 1996-1999, I was involved in implementing one of the largest ever United States Government commodity assistance programs that helped protect a \$1 billion dollar market for U.S. agricultural products. During this time, I also had the opportunity to support United States efforts to reform parts of the Ukrainian agriculture sector. During my most recent overseas assignment as the Minister Counselor for Agricultural Affairs in Cairo, Egypt (2002-2006), I was fortunate to have negotiated the removal of several trade barriers and restrictions on United States exports in a number of countries in the Middle East including Egypt, Lebanon, Jordan, and Israel. If confirmed, I hope that my extensive leadership experience in working in economies in transition toward a free market system, especially in the former Soviet Union countries, and my commitment to the United States values of freedom and democracy will make me an effective representative of the United States and Ambassador to Moldova.

The United States is a strong partner with Moldova as it attempts to deepen its democratic reforms at home and integrate with Europe. The United States has an excellent relationship with President Voronin, Prime Minister Greceanii, and other senior officials in the Moldovan Government. We support those in Moldova who are firmly committed to democratic principles and to sound economic policies. I would like to take a moment today to focus on the four United States priority interests with Moldova: first, democracy; second, economic development; third, the frozen conflict in Transnistria; and fourth, transborder crime and, in particular, trafficking in persons.

FIRST: DEMOCRACY

Moldova will hold parliamentary elections in the spring of 2009 and the new parliament will elect the next President. The previous parliamentary elections in 2005, as well as June 2007 local elections, were judged by independent observers to be generally free and well administered. Both elections, however, fell short of meeting all standards central to a genuinely competitive election. The United States will be closely monitoring the 2009 campaign and election to encourage Moldova to meet all international election commitments. If confirmed, I will be personally involved in trying to ensure free and fair elections. Moldovan Government influence over and restrictions on the media remain a key concern as we look ahead to the elections. It is regrettable that overall media freedom has deteriorated in Moldova, according to international NGOs that monitor media practices. Freedom House, for example, rated the country's media as "not free" for the past 4 years. Corruption is another serious obstacle to good governance in Moldova. It undermines Moldovan citizens' faith in their democratic institutions and impedes Moldova's modernization.

SECOND: ECONOMIC DEVELOPMENT

Despite sustained economic growth, Moldova remains one of Europe's poorest countries, with many of its citizens working abroad, not being able to find adequate opportunities at home. Moldova still lacks an adequate investment climate and needs to take a more concerted approach to economic reform. If confirmed, I plan on working with Moldova on these pressing issues. Additionally, Moldova remains dependent on Russia for its energy supplies and as the primary market for its exports, both of which Russia has disrupted in recent years. It is important that

Moldova employ sound policies to diversify its economic base and also take advantage of help and cooperation from other countries to sustain growth and find new markets.

Cooperation with Moldova on the Millennium Challenge Corporation's (MCC) Threshold Country Program has been very good. Corruption is a principal constraint to economic growth and saps confidence in the government. The \$24.7 million Threshold Program administered by USAID is designed to help Moldova combat corruption in government institutions and improve transparency and accountability. As of the latest quarterly report in March 2008, the program met all performance targets. Moldova submitted its MCC Compact Program proposal in February 2008. The proposal requests \$518 million in assistance for road and irrigation system rehabilitation, a transition to high-value agriculture, energy sector rehabilitation, and support for the development of rural primary health care. It is now under review by MCC, which is examining the proposed components to ensure they will have positive rates of return as well as the size of the funding request.

#### THIRD: TRANSNISTRIA

The United States is committed to a resolution of the Transnistria conflict that guarantees Moldova's sovereignty and territorial integrity. I am convinced that this long-standing conflict can and should be resolved. The United States remains committed to the 5+2 process, involving the Moldovan and Transnistrian sides, the Organization for Security and Cooperation in Europe (OSCE), Russia, and Ukraine, with the European Union and the United States serving as active observers. Despite the best efforts of many, including the Finnish Chairmanship of the OSCE, the 5+2 talks have not made progress on core settlement issues, like the future status of the Transnistrian region or the withdrawal of the Russian peacekeeping presence. Recent, informal discussions among the 5+2 parties have focused on confidence-building initiatives that seek to create favorable conditions for resumption of formal settlement talks, and have shown some progress. I am encouraged by the Finnish OSCE Chairman in Office's commitment to resolving the conflict and intend to do what I can to move an acceptable solution forward. In this vein, if confirmed, I intend to follow the example set by Ambassador Kirby and reach out actively to all parts of Moldova, including the Transnistria region, to show the interest and support of the United States in Moldova's future as a united country.

The United States and NATO allies have for more than 8 years urged Russia to fulfill its 1999 OSCE Istanbul Summit commitments relating to withdrawal of Russian military forces and facilities from Moldova and Georgia. NATO allies have made clear that fulfillment of those commitments is essential for us to complete ratification of the Adapted Treaty on Conventional Armed Forces in Europe (the Adapted CFE Treaty). In fall 2007, the United States developed, and NATO allies endorsed, a creative package proposal for parallel actions on fulfillment of remaining Istanbul commitments by Russia, and ratification of the Adapted CFE Treaty by NATO Allies. That package, which has the support of the Government of Moldova, is still under discussion. The ideas set out in the package concerning Russian withdrawal from Moldova are among the most contentious with Moscow. We will remain in close contact with Moldovan authorities as those talks go forward. The United States regards the presence of Russian forces on Moldovan soil, without Moldova's consent, as a violation of the basic principle—contained in the CFE Treaty—that countries should be able to choose whether or not to allow foreign forces on their territory.

#### FOURTH: TRANSBORDER CRIME AND TRAFFICKING IN PERSONS

Criminal networks that illicitly transport contraband goods, drugs, counterfeit currency, and people are active in Eastern Europe. The United States Government provides considerable training to Moldovan law enforcement agencies or officials to help combat transborder crime. We are particularly worried about trafficking in persons. Moldova is a major source country for trafficking in women and girls for the purpose of sexual exploitation. Labor trafficking of men to work in Russia is increasingly a problem, as well. The government's lack of visible follow-up to allegations of government officials complicit in trafficking in persons is a serious concern. The State Department's Office to Monitor and Combat Trafficking in Persons downgraded Moldova to Tier 3 on June 4, finding that the government does not fully comply with minimum standards for the elimination of trafficking and is not making significant efforts to do so. Prime Minister Greceanii, who recently took office as Prime Minister, has stated that she is serious about combating trafficking in all forms. If confirmed as ambassador, I will urge the Prime Minister to make good on



these intentions, particularly in addressing the alleged complicity of some government officials in trafficking.

#### IN CONCLUSION

Moldova is a country that continues to make strides in its economic and political development. It is a friendly country where the United States enjoys considerable influence. It deserves our support and encouragement.

Mr. Chairman, I thank you again for the opportunity to share my thoughts about the relationship with Moldova. If confirmed, I look forward to working with you closely, and would welcome the opportunity to host you and other members of Congress in Chisinau.

I would be happy to answer any questions you may have.

Senator CARDIN. Well, thank you very much for your testimony, and we'll now turn to Ms. Tina Kaidanow to be Ambassador to the Republic of Kosovo.

#### STATEMENT OF TINA KAIDANOW, NOMINEE TO BE AMBASSADOR TO KOSOVO

Ms. Kaidanow. Thank you. Thank you, Mr. Chairman. If I might, I'd like to introduce my parents, Howard and Esther Kaidanow, who are here today and residents of the great State of Maryland.

Senator CARDIN. Take as much time as you want. [Laughter.]

Ms. Kaidanow. That's what I was aiming for. Thank you very much.

Mr. Chairman, members of the committee, it's a privilege to appear before you today as the President's nominee to be the first United States Ambassador to the Republic of Kosovo. I'm honored by the trust placed in me by President Bush and Secretary Rice, but success in achieving our goals in Kosovo and the region will depend on close consultation with this committee and with others in Congress.

As you recall, Mr. Chairman, it took a NATO military intervention in 1999 to compel the Serbian Dictator Slobodan Milosevic to withdraw his security forces from Kosovo and end the systematic violence of his regime against Kosovo's civilian population.

In the aftermath of that conflict, the U.N. Security Council decided to remove Kosovo from Belgrade's governance and the U.N. mission in Kosovo was established to help Kosovo recover from war and build its own institutions of democratic self-government.

The United States supported U.N.-facilitated efforts beginning in 2005 to determine the ultimate political status of Kosovo. After months of negotiations between Belgrade and Pristina, U.N. Special Envoy Maarti Ahtisaari produced a set of detailed provisions designed to facilitate Kosovo's development into a stable multi-ethnic society.

Ahtisaari also recommended that Kosovo become independent, subject to a period of international supervision.

The United States supported these recommendations which offered Kosovo and its neighbors the best opportunity to move beyond the conflicts of the past.

In its first 4 months of independence, Kosovo has made significant progress in implementing the Ahtisaari protections for its minorities. The Kosovo Assembly has adopted 40 new laws needed to implement the Ahtisaari plan and has approved a new constitution that meets the highest democratic standards.

There are still, of course, many, many challenges ahead. In particular, Belgrade's opposition to independence as well as its overt policy of promoting ethnic separation in Kosovo, has created a serious threat to stability.

Nevertheless, we believe strongly that the resolution of Kosovo's status has opened the door for Kosovo to assume responsibility for its future and for the well-being of its people.

To do this, Kosovo will need help. The European Union has rightly stepped up to provide the bulk of assistance to the new state and we will encourage Europe to continue to play this leading role. Active U.S. engagement, however, will remain essential.

The United States is helping to strengthen Kosovo's economy, promote democratic governance, and bolster civil society with a special emphasis on programs that benefit Kosovo's ethnic minorities.

Perhaps the single greatest United States priority in Kosovo is to foster a multiethnic society in which the rights, security, and culture of Kosovo's ethnic minorities and particularly the Serb minority are firmly protected.

In the last 2 years, the United States Government has built infrastructure in Serb communities, advocated on behalf of Serb concerns, and encouraged Kosovo's Government to provide political and financial backing for sustainable Serb returns to Kosovo.

Protecting the holy sites of the Serbian Orthodox Church has also been a major goal for us.

Mr. Chairman and members of the committee, the success of Kosovo is in the United States interests. A strong and focused United States approach in tandem with our European partners remains absolutely fundamental to progress in Kosovo and the region. We and the people of Kosovo have everything to gain from this kind of active collaboration.

Thank you again for this opportunity to appear before the committee, and I look forward to answering any questions that you have.

[The prepared statement of Ms. Kaidanow follows:]

PREPARED STATEMENT OF TINA S. KAIDANOW, NOMINEE  
TO BE AMBASSADOR TO THE REPUBLIC OF KOSOVO

Mr. Chairman, members of the committee, it is a privilege to appear before you today as the President's nominee to be the first United States Ambassador to the Republic of Kosovo. I am honored by the trust placed in me by President Bush and Secretary Rice at this decisive moment for the people of Kosovo. Success in achieving our goals in Kosovo and the region will depend on close consultation with this committee and with others in Congress. If I may, I would like to say a special thanks to my parents, who are here today. Both of them came to the United States many years ago as immigrants, and they could not be prouder to see their daughter serve the country they love so much.

Kosovo's historic declaration of independence on February 17 marked the end of Yugoslavia's nonconsensual collapse, one of the most tragic chapters of European history since World War II. During this period, United States policy in southeast Europe has been consistent. President George H.W. Bush, President Clinton and President George W. Bush have had a single vision for Europe since the fall of communism in 1989: a continent whole, free, and at peace. To implement this vision in Southeast Europe, we have acted to end wars, build multiethnic tolerance and bring the entire region closer to the Euro-Atlantic family of democracies.

For the last 14 years, many of my assignments in the Foreign Service have dealt with the conflicts and problems caused by the break up of the former Yugoslavia. In Serbia, Bosnia, and now in Kosovo as Charge d'Affaires ad interim, I have wit-

nessed the trauma of war and the power of U.S. involvement in bringing peace to the region and sustaining that peace. I traveled to Kosovo repeatedly during the conflict years of the late 1990s, and I later participated in the 1999 Rambouillet peace conference, as the international community tried to find a way out of the crisis and obtain Belgrade's agreement to end its destructive and abusive policies in Kosovo. Kosovo's recent history—and the key United States role in it—is in many ways personal for me.

As you recall, Mr. Chairman, it took a NATO military intervention in 1999 to compel the Serbian dictator Slobodan Milosevic to withdraw his security forces from Kosovo. In the aftermath, the U.N. Security Council decided to remove Kosovo from Belgrade's governance and the U.N. Interim Administration Mission in Kosovo was established to help govern and develop it. Under U.N. guidance, Kosovo gradually recovered from war and built its own institutions of democratic self-government.

The United States supported U.N.-facilitated efforts that began in 2005 to determine the political status of Kosovo. After months of negotiations between Belgrade and Pristina, U.N. Special Envoy Martti Ahtisaari produced a set of recommendations for Kosovo's future. These proposals—the "Ahtisaari Plan"—provided a comprehensive blueprint for Kosovo's development into a stable, multiethnic society on its way to integration in the Euro-Atlantic community. Special Envoy Ahtisaari also recommended that Kosovo become independent, subject to a period of international supervision. The United States supported these recommendations, which offered Kosovo and its Southeast European neighbors the best opportunity to move beyond the conflicts of the past. As chief of mission of the United States Office in Pristina, I helped explain to the Kosovo leadership the benefits this package could offer their people, but also urged them to pronounce clearly their commitment to the substantial rights afforded by the plan to the Serb community and other minority communities in Kosovo.

On the day after Kosovo declared its independence in line with the Ahtisaari Plan, President Bush recognized Kosovo as an independent state and agreed to establish diplomatic relations. Since February, 43 countries have recognized Kosovo, including more than ⅔ of European Union and NATO members and several significant countries from every region of the world. Beyond the question of recognition of Kosovo's independence, the new state enjoys broad international support. Many countries that have yet to recognize Pristina formally are nevertheless providing personnel, technical assistance, and political backing for efforts in-country to build up Kosovo society.

Although independence marked a significant step forward, Kosovo has serious problems. Economic development is slow, political institutions are weak, and inter-ethnic tensions remain. I believe, however, it is a good sign that Kosovo's minority Serbs have stayed in Kosovo after independence and that the atmosphere between the two communities has remained calm and peaceful overall despite serious provocations from Belgrade and hardline Serbs in Kosovo's north.

In its first 4 months of independence, Kosovo has made significant progress in implementing the Ahtisaari protections for its minorities. Prime Minister Thaci, President Sejdiu, and other key institutional leaders have reaffirmed their commitment to all aspects of the Ahtisaari Plan and have sent consistent messages of inclusion to Kosovo's ethnic minorities. The Kosovo Assembly has already adopted 40 new laws needed to implement the Ahtisaari Plan, including legislation on the decentralization of local government, protection of minority rights, and cultural heritage safeguards. The Assembly also approved a new constitution that meets the highest democratic standards. Kosovo is working to deepen relations with its neighbors and has moved forward collaboratively with Macedonia to demarcate their mutual border in accordance with the Ahtisaari Plan.

There are still, of course, many challenges ahead. Belgrade's opposition to independence, as well as its overt policy of promoting ethnic separation in Kosovo, has created threats to stability, and it appears that Russia will act to block Kosovo's entry into those international organizations where Russia or its supporters have a veto. There is much work ahead in managing Kosovo's transition from U.N. administration to supervised independence, a journey unique to Kosovo given the unusual circumstances of its recent history. Nevertheless, we believe strongly that the resolution of Kosovo's status has opened the door for Kosovo to assume responsibility for its future and for the well-being of its people.

To do this, Kosovo needs help. The European Union has rightly stepped up to provide the bulk of assistance and guidance to the new state. The European Union will head up two new international presences in Kosovo, one responsible for rule of law and one responsible for supervising full implementation of the Ahtisaari plan. We will encourage Europe to continue to play this leading role. Active United States en-

agement, however, will remain essential to the stabilization of Kosovo and the region.

Nearly 1,500 United States Army National Guardsmen of a total force numbering approximately 16,000 currently serve in KFOR, the NATO-led stabilization force in Kosovo. Although United States troops can and have operated throughout Kosovo, they primarily help maintain a safe and secure environment in eastern Kosovo, where a majority of Kosovo Serbs live. They are universally respected by Albanians and Serbs alike for their professionalism and effectiveness in dealing with a mixed-ethnic civilian population. The United States supports ongoing NATO efforts to carry out certain Ahtisaari tasks, such as the establishment of a small Kosovo Security Force, which will allow Kosovo—over time—to contribute to its own security and permit the drawdown of international forces.

For many years, over 200 United States civilian police officers have participated in the current U.N. mission in Kosovo (UNMIK). As UNMIK hands over justice functions to local authorities and to the European Union, the United States will provide a reduced number of police, prosecutors, and judges to the European Union's new rule of law mission, known as EULEX. The United States is also helping to strengthen Kosovo's economy, promote democratic governance, and bolster civil society, with a special emphasis on programs that benefit Kosovo's ethnic minorities. While Europe remains firmly in the lead in material assistance and provides the ultimate incentive of closer association with the European Union, our resources will help Kosovo pay off its share of debt from the former Yugoslavia and accomplish a host of other important goals.

Mr. Chairman, perhaps the single greatest United States priority in Kosovo is to foster a stable, multiethnic society in which the rights, security, and culture of Kosovo's ethnic minorities are firmly protected. The United States Embassy in Pristina has been and will continue to be engaged on a daily basis with the Kosovo Government and with Kosovo's ethnic communities to promote this objective.

Although Kosovo Serbs opposed United States recognition of Kosovo's independence, many of them recognize that the United States is actively committed to their community's welfare. Our efforts to reach out directly to the Serb community and support its needs have had a tangible payoff in enhancing communication and trust. In the last few years, the United States Government has supplemented Kosovo's inadequate resources by building schools, roads and other infrastructure in Serb communities; we have advocated on behalf of Serb concerns directly to the Kosovo central government and to local authorities; we have helped resolve property disputes for Serbs who wish to return to Kosovo; and we have supported the growth of a nascent Serb media in Kosovo that can articulate the ideas of that community without filtering from Belgrade. We have encouraged Kosovo's government—which has already spent more than \$77 million to build homes and provide support for returning Serbs—to expand those resources even further and provide political backing for sustainable returns.

Protecting the holy sites of the Serbian Orthodox Church, as well as its rights as an institution, has also been a major goal for us. In addition to possessing churches and monasteries of global architectural and historic significance, the Serbian Orthodox Church plays an important role in the everyday lives of Kosovo Serbs. Kosovo's Government has spent close to \$10 million to reconstruct and preserve those churches that were damaged in the tragic March 2004 riots. This is an effort we have supported vigorously over the past 2 years. We have also worked successfully with local governments to modify development plans that might affect the Church's holy sites, and we have facilitated understanding between religious leaders and local populations when Orthodox authorities have sought permission for construction that affects the wider community.

Mr. Chairman, the success of Kosovo is in the United States interest. The circumstances of the breakup of the former Yugoslavia posed—and in some ways continue to pose—a fundamental challenge to stability in southeast Europe, and history has shown that broken societies attract the great scourges of our age, including transnational crime, ethnic conflict, trafficking in persons, and terrorism.

To counter the impact of these forces, a strong and focused U.S. approach, in tandem with our European partners, remains absolutely essential. I believe our efforts in Kosovo and the region make a meaningful difference each and every day, and our continued involvement will promote long-term stability in this part of Europe. If confirmed, I will work closely with our allies and with you to help Kosovo take those steps necessary to become a productive member of the Euro-Atlantic family of democratic nations. We and the people of Kosovo have everything to gain from this collaboration.

Thank you, again, for the opportunity to appear before this committee today. I look forward to answering your questions.

Senator CARDIN. Thank you for your testimony. We'll now turn to Mr. Philip Thomas Reeker to be the Ambassador to the Republic of Macedonia.

**STATEMENT OF PHILIP REEKER, NOMINEE TO BE  
AMBASSADOR TO THE REPUBLIC OF MACEDONIA**

Mr. REEKER. Thank you, Mr. Chairman, Senator Menendez, Senator DeMint.

I'm privileged to appear before you today and I'll be pleased to submit my full statement for the record.

I'm also very privileged to be joined at this dais by such a distinguished panel of colleagues. It's a great honor for me to join the people I've known in the Foreign Service for many years.

If I may, I would like to begin by introducing my adorable wife and partner in service to our Nation, Solveig Johnson Reeker, herself a career member of the United States Foreign Service, and I'd also like to recognize my father, Larry Reeker, and the two youngest of my four siblings, my brothers, Greg and Seth. Today happens to be Greg's 28th birthday and we wish him all the best. Seth, in fact, spent the summer of 1998 with me in Macedonia, when he was just 8 years old, while I was serving at our embassy in Skopje as the public affairs officer under Ambassador Christopher Hill.

Should the members of this committee and the full Senate confirm my nomination, I will do my utmost as ambassador to validate the trust placed in me to advance our Nation's goals in Macedonia and in Southeast Europe and to represent our country to the best of my abilities.

I am certainly struck by how far Macedonia, as a country, has come since I last served in Skopje. Indeed, no period since its independence in 1991 has been an easy one for Macedonia and the last 9 years have been no exception.

The country has suffered setbacks and challenges to its stability but has overcome each to regain its bearings and press forward again in pursuit of a better future.

Today, Macedonia is a stable unitary model of multiethnic democracy in the Balkans, still in transition, but with much stronger democratic and entrepreneurial traditions of vibrant inclusive political process and steadily maturing institutions of government and civil society.

Mr. Chairman, our relations with Macedonia have never been closer. Pro United States sentiment among Macedonians of all ethnicities is extremely strong. Americans and Macedonians share an affinity of values and we are partners in the major endeavors and challenges of our time.

I just returned last week from service in Iraq and just last month in my previous capacity as counselor at our United States Embassy in Baghdad, I had the opportunity and honor to meet with the Macedonian Ranger and Infantry Platoons deployed with American forces at Tajik. They are brave and professional soldiers serving with distinction and high morale alongside United States troops since 2003 in Iraq.

Macedonian troops in Iraq receive the highest praise and respect from the United States commanders. Macedonia is a small country but punching above its weight in United States-led coalitions. Once

a net security consumer, Macedonia is today a net security producer, keen on bringing its unique capability into NATO as a full-fledged member.

Mr. Chairman, if confirmed as ambassador, I would strive to uphold and continue on the distinguished record of the men and woman who have held this position before me, promoting United States goals in Macedonia while maintaining a solid partnership with the host country.

If confirmed, I and the mission I would lead will continue to help the leaders and people of Macedonia build on their successes and achieve through continued reform the multiethnic democracy and free market economy they desire, including integration into NATO and into the European Union.

I know I cannot succeed in these endeavors without your support. If you confirm me, you can count on my close cooperation with you, the full committee, the entire legislative branch, as we work together to serve the American people and for the advancement of U.S. interests.

I look forward very much to answering any questions you may have.

Thank you.

[The prepared statement of Mr. Reeker follows:]

PREPARED STATEMENT OF PHILIP THOMAS REEKER, NOMINEE  
TO BE AMBASSADOR TO THE REPUBLIC OF MACEDONIA

Mr. Chairman, members of the committee, I am privileged to appear before you today as President Bush's nominee to be our country's next Ambassador to the Republic of Macedonia. I am deeply honored by the confidence expressed by the President and Secretary Rice in selecting me for this important assignment. It has been my privilege to meet committee members and staff during my years in the Foreign Service, and I pledge continued commitment and candor as you consider confirming me for this new position. Should the members of this committee and the full Senate confirm my nomination, I will do my utmost as ambassador to validate the trust placed in me, to advance our Nation's goals in Macedonia and in Southeast Europe, and to represent our country to the best of my abilities. That would include maintaining a close working relationship with this committee, its staff, and your congressional colleagues in furthering the security and interests of the American people.

Mr. Chairman, I am delighted to be accompanied today by my wife and best friend, Solveig Johnson Reeker, herself a career member of the Foreign Service. I would also like to recognize my father, Larry Reeker, and two of my four siblings, my brothers, Greg and Seth. Seth, in fact, spent the summer of 1998 with me in Macedonia when he was 8 years old, while I was serving at our embassy in Skopje as the Public Affairs Officer, under Ambassador Christopher Hill. If confirmed, I will return to a Macedonia very different than the one I left in 1999. I am struck by how far Macedonia, as a country, has come since I last served in Skopje. Indeed, no period since its independence in 1991 has been an easy one for Macedonia, and the last 9 years have been no exception. The country has suffered setbacks and challenges to its stability, but has overcome each to regain its bearings and press forward again in pursuit of a better future. In 1999, Macedonia rose to the challenge of the influx of Kosovar refugees from Milosevic's ethnic cleansing campaign. It was profoundly tested again by an insurgency in 2001. With the help of the international community, Macedonia's leaders lifted their country out of the clutches of inter-ethnic conflict with a model political accord: the Ohrid Framework Agreement.

With the Ohrid Agreement, Macedonia took a bold step, breaking the previous mold for the Balkans by ending conflict through a political agreement that addressed ethnic grievances through principles of equal rights for all citizens irrespective of ethnicity. The Ohrid Agreement, concluded with United States and European Union help, remains the foundation and roadmap for Macedonian peace and development. Successive multiethnic governments have reaffirmed the agreement by committing themselves to its implementation, a process the United States monitors closely. All of the constitutional and legal provisions mandated by the agreement have been adopted. Their implementation has progressed, including the key pillars

of equitable representation of minorities across state structures and of decentralization to make local governance more responsive to the people. In the spirit of Ohrid, interparty and interethnic dialog continues to be critical. While not immune from political gamesmanship, this dialog over the years has resulted in compromises and reforms that have strengthened Macedonia's multiethnic democratic institutions and remain integral to securing for all Macedonia's citizens a future in Europe, whole, free, and at peace.

Today, 7 years on from Ohrid and after 17 years of independence, Macedonia is a stable, unitary, multiethnic democracy—still in transition, but with much stronger democratic and entrepreneurial institutions. Today, a still evolving Macedonia is a model of multiethnic democracy in the Balkans, working to address its internal social and ethnic challenges within a vibrant, inclusive, political process and steadily maturing institutions of government and civil society.

Steps like ethnic rebalancing of the police, put in place by Macedonia in the wake of the 2001 insurgency, and the adoption of a police law in line with international standards and other key legal reforms have reinforced the independence of the judiciary and strengthened rule of law. Making strides economically, Macedonia is making up for its relative lack of development in the former Yugoslavia, for the economic downturns that accompanied Yugoslavia's breakup, and for the investment-chilling effects of the 2001 insurgency. Unemployment, a strain on social stability, remains high, but real wages have gradually increased, inflation and deficits are manageable, and GDP has risen. The government has taken bold steps to improve the investment and business climate, leading the World Bank to cite Macedonia as a top 10 global reformer in its 2008 report on "Doing Business." Macedonia also stepped up the fight against corruption, reflected by a significant jump in Transparency International's 2007 ratings. And strong governmental efforts have brought Macedonia back into full compliance with the minimum standards to combat trafficking in persons.

Macedonia has more work to do, but its progress is driven by values that we Americans recognize and share. These include recognition that the livelihoods of its communities and the success of the whole country and region depends on cooperation eclipsing confrontation, understanding supplanting mistrust, and healthy political competition and compromise becoming the tools to resolve differences. Macedonia also identifies with the Euro-Atlantic family of nations, with responsibilities—indeed a calling—to contribute to peace and stability for peoples beyond its borders.

Mr. Chairman, this affinity of values explains, I believe, the depth of our partnership with Macedonia today. Our relations with Macedonia have never been closer; pro-United States sentiment among Macedonians of all ethnicities is strong. Today, we are partners in the major endeavors and challenges of our time. Just last month, in my previous capacity as Counselor for Public Affairs at the United States Embassy in Baghdad, I had the opportunity and honor to meet with the Macedonian special forces and infantry platoons deployed with American forces at Taji. They are brave and professional, serving with high morale alongside U.S. troops. Several Macedonian soldiers who served in Iraq were awarded medals of bravery by the United States. In Afghanistan, Macedonian forces are guarding NATO headquarters and displaying such proficiency that the United Kingdom placed a platoon of British troops under Macedonian command.

Macedonia's capable troop commitments reflect the substantial efforts of recent years to meet NATO defense standards. Macedonia also has proven itself as a strong contributor to regional stability. It has troops in the European Union Force in Bosnia and provides needed helicopter lift—in fact it lost 11 soldiers in a crash this year, but that tragedy did not deter its continued participation. For years Macedonia has provided critical logistical support for the NATO mission in Kosovo. And in an issue of utmost importance for Balkan stability—the fate of Kosovo—Macedonia "paid forward" by fully backing United States efforts to resolve Kosovo status peacefully via U.N. Secretary General Special Envoy Ahtisaari's plan for supervised independence. As a close neighbor, Macedonia recognized that ending Kosovo's limbo was important to the stability of the region.

The unwavering support of Macedonia's political leaders and parliament for Macedonia's contributions to regional and global stability, and the overwhelming backing of Macedonia's citizenry for NATO and European Union membership—over 90 percent in each case—are reflections of the country's self-identification with Euro-Atlantic values and a mandate for Macedonia's continued reform. Its hard work of building a multiethnic society based on equal rights and opportunities is not complete. As in our country, the process has not been perfect and the way forward has not been easy. At times, Macedonia has asked for the support of the United States, and we have given it, standing by the citizens of Macedonia, helping as we could



with counsel and assistance, and working with their political leaders to move beyond a zero-sum mentality. Macedonia's track record in avoiding the terrible pitfalls witnessed in other parts of the region has shown the world that multiethnic democracy in the Balkans can, must and will succeed.

Macedonia's progress has been slow at times, but its way forward has never been in doubt. It is still a poor country, but rich with tradition and culture, with a capable and entrepreneurial citizenry, with multitalented and multilingual youth, and with a growing economy full of potential. It is a small country, but punching above its weight in U.S.-led coalitions. Once a net security consumer, today Macedonia is a net security producer, keen on bringing its unique capabilities into NATO as a full-fledged member. It is also an official candidate for the European Union, working to fulfill benchmarks and receive an invitation for membership talks.

Macedonia's success is critical to the region. Its achievement of NATO and European Union membership will be an important affirmation that political and economic reform is worth the hard work and that NATO and European Union doors remain open for countries that share Western standards and values. The fact that Allies at the NATO summit in Bucharest in April did not issue a membership invitation for Macedonia was a disappointment for Macedonia and also for the United States. The United States through several administrations has strongly supported Macedonia's NATO aspirations. We do not consider that the dispute between Athens and Skopje over Macedonia's name should have prevented Macedonia from receiving an invitation. We made a great push in the lead-up to Bucharest to work with Governments in Greece and Macedonia and with U.N. negotiator Ambassador Matthew Nimetz to help the parties find a mutually acceptable solution. This did not prove possible. At Bucharest, allies determined that Macedonia meets NATO's performance-based standards and will receive an invitation as soon as the dispute with Greece over the name is resolved. As President Bush noted, "America's position is clear: Macedonia should take its place in NATO as soon as possible." We will continue to support the U.N. process to help Macedonia and Greece find a mutually acceptable solution to the name dispute as quickly as possible.

Mr. Chairman, in May, Secretary Rice and Macedonian Foreign Minister Milososki signed a joint Declaration on Strategic Partnership and Cooperation as a sign of friendship and shared values between our two countries. This was an important signal to the people of Macedonia after the disappointment of the NATO Summit. As Secretary Rice said upon signing the declaration, the United States is proud to have been a part of the significant reforms that Macedonia has made. We believe a strong, stable, unitary, multiethnic Macedonia within its existing borders will enhance NATO's strength, security and prosperity and democracy. We have encouraged and will continue encouraging Macedonia to work hard to strengthen what it will bring to the alliance.

Macedonia's parliamentary elections on June 1 underscored the challenges that remain for Macedonia in consolidating its progress. Frankly, they were a disappointment, with numerous instances of violence, intimidation, fraud, and irregularities predominantly in ethnic Albanian areas. We were encouraged by the authorities' steps taken to address the problems, including the decision by the State Electoral Commission to hold broad reruns in affected areas and actions by law enforcement authorities to arrest and bring to trial the suspected perpetrators of those incidents. The June 15 reruns showed significant improvements, including effective and professional police conduct which created a much better security environment. Nevertheless, despite these improvements and good administration overall, the problems on June 1 and continuing irregularities in some polling stations led the OSCE international observation mission to conclude that the elections overall failed to meet some key commitments. The United States will continue to urge follow-through from the government, including holding accountable those responsible for the problems, to ensure in the future a fair electoral process that protects the rights of all citizens and fully repairs Macedonia's credibility. This is a top priority, and the United States looks forward to working with the next Macedonian Government and all Macedonians to support them on this path.

Mr. Chairman, if I am confirmed, my foremost priority as ambassador will be promoting United States interests in Macedonia while maintaining a solid partnership with the host country. The security of all United States citizens living and working in Macedonia is of course paramount. I would be committed to helping Macedonia achieve the multiethnic democracy and free market economy its citizens desire, advancing its integration into NATO and the European Union. As ambassador, I would continue to help Macedonia's leaders and people build on their successes and achieve these goals. If confirmed to this position, I would encourage the Macedonian Government and people to continue contributing wherever possible to peace and stability in the region and globally. And I would if confirmed promote further maturation



tion of Macedonia's own democratic institutions. I would also hope, if given the opportunity by the Senate, to facilitate greater United States business engagement in Macedonia, taking advantage of the Macedonian Government's steps to improve the business climate, and enlisting United States companies to bring their talents to bear in support of Macedonia's transformative efforts. No less importantly, I promise to manage our mission and its resources responsibly and to provide our embassy's talented workforce and their families the safe and secure working conditions that allow them to contribute to our mission. Consistent with that goal, we would hope to take occupancy of a new embassy compound next year.

In sum, Mr. Chairman, should my appointment be confirmed, I would strive to uphold and build on the distinguished record of the men and women who have held this position before me and who have contributed to the excellent relations between the United States and Macedonia and who thus have made such vital contributions to peace, stability, and prosperity in this important region of the world. I know that I cannot succeed in these endeavors without your support. If you confirm me, you can expect my close cooperation with you, your committee, its staff, and the entire legislative branch as we work together for the advancement of U.S. interests. I look forward to answering any questions you may have.

Senator CARDIN. Thank you for your testimony. We'll now turn to Ms. Maria Yovanovitch to be Ambassador to the Republic of Armenia.

#### **STATEMENT OF MARIA L. YOVANOVITCH, NOMINEE TO BE AMBASSADOR TO THE REPUBLIC OF ARMENIA**

Ms. YOVANOVITCH. Thank you, sir. Before I start, I'd like to acknowledge my mother, Nadia, who just turned 80 this week, and my brother, Andre. And I'd also like to thank Senator Dole for his kind introduction, and I'm pleased to submit my full remarks for the record. This is a truncated version.

Mr. Chairman, members of the committee, it's an honor for me to appear before you today. I'm honored also by the confidence that President Bush and Secretary Rice have shown in me by nominating me for the post of United States Ambassador to Armenia.

Only in the United States would it be possible for a first generation immigrant like me to appear before you as an ambassadorial nominee. My father, who is no longer with us, fled the Soviets and then the Nazis. My maternal grandfather escaped from Russia after the Revolution and raised his family in wartime Germany where my mother grew up stateless.

My parents brought me to this country in search of a safe harbor, a harbor that provides freedom and opportunity, dignity and respect. The United States offered our family a second chance, just as so many Armenian Americans received a second chance in our country after they were driven out of the Ottoman Empire.

I cannot equate my own family history with that of Americans of Armenian heritage, but I do wish to convey that I understand from personal experience that the events of the past can haunt the present and that individuals born a generation or more after apocalyptic events seek recognition of the injustices of the past.

The United States Government recognizes and deplores the mass killings, ethnic cleansing, and forced deportations that devastated over 1.5 million Armenians at the end of the Ottoman Empire. The United States recognizes these events as one of the greatest tragedies of the 20th century, the Great Calamity or "Medz Yeghern," as many Armenians call it.

The administration understands that many Americans and many Armenians refer to the atrocities of 1915 as genocide. It has been

President Bush's policy, as well as that of previous Presidents of both parties, not to use that term. The President's focus, the administration's focus, is not only to remember the past so that it is never repeated, it is also to focus on the future, to create an environment that encourages Turkish citizens to reconcile with their past and also with the Armenians.

It's important to end Armenian isolation in the region by working toward normalization of relations between Armenia and Turkey and the opening of their land border. If confirmed, one of my top priorities will be to support regional stability by facilitating Armenian-Turkish relations as well as a peaceful settlement to the Nagorno-Karabakh conflict with Azerbaijan.

The status quo in both situations is unacceptable and not in regional interests or in U.S. interests. Some progress has been made in both areas recently which we welcome.

Finally, but very importantly, restoring democratic momentum in Armenia after the flawed presidential elections and their violent aftermath is also a key United States goal as is assisting Armenia's transition to a market economy.

Mr. Chairman, members of the committee, I would build on my 22 years of service to our country to ensure that United States interests are promoted and protected, that the bilateral relationship flourishes and that Armenia's isolation ends and regional stability is enhanced.

Thank you for allowing me to appear before you today. I look forward to your questions.

[The prepared statement of Ms. Yovanovitch follows:]

PREPARED STATEMENT OF MARIE L. YOVANOVITCH, NOMINEE  
TO BE AMBASSADOR TO THE REPUBLIC OF ARMENIA

Mr. Chairman, members of the committee, thank you for the opportunity to appear before you today. I am honored by the confidence that President Bush and Secretary Rice have shown in me by nominating me for the post of United States Ambassador to Armenia. If confirmed, I pledge to build on my 22 years of service to our country to protect and defend American interests in the increasingly vital region of the South Caucasus.

Only in the United States would it be possible for someone like me—a first generation immigrant to the United States—to appear before you as an ambassadorial nominee. My father fled the Soviets and then the Nazis. My maternal grandfather escaped from Russia after the revolution and raised his family in wartime Germany, where my mother grew up stateless. My parents brought me to this country in search of a safe harbor, a harbor that provided freedom and opportunity, dignity, and respect.

The United States offered our family a second chance, just as so many Armenian-Americans received a second chance in our country after they were driven out of the Ottoman Empire. In no way do I want to equate my own family history with that of Americans of Armenian heritage here in the United States. But I do wish to convey that I understand from personal experience that the events of the past can haunt the present and that individuals, born a generation or more after apocalyptic events, seek recognition of the injustices of the past.

The United States Government—and certainly I—acknowledges and mourns the mass killings, ethnic cleansing, and forced deportations that devastated over one and a half million Armenians at the end of the Ottoman Empire. The United States recognizes these events as one of the greatest tragedies of the 20th century, the “Medz Yeghern” or Great Calamity, as many Armenians refer to it. That is why every April the President honors the victims and expresses American solidarity with the Armenian people on Remembrance Day.

The administration understands that many Americans and many Armenians believe that the events of the past that I have referred to should be called “genocide.” It has been President Bush's policy, as well as that of previous presidents of both

parties, not to use that term. The President's focus is on encouraging Turkish citizens to reconcile with their past and with the Armenians. He seeks to support the painstaking progress achieved to date.

President Bush believes that the best way to honor the victims is to remember the past, so it is never repeated, and to look to the future to promote understanding and reconciliation between the peoples and governments of Armenia and Turkey. A key part of that effort is to end Armenia's isolation in the region by encouraging normalization of relations between Armenia and Turkey and the opening of their land border. The Armenian Government has requested that we facilitate this process. It will not be easy nor will it likely be quick, but there are some hopeful signs. President Bush believes that normalization can and should be achieved. The result would be an improvement in the life of every Armenian.

If I am confirmed, my priority would be to support the efforts of the United States in working towards regional stability by facilitating Armenian-Turkish relations and a peaceful settlement to the Nagorno-Karabakh conflict with Azerbaijan. Armenia is isolated from its second largest neighbor, Turkey, and every year scores of soldiers die along the line of contact with Azeri forces in Nagorno-Karabakh. The status quo in both situations is unacceptable, a deterioration unthinkable and clearly not in U.S. or regional interests.

Some progress has been made in both areas recently. Success would bring security to Armenia and great economic opportunities. This is a goal worth pursuing, and, if confirmed, I would give it my utmost attention—not only by supporting government-to-government discussions—but by promoting people-to-people contacts and partnerships, and other cross-border and regional initiatives. Contact begins to build trust, and trust is the necessary first step to reconciliation and conflict resolution.

Promoting good governance in Armenia is also a key United States goal. The conduct of the recent Presidential elections and their violent aftermath in which 10 individuals died were deeply disturbing. The path towards democracy is rarely fast or smooth. Our aim is to help the Armenian Government and the Armenian people restore democratic momentum and to renew their own stated mission of moving forward to become a country where government institutions are fully transparent and accountable and where rule of law is accepted by all.

It is important that the Armenian Government support an independent, objective, and inclusive investigation into the fateful events of March 1 and release those who have been held on politically-motivated charges. It is important that the judiciary becomes truly independent. It is important that freedom of assembly, freedom of the press, and freedom of expression are fully protected. It is important that the Armenian authorities show the will to move forward with a reform program that is responsive to the legitimate desires of the people and that inspires public confidence in the country's political and economic processes.

We are looking at how our democracy programs can be more targeted—better supporting civil society, watchdog organizations, the independent media, and development of the Internet. Our programs will continue to focus on anticorruption efforts and strengthening the rule of law.

The Millennium Challenge Corporation (MCC) Agreement in 2006 demonstrated our belief that Armenia was fulfilling MCC's required criteria in the three broad areas of ruling justly, investing in people, and economic freedom. MCC is a performance-based program for governments that demonstrate commitment in these areas. In Armenia, the MCC Compact is a poverty-reduction program that focuses on building roads, improving the irrigation infrastructure, and training farmers. The program will eventually benefit 750,000 people, 75 percent of whom live in rural areas.

This is an important program, and we have urged the new Armenian Government to act quickly to improve its standing in the 9 of 17 indicators that it currently fails. The United States Government is committed to assisting Armenia in this process, but it is up to the Armenian Government to take the necessary steps, so that the Compact program could continue.

The Armenian economy has seen great success and double digit growth over the last 6 years. Our assistance programs—through technical assistance to improve the regulatory and legislative framework, through strengthening of the private sector, and through training in many sectors of the economy—have contributed at least in part to this success.

Over the last 4 years, Armenia has contributed to global security by providing peacekeepers in both Kosovo and Iraq. In fact, the size of Armenia's contingent in Kosovo was doubled just last week. By supporting Armenia's defense sector reform and greater cooperation with NATO, we enhance Armenia's ability to assist in peacekeeping operations and to work with coalition forces to combat global terrorism and make the world a safer place.

Armenia remains committed to overflight and landing rights for United States military aircraft and has worked to improve its capacity to combat both money laundering and terrorism financing. These are efforts we have strongly supported. Our assistance for Armenia's work to strengthen its borders and combat illegal trade in arms, weapons of mass destruction, drugs, and people is important to regional stability.

Our relationship with Armenia is broad and deep, both on a bilateral level and between our peoples. The United States was among the first to recognize Armenia's independence, and the first to establish an embassy in Yerevan. Over the past 17 years, the United States has provided close to \$2 billion in assistance and materially improved the lives of millions of Armenians. While challenges remain, we expect our partnership will continue to strengthen, and that we will continue to cooperate in all areas.

Mr. Chairman, members of the committee, if confirmed, I will do everything in my power to ensure that United States interests are promoted and protected, that the bilateral relationship flourishes, and that Armenia's isolation ends and regional stability is enhanced.

Thank you.

Senator CARDIN. Well, let me thank you and thank all of our witnesses for their testimony.

As pointed out at the beginning of the hearing, you are seeking to continue your public service in countries that are critically important to U.S. interests and each of these countries have their own set of challenges. They're not going to be easy and we thank you very much for being willing to assume this challenge and service to your country.

So let me start with the Russian Federation because the Russian Federation is clearly a country that has increasing importance. Their economy has improved dramatically. They've been able to use their oil to improve their influence and yet the real challenge for us is whether Russia will become a democratic country, whether it will develop the type of democratic institutions and promote divergent views or whether it will continue a recent trend which we find very disturbing, and that is preventing dissent in a way in which a democratic country would promote those types of activities.

So Mr. Beyrle, let me get your assessment as to at this moment, if you're confirmed being the United States Ambassador to Russia, where Russia is gaining influence because of its economic strength and yet it seems to be discouraging independent press, discouraging minority views, in a government that's pretty popular, doesn't need to do all this but it does. How do you see your mission here?

Mr. BEYRLE. Thank you very much, Mr. Chairman. As I said in my opening statement, we need Russia as a partner in the 21st century.

The challenges that we're facing in this century that I enumerated are almost impossible for us to achieve on our own. We need partners, friends, and allies in the European Union, in other parts of the world, but especially in Russia, because Russia is such a large and consequential country, and I think in our dealings with Russia, and I would certainly pursue this if confirmed, we need to make clear to Russia that we value that partnership but that our ability to build the kind of strong partnership, to have the joint projects that require a lot of trust between our two countries, the nonproliferation, counterterrorism dialog that we have with Russia, gets more difficult as we see trends in the country moving away from the democratic values that we both, I think, need to stand be-

hind, that the United States sees as so important in its most important relationships, for instance, with its European allies.

I would try to make the point to our Russian partners, potential partners, that we need them to be a constructive force in the world, that we need their help, for instance, in convincing Iran to forswear its nuclear ambitions. We've had some success with Russia. We could have more.

But divorcing those questions from Russia's democratic development, it seems to me, is a mistake because a democratic Russia which is accountable to its people, which has a robust civil society, is simply a country that we understand better as Americans and will thus have more trust in.

Senator CARDIN. I thank you for that answer, particularly in relationship to Iran. We've had real difficulty. Russia did help us with the resolution through the Security Council, but its enforcements of effective sanctions leave a lot to be desired and it seems to me this is—if we're going to be successful in diplomatic efforts and preventing Iran from becoming a nuclear weapon power, that we're going to need more cooperation from Russia which is going to be one of the highest priorities on your agenda if you're confirmed as ambassador.

How do you see an effective strategy with Russia so that we can isolate Iran?

Mr. BEYRLE. Mr. Chairman, I think that we need to continue along the road that we traveled with Russia until now. Russia has supported us now on four U.N. Security Council resolutions, three of which included sanctions, making the point to Iran that we reject its nuclear ambitions.

I think with Russia, the challenges, that really are our strategic aims coincide. The Russian Government—Russian leaders have said very clearly that they have no interest and do not want Iran to become a nuclear power. We agree with that at the strategic level.

The difference we have with them is in the tactics, the tactics that we implement to put pressure on Iran to convince Iran to move away from this, from what is very clearly a nuclear weapons program, and I think together with our European allies, we need to devise ways, perhaps not through, as much through the United Nations but through closer dialog that would simply make the point to Iranian leaders that they are isolating themselves from the world and denying their own people the chance at a better future by pursuing this program.

Senator CARDIN. Thank you for that. I want to at least put on the record a couple issues that have been pending for a long time in our relationship with Russia that's been of interest to this committee.

We have the North Caucasus and we don't want to lose sight of the responsibilities of the Russian Federation to exercise leadership in dealing with the human rights of the people of that region and there's still concern that they're overreacting to a serious situation but violating human rights issues.

I also want to mention an issue that was brought up during Secretary Rice's confirmation in our committee in which we had hearings on the Schneerson Collection, that Secretary Rice, during the

confirmation, said, and I quote, "The State Department would press the Russian Federation to return the Schneerson Collection of rare and irreplaceable religious text to the Chabet Community of the United States."

The last time I checked, the collection is still in Moscow. That's still of interest and we would hope that you would use your good offices, if you are confirmed as ambassador, to bring this chapter to a successful conclusion by return of the—it looks like we're losing our light. Oh, somebody—okay. Well, we'll get that place back on. I thought that somebody from the Russian Federation didn't like my question. [Laughter.]

Mr. BEYRLE. Thank you, Mr. Chairman. Let me respond very briefly on both of those issues.

With regard to Georgia, Abkhazia, the states of the former Soviet Union, we have made it very clear that we're committed to the sovereignty and independence of all the states of the ex-USSR and we've worked very hard to resolve the frozen conflicts, some of which we discussed here at this table just now, and to avoid new ones, and if confirmed, this will be one of my priorities, highest priorities, especially with regard to Georgia and Abkhazia, where we right now are actively trying to promote a settlement and direct talks. We need Russia's assistance on that.

The Schneerson Collection, I'm familiar with from the time I worked on the National Security Council staff in the mid 1990s, and I know very well that the promises that were made with regard to that collection still need to be fulfilled and I'll be up to speed on that issue very, very quickly, if confirmed, when I arrive in Moscow.

Senator CARDIN. Thank you very much.

Senator Menendez.

Senator MENENDEZ. Thank you, Mr. Chairman. Let me congratulate all of the nominees on their nominations and your willingness to serve and we appreciate that.

Ambassador Yovanovitch, let me start at the outset by acknowledging and thanking you for your 22 years of very distinguished service to our country. I appreciate your service.

In your opening statement, you acknowledge the mass killings, ethnic cleansing, and forced detentions that devastated over 1.5 million Armenians at the end of the Ottoman Empire, is that correct?

Ms. YOVANOVITCH. Yes, sir, that's correct. It's the administration's policy to acknowledge these historical facts.

Senator MENENDEZ. Would you agree with the characterization—and if I may, Mr. Chairman, I'm going to be referring to a series of documents. If I could give the ambassador a copy of them so she could have them in front of her, that would be helpful, and I'd ask unanimous consent that these documents be included in the record.

Senator CARDIN. Without objection, the documents will be included in the record.

[The referenced documents have been reproduced and are included in the "Additional Material Submitted for the Record" section at the end of this hearing.]

Senator MENENDEZ. I would ask you, would you agree with the characterization by President Bush on April 24 of 2004, which is

the first referenced item before you, where he says, and I quote, "On this day, we pause in remembrance of one of the most horrible tragedies of the 20th century, the annihilation of as many as 1.5 million Armenians through forced exile and murder at the end of the Ottoman Empire?" Would you agree? I just need a yes or no.

Ms. YOVANOVITCH. Yes, sir.

Senator MENENDEZ. Okay. Thank you. Would you agree that the use of the words "ethnic cleansing," which you used in your opening statement, would include the deliberate inflicting on a group of conditions of life calculated to bring about its physical destruction in whole or in part? Would you agree that that's what generally ethnic cleansing would be defined as?

Ms. YOVANOVITCH. There's no question—

Senator MENENDEZ. The deliberate—let me read it—say it again to you so that you've got it before you answer.

"The deliberate inflicting on a group of individuals of conditions of life calculated to bring about its physical destruction in whole or in part."

Ms. YOVANOVITCH. The question that you're asking, and I hope you understand my answer, the determination of that is a policy decision that I'm not authorized to make right now. It's a decision for the administration, for the President and the Secretary.

Senator MENENDEZ. I respect your answer. I'm not asking you what is the policy or a policy. I'm simply asking you. You used the words in your opening statement "ethnic cleansing," and I'm asking you a simple question.

Would you describe ethnic cleansing as a deliberate inflicting on a group of individuals conditions of life calculated to bring about its physical destruction in whole or in part? If the answer is no, then tell me what you mean by ethnic cleansing.

Ms. YOVANOVITCH. There's no question that at the end of the Ottoman Empire, there was mass murder, there was starvation, there were deliberate rapes, there was forced exile of 1.5 million Armenians at the end of the Ottoman Empire.

Senator MENENDEZ. And is that what you describe as your definition of ethnic cleansing, those facts?

Ms. YOVANOVITCH. Yes.

Senator MENENDEZ. Would you look at the document that is referenced as Number 2 there which says—these are documents that I'm going to be referring to by American officials at the time of history, and I would ask you whether the statement by then U.S. Ambassador Morgenthau, who wrote on July 16, 1915, "It appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion."

Is that a fact that you would agree with as reported as a historical fact that Ambassador Morgenthau reported?

Ms. YOVANOVITCH. Yes, it's certainly a fact here as I'm reading off of this hand-out that you gave me that Ambassador Morgenthau reported this.

Senator MENENDEZ. Thank you. Would you look at Number 3 where it says, "Where U.S. Counsel Aleppo Jesse Jackson reported to Ambassador Morgenthau on June 5, 1915, that it's without doubt a carefully planned scheme to thoroughly extinguish the Armenian race."

Is that what Counsel Jackson said in his statement to Ambassador Morgenthau?

Ms. YOVANOVITCH. Yes, according to this document that you've given me, that's correct.

Senator MENENDEZ. In Number 4, where U.S. Counsel in Harput Leslie Davis reported to Ambassador Morgenthau on July 24, 1915, "It has been no secret that the plan was to destroy the Armenian race as a race, but the methods used have been more cold blooded and barbaric, if not more effective, than I had first supposed."

Is that the statement issued then by the counsel?

Ms. YOVANOVITCH. Yes, as I'm reading this from what you've given me, yes.

Senator MENENDEZ. And finally, on Number 5, where the U.S. Ambassador to the Ottoman Empire from 1916 to 1917, Abraham Elkus telegraphed the Secretary of State on October 17, 1916, and said, "In order to avoid a program of a civilized world, which the continuation of massacres would arouse, Turkish officials have now adopted and are executing the unchecked policy of extermination through starvation, exhaustion and the brutality of treatment hardly surpassed even in Turkish history."

Is that the statement that is issued at that time by the U.S. ambassador?

Ms. YOVANOVITCH. Yes, as I'm reading it here now.

Senator MENENDEZ. Thank you. Now the final reference I want you to look at is Number 6, and would you agree that Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide of which the United States is a signatory party to and ratified, a copy of which I have before you, states under Article 2, "In the present convention, genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national ethnic, racial or religious group, as such killing members of the group, causing serious bodily or mental harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part."

Is that a fair statement of the reading of Article 2 of the Convention?

Ms. YOVANOVITCH. Yes, sir.

Senator MENENDEZ. Is that a yes? I'm sorry.

Ms. YOVANOVITCH. Yes. I'm sorry. Yes.

Senator MENENDEZ. Okay. Therefore, and Mr. Chairman, if you'll indulge me, therefore, would not the facts that you acknowledge, and please listen to my question, would not the—intently. Would not the facts that you acknowledge in your opening statement and those facts that you have recognized as historical facts during the period of 1915 to 1923 meet the definition of Article 2 that you just—I just had you read?

Ms. YOVANOVITCH. Thank you. The—it's certainly true that this is the definition of genocide here and I'm familiar enough with the record to have read some of the accounts from our embassy and our consulate at the end of the Ottoman Empire which are truly shocking in terms of scale and the individual stories of individual families and the things that happened.

It's the responsibility and the duty of embassies and consulates to inform and represent honestly, faithfully, objectively to the de-



partment, to Washington, to the President, and it is the President, it is the Secretary of State that makes the policy, that makes the determination of how to characterize such events.

Senator MENENDEZ. And I am not asking you for a declaration of policy. I have not even asked you about a maybe more ultimate question.

What I'm asking you as a career Foreign Service officer, well educated, with a lot of experience, would the facts as recognized by President Bush in public statements, as recognized by you in your opening statement, and in terms of the historical documents that I presented to you, would those facts fall in line—clearly, you mentioned the killing members of the group. You mentioned murder in your opening statement.

Ms. YOVANOVITCH. I did.

Ms. YOVANOVITCH. Yes, it is.

Senator MENENDEZ. Would it not be fair to say in furtherance of some of the questions I asked you, and I think you very appropriately answered, some of the acts that took place, not only the murders, rapes and forced deportation of people, forced exile of people, would that not clearly be causing serious bodily or mental harm to members of a group?

Ms. YOVANOVITCH. Yes. Yes.

Senator MENENDEZ. And clearly it would also be deliberately inflicting on a group conditions of life calculated to bring about its physical destruction in whole or in part. Obviously those that were murdered in mass numbers, 1.5 million, obviously those who were exiled, obviously those who through other actions were taken place, that would fall into that category, would it not?

Ms. YOVANOVITCH. It's a policy decision, sir.

Senator MENENDEZ. I want to thank you for your honest answers.

Mr. Chairman, if I may, and I appreciate your indulgence, I will have a series of other questions for the record. I don't want to belabor it.

But what is going on here, it is a shame that career Foreign Service officers have to be brought before the committee and find difficulty in acknowledging historical facts and find difficulty in acknowledging the realities of what has been internationally recognized, Mr. Chairman, not because I say it. I don't hold myself out to be that type of a scholar, but the fact is, is that the International Association of Genocide Scholars, the preeminent authority on genocide, has unanimously, not equivocated, unanimously declared the Armenian genocide a genocide, and it is amazing to me that we can talk about millions, you know, a million and a half human beings who were slaughtered, we can talk about those who were raped, we can talk about those who were forcibly pushed out of their country, and we can have presidential acknowledgements of that, but then we cannot call it what it is.

It is a ridiculous dance what the administration is doing over the use of the term "genocide." It is an attempt to suggest that we don't want to strain our relationships with Turkey, but I have to say the fact that we are sending off our diplomats in such a manner, that they're not able to recognize a historical event that is clearly documented by credible, objective historians, an event that

is so tragic, an event that the recognition of which is so personal for millions of Armenians and descendants of Armenians, many of whom are Americans, is also something that I think is detrimental to our foreign policy.

Mr. Chairman, we have actually had the United States Ambassador, our former United States Ambassadors to Armenia attend every year in April the commemoration of the Armenian genocide. It's amazing that we sent a United States Ambassador to the commemoration of an Armenian genocide which I would hope—that if your nomination is ultimately approved by the Senate that you would commit yourself to attending, and yet we cannot—how do you go and go to a commemoration of the Armenian genocide and never ever use the recognition of that fact?

I believe acknowledging historical facts as they are is a principle that is easily understood both at home and abroad. So while the administration believes that this posture benefits it vis a vis our relationships with Turkey, I think they should also recognize that it hurts our relationship elsewhere and it tarnishes the United States history of being a place where truth is spoken to power and acknowledgement of our failures in the past make us stronger, not weaker, and recognizing the evils of the past do not trap us but they set us free.

That is what I hope we can be able to achieve, Mr. Chairman, and I have great admiration for Ambassador Yovanovitch, she is the designee here and having to respond to questions and as I told her privately, I would be pursuing a line of questioning.

I appreciate her intent to be as frank and open as possible, and Mr. Chairman, if you have a second, I have a different set of questions for one of the other candidates.

Senator CARDIN. Thank you. Senator Menendez, thank you for your questions. You and I have talked frequently on human rights issues. We share that same passion. One of my roles is to cochair the Helsinki Commission which human rights issues are one of our major focuses.

There is no question in my mind that the facts speak for themselves and what happened was genocide. To me, it's a clear issue.

I think our nominee has demonstrated some of the reasons why she's an experienced diplomat. I don't agree with a lot of the administration's policies, not just as relates to the genocide in Armenia but as it relates to policies in many parts of the world.

Where we have career diplomats, I find, by and large, they are carrying out the mission of our Nation and in Armenia, we need an ambassador who is experienced, who understands the historical facts and has the historical facts correctly as stated, and I think I must say in your testimony, I think, and in your answer to Senator Menendez, you have spelled out very clearly what happened.

The facts are the facts and we have to make sure that the international community never forgets what happened, so we can learn from the past and protect the future generations, and I think you have been pretty clear about the circumstances of ethnic communities that were being cleansed.

And Senator Menendez, I agree with you, the definition couldn't be clearer as to what that equals, genocide.

Let me turn, if I might, to Mr. Chaudhry, if might, with the Republic of Moldova.

I was very pleased that you mentioned as one of your top priorities the trafficking issue. That is an issue that has been—that the United States Delegation to the OSCE has made one of our top priorities and we're pleased about the attention that has been received in Europe, and we would ask that if you are confirmed as the ambassador, that that remain not just a priority of yours as relates to the Republic of Moldova but in that region of Europe.

It's a very serious issue that the United States needs to continue to exercise tremendous leadership.

Mr. CHAUDHRY. Thank you, Mr. Chairman. I absolutely pledge to you that this is an issue which is close to my heart and I intend to pursue it and follow it, if confirmed, to the fullest of my capabilities and continue to do the work that has been done by my predecessor in Moldova and in the region.

Senator CARDIN. There's been a lot of talk recently about Russia's influence here and as to whether Moldova is perhaps looking at an arrangement where Russia will remove its troops from Transnistria and there may be some other parts to that arrangement.

How do you see the prospects for a resolution, a political settlement of Transnistria?

Mr. CHAUDHRY. Mr. Chairman, as far as Transnistria is concerned, the best way to resolve this is in the context of 5Plus2 talks that have been going on for some time.

It is clear that these talks have stalled for some time, but there have been informal talks within the 5Plus2 as well as 3Plus2. That means excluding Moldova and the Transnistria side.

As recent as this month, there were discussions in Helsinki among the 3Plus2 group where they committed that we need to move forward in trying to resolve the issue and that issue, as I see it and as the United States Government sees it, must involve the territorial integrity, preserving the territorial integrity of Moldova and that means allowing its sovereignty to be exerted over all of its territory, including Transnistria, and that would definitely include removal of or withdrawal of Russian soldiers from the Moldovan territory.

Senator CARDIN. I agree with that. Thank you, Mr. Nominee. I appreciate that. That's a statement I fully concur in.

Let me turn to Kosovo for one minute, if I might. Ms. Kaidanow, you are seeking a critically important position.

Kosovo is a country that is just going to be subject to a lot of challenges. We still have not resolved the Russian influence, what's happening with Serbia. There's still a lot of countries that have withheld their recognition of Kosovo. We still don't have a clear mandate within the United Nations as relates to the security troops remaining or not. There are going to be a lot of challenges.

So let me start first with the Ahtisaari Plan and the protection of minority communities, you mentioned that several times, and I think the real challenge here is whether the Kosovo majority, having been ignored by the Serbian Government as far as their independence is concerned, whether they will react in a way of protection to the minority community or whether they'll yield to tempta-

tion to sort of say, you know, you're not going to work with us, so we'll do it our way.

I think the role that the United States plays here is going to be critical and everything you said in your statement I agree with, but it seems to me that we have to be extremely active to make sure the minority communities are properly protected within Kosovo.

Ms. aidanow. Thank you, Mr. Chairman. I can't agree more. In fact, I would say that this is if not the single most important priority for the United States in Kosovo, it's certainly one of the top priorities that we have.

We have actually come quite a long way in Kosovo. I remember maybe a year or so ago when we were contemplating where we would go, there was quite a lot of concern about population movement, the possible, you know, the numbers of Serbs who might decide to leave Kosovo, the consequence of independence and so forth.

Thankfully, we've not seen that, and I think that is a measure of the kind of progress that we've seen and the ability of Kosovo's authority and Kosovo's people to protect and to preserve its minority communities and particularly the Serb minority.

I don't want to say that there aren't challenges ahead. You've identified them, I think, very, very accurately. It's going to be incumbent upon the Kosovo Government and the people of Kosovo to ensure that their minority populations are not only protected but sustained and that they are given a chance to be living communities in Kosovo and that is critically important for us.

It involves not just implementation of the Ahtisaari Plan, which is quite robust and has many protections for the minority communities in Kosovo, but it also involves, I think, reaching out to them in ways that are creative and important, building infrastructure in their communities, encouraging returns. All of these things are things that we're going to have to, you know, work with them to do.

We have been working with them, we'll continue and certainly if I'm confirmed, that is something that we would make a priority.

Senator CARDIN. And let me mention perhaps the most discriminated minority community in Europe and that's the Roma population, a serious problem within Kosovo and many other European countries.

I would hope that we would find ways as a new country is emerging in Kosovo that they do it right from the beginning,—

Ms. aidanow. Yes.

Senator CARDIN [continuing]. That minority communities include the Roma and they're entitled that their children could be educated, that they can get affordable housing, that they can integrate into the community and Kosovo could be an example to the rest of Europe in that regard.

Ms. KAIDANOW. Absolutely. And in fact, I think the Roma community in Kosovo has suffered under some very specific historical circumstances that I won't get into here but I think really merit, as you said, particular care and consideration on the part of the Kosovo Government, something that we, the United States, have been very active in looking at. We will continue to do so, but I can't agree with you more that there are any number of minority ethnic communities in Kosovo. All of them have particular considerations

and particular needs and the Kosovo Government will have to be very, very astute and quite generous in looking at those communities and providing for their needs.

Senator CARDIN. One last question on Kosovo. With the UNMIK mission expired, it's not exactly clear as to the legitimacy of the protection troops within that region. Russia's cooperation is not necessarily understood at this point.

How do you see that challenge from the point of view of providing Kosovo the help they need so that they can maintain the type of protection to communities and stability that a young country needs?

Ms. aidanow. There are multiple levels of security in Kosovo. The NATO-led force known as KFOR will continue to have a fairly robust presence in Kosovo under the U.N. Security Council Resolution 1244 which continues to obtain and KFOR has a mandate under that Security Council Resolution.

We, the United States, provide some small number of troops, 1,500 troops to a 16,000-man force. I would anticipate that continuing, at least in the immediate future, and we take that responsibility very, very seriously, and our troops are doing just an outstanding job in doing it in Kosovo.

In terms of policing, for the time being, the U.N. has agreed to maintain a role in law enforcement and justice in Kosovo until such time as the European Union can establish fully its new law enforcement and justice mission on the ground which will be known as EULEX.

We will participate again in a small way but a significant way in that mission. We will have roughly 80 or so police to their 1,800 or so police and justice officers and so forth.

I think it's critical that those European Union forces deploy as quickly as possible. Certainly the Kosovo Government and the people of Kosovo are looking forward to that deployment, but in the meantime, it's also important that the U.N. security forces on the ground continue to receive the broad authority that they've had from the Kosovo people and every indication is that Kosovo will give them that authority and will agree to have them stay until the European Union can perform that duty.

Senator CARDIN. Thank you very much.

Senator MENENDEZ.

Senator MENENDEZ. Thank you, Mr. Chairman. Before I turn to Mr. Reeker for a moment, one last question, Ambassador.

Would you, if you were to be confirmed by the Senate, make a commitment to this committee that you would attend the Armenian Genocide Commemoration which is held every April 24 as previous ambassadors have?

Ms. YOVANOVITCH. If I were confirmed, I would certainly commit to attend to Armenian Remembrance Day.

Senator MENENDEZ. Thank you. Mr. Reeker, let me first say with the adjective in which you introduced your wife, you're definitely going to get a hot meal tonight.

Mr. REEKER. I don't have to go to Senator Dole's. [Laughter.]

Senator MENENDEZ. I have a few questions about your potential assignment.

The recent parliamentary elections that were held on June 1 were marked by a series of irregularities, intimidation and violence, according to the Office for Democratic Institutions and Human Rights, and did not meet the Organization for Security and Cooperation in Europe and the Council of Europe Standards.

Furthermore, our own State Department called for a rerun in almost a 190 districts, quoting "where people were not able to cast their ballot free from the threat of violence or intimidation."

The New York Times reported on June 2 of this month that Dennis McCone, a former Europe minister in Tony Blair's government, who was in Skopje as a monitor for the Council of Europe, said that the "vote in FYROM would have no legitimacy unless new elections were called." He said, "This vote is a tragedy for supporters of Macedonia's European Union and TransAtlantic future." It continues to quote him to say, "Nobody can form a government on the basis of an election in which police have stuffed ballot boxes and thugs are attacking polling stations."

Do you think—I read your full statement. You gave us an abbreviated statement. It's very inspirational for Macedonia. It's an aspiration we share, but for FYROM, do you think that this corresponds to a democratic country that fulfills the criteria to join NATO?

Mr. REEKER. Thank you, Senator. I appreciate the question because I think for any of us who have followed events in Macedonia, the June 1 early elections, parliamentary elections were, frankly, very disappointing. They did not meet international commitments. As you noted, there were incidents of violence, intimidation, fraud, largely intraethnic among competing forces within the ethnic Albanian community.

What we have seen over a period of many years since Macedonia's independence is the development of institutions of government of civil society of democracy which rose to the occasion and did respond with reruns of those elections in numerous locations, ordered those reruns and those took place on June 15.

As noted by a number of the observers that you referenced, there were substantial improvements. There was significantly improved security. The environment was considerably better, but again there was serious irregularities in some polling stations, and as the OSCE and the Council of Europe have noted, they did not meet some of the key commitments that Macedonia has made.

I believe there will be additional reruns in several districts and that again shows that the institutions to respond to this kind of problems in Macedonia are in place and are working.

What we had seen, of course, was a series of elections over time that had been very positive and shown a tremendous development in democracy.

Senator MENENDEZ. But this latest round did not meet those standards.

Mr. REEKER. That's correct.

Senator MENENDEZ. And we should be concerned about it. We're thinking about allowing this country to enter into NATO.

Now, clearly, it must have certain standards in order to join and so I would hope that in our desire to have them join NATO that we're not willing to overlook those standards at the end of the day.

Let me ask you this. I have seen school textbooks and maps that circulate in the former Yugoslavia Republic of Macedonia showing parts of Greece belonging to the so-called Greater Macedonia.

Do you think that the practice of the government there is an act of good neighborly relations when they pursue that as part of their official education?

Mr. REEKER. Senator, I have seen reports from both sides in the recent Macedonia dispute accusing each other of taking actions or making statements that have inflamed the issue of the name.

Obviously this points to the fact that this needs to be resolved. I think the overwhelming majority of people in both countries have shown over a course of many years the people to people relations, the economic relations, suggest that the two countries in fact can get along extremely well and can mutually support each other.

That underlies the fact that they have got to find a quick and mutually agreeable solution to the name issue and why we continue to encourage both countries to intensify their efforts along with the intensified efforts to the U.N. Ambassador Limits to find a solution.

Senator MENENDEZ. In fact, NATO took the position that while it has the desire to make that offer; it's not going to happen until there is some reconciliation and coming to a determination on the name, is that not so?

So if that is the case, what will you be doing? I know that Limits is at the head of this, but obviously if you are to be confirmed, you would be in a position as our ambassador in that country to try to get that country to understand it is in its own interests to find an accommodation. Is that something that you would be pursuing?

Mr. REEKER. Yes, Senator, I would certainly, if confirmed, continue to work through our embassy in Skopje, just as our embassy in Athens works with the Government of Greece to be supportive of both sides to encourage them to find a quick mutually agreeable solution because that is in the best interests not only of both Macedonia and of Greece but the region certainly and since the United States focus is to encourage a stable, secure partner in the center of the Balkans, in Macedonia, it is in our interests as well, and we will continue to push them to deal with as expeditiously as possible.

Senator MENENDEZ. Finally, I'd like to ask each of the nominees, do you feel the United States should apologize to foreign governments when Congress speaks out on matters of human rights? If each of you would just give me an answer to that?

Mr. BEYRLE. If the United States Government should apologize to the people, to the Government of Russia, would Congress—

Senator MENENDEZ. For each of your countries, should we feel compelled to apologize to foreign governments when Congress speaks on matters of human rights?

Mr. BEYRLE. No.

Mr. REEKER. I agree with the same answer, no.

Ms. aidanow. No.

Mr. CHAUDHRY. No.

Ms. YOVANOVITCH. No.

Senator MENENDEZ. Thank you, Mr. Chairman.

Senator CARDIN. Thank you, Senator. Let me ask one more question in regard to Macedonia.

First of all, you see the Limits process still workable? It was unsuccessful in a resolution prior to the Bucharest Conference. Is it still a viable process in which we should expect the potential resolving of the issues between Macedonia and Greece?

Mr. REEKER. Yes, Mr. Chairman, I believe it is a viable process. The United States supports that process and, most importantly, both sides of the dispute support that process which is why we, in our capacity as a friend and ally to both Macedonia and to Greece, have encouraged both sides to find a quick mutually agreeable solution to this problem.

It's a difficult problem. It's an emotional problem, but it is one that can be solved, we believe, and the Limits process is the way to go about that. So we're encouraging both sides to show greater flexibility, creativity, cooperation, and do what is needed to find a solution.

Senator CARDIN. Is part of that taking up issues, such as the name of the airport, Alexander the Great? I mean, it seems like some of this might be somewhat inflammatory. Is that part of the process?

Mr. REEKER. As I indicated, Mr. Chairman, and I've followed these issues for some time, since I served my first tour in Macedonia, both sides have taken actions, made statements over time, that have certainly inflamed the issue.

The important thing here is to move beyond that, to move toward cooperation, have that eclipse confrontation and have understanding supplant mistrust, use the Limits process because these countries have shown that as neighbors, in fact they can get along extremely well. They have robust trade relations. They have robust people to people relations.

You know, you see Macedonians eager to travel to Greece. You see trade and investment from Greece coming to Macedonia, and I think that's what's important. So we can get over the difficult issues by using the diplomatic and the negotiating structures we have available.

Senator CARDIN. Thank you very much. Let me make just one more comment, Ms. Yovanovitch, in regard to the Republic of Armenia.

You mention in your statement the violence that erupted after the last elections in March. The comments by the Armenian Government, at least some of its officials, that this was instituted to try to overthrow the government or similar comments which I found no basis at all, in fact, is it our position that we are still awaiting and asking for an independent review of what happened in this violence when civilians were killed, so that we can try to prevent these types of episodes in the future?

Ms. YOVANOVITCH. Yes, that is our position, that there be an objective, independent, and inclusive investigation.

I would say that over the last couple of days, the Government of Armenia has established an investigation. It will be important that there is a positive process that all sides can buy into and participate in.



Senator CARDIN. All right. Thank you for that. Let me just make one announcement. Members will have until the end of tomorrow to ask questions for the record. I would ask that you respond to those questions as quickly as possible so the committee can take appropriate action in regard to your nominations as soon as possible.

Once again, I want to thank all eight of our nominees for their patience today in answering our questions and their willingness to serve our country.

With that, the committee will stand adjourned.

[Whereupon, at 4:33 p.m., the hearing was adjourned.]

## ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

### DOCUMENT NO. 1 FROM SENATOR MENENDEZ

Armenian Remembrance Day

<http://www.whitehouse.gov/news/releases/2004/04/print/20040424-1.html>



[CLICK HERE TO PRINT](#)

For Immediate Release  
Office of the Press Secretary  
April 24, 2004

#### Armenian Remembrance Day

On this day, we pause in remembrance of one of the most horrible tragedies of the 20th century, the annihilation of as many as 1.5 million Armenians through forced exile and murder at the end of the Ottoman Empire. This terrible event remains a source of pain for people in Armenia and Turkey and for all those who believe in freedom, tolerance, and the dignity of every human life. I join with my fellow Americans and the Armenian community in the United States and around the world in mourning this loss of life.

The United States is proud of the strong ties we share with Armenia. From the end of World War I and again since the reemergence of an independent Armenian state in 1991, our country has sought a partnership with Armenia that promotes democracy, security cooperation, and free markets. Today, our Nation remains committed to a peace settlement in the Nagorno-Karabakh conflict and is grateful for Armenia's continuing cooperation in the war on terror. By advancing understanding and goodwill, free nations can help build a brighter future for the world. Our country seeks to help Armenia expand its strategic relations with the United States and our European allies.

Generations of Armenian Americans have also strengthened our communities and enriched our Nation's character. By preserving their heritage, faith, and traditions, Armenian Americans enhance the diversity that makes America great.

I commend individuals in Armenia and Turkey who have worked to support peace and reconciliation, including through the Turkish-Armenian Reconciliation Commission, and call on Armenia and Turkey to restore their economic, political, and cultural ties. I also send warm wishes and expressions of solidarity to the Armenian people on this solemn day of remembrance.

GEORGE W. BUSH

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Return to this article at:

<http://www.whitehouse.gov/news/releases/2004/04/20040424-1.html>

[CLICK HERE TO PRINT](#)

## TELEGRAM RECEIVED\*

WSB

GREEN CIPHER

From Constantinople

Dated July 16, 1915.

Rec'd 30, 8:10 A.M.

Secretary of State,  
Washington.

858, July 16, 1 p.m.

CONFIDENTIAL

Have you received my 841? Deportation of and excesses against peaceful Armenians is increasing and from harrowing reports of eye witnesses it appears that a campaign of race extermination is in progress under a pretext of reprisal against rebellion.

Protests as well as threats are unavailing and probably incite the Ottoman government to more drastic measures as they are determined to disclaim responsibility for their absolute disregard of Capitulations and I believe nothing short of actual force which obviously United States are not in a position to exert would adequately meet the situation. Suggest you inform belligerent nations and mission boards of this.

AMERICAN AMBASSADOR  
CONSTANTINOPLE

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\* Source: NA/RG59/867.4016/76

Trustworthy persons report that in the interior a perfect reign of terror exists, especially at Diarbekir. The same parties report that 300 prominent Christians at that place have been imprisoned in the course of the search for arms and proofs of disloyalty toward the Government; while other reports place the number of victims as high as 1,000. It is also stated that 22 have been beaten to death in the efforts to make them divulge information they did not possess. Some cases of bastinadoing have been treated by physicians, the injured feet having to be operated on to prevent amputation. It is believed that great numbers have been beaten to death. Such has been the condition there since about April 25, last; this is also true of the villages and towns in the country surrounding that city.

One person states that:

"Christians have been drafted to work on the new barracks of the Army there. These men receive 2 piasters (9 cents) a day for their work; men sent to work on roads at a distance do not receive enough to live on and are compelled to draw upon those at home for money and food."

"These men are not allowed to remain in their homes at night, like most of the inhabitants of the city, but are held as prisoners lest they desert; their quarters are vile and filthy, with no accommodations whatsoever in the way of toilet rooms. The men are not permitted to leave their quarters even temporarily."

"The sick are unattended, and unless there are friends the hungry go unfed."

"Gendarmes and recruits worry, annoy and persecute the people of the cities and villages unmercifully. Blackmail is collected generally by the gendarmes."

"A few villages in the Moush plain, Keizan, Modgan and Garjgan (Van Vilayet) seem to have been destroyed by government orders because the inhabitants tried to protect themselves."

Hundreds of individual cases of persecution such as blackmailing, beating, imprisoning, etc., could be stated but which would lend no further weight to the general statement of outrages that are being practiced daily upon a defenseless and inoffensive people that demand nothing more than to be given a chance to eke out at the best a miserable existence.

The Government has been appealed to by various prominent people and even by those in authority to put an end to these conditions, under the representations that it can only lead to the greatest blame and reproach, but all to no avail. It is without doubt a carefully planned scheme to thoroughly extinguish the Armenian race.

I have the honor to be, Sir,  
Your obedient servant,

[signed] J. B. Jackson  
Consul.

## AMERICAN CONSULATE\*

No. 71

Copy

Harpur July 24, 1915

Honorable Henry Morgenthau,  
American Ambassador,  
Constantinople.

Sir:

I have the honor to further supplement my reports of June 30th and July 11th (File No. 840. 1) in regard to the expulsion of the Armenians from this region, or, to speak more correctly, the wholesale massacre of these Armenians, as follows:

Any doubt that may have been expressed in previous reports as to the Government's intention in sending away the Armenians have been removed and any hope that may have been expressed as to the possibility of some of them surviving has been destroyed. It has been no secret that the plan was to destroy the Armenian race as a race, but the methods used have been more cold-blooded and barbarous, if not more effective, than I had at first supposed. It was apparent that very few would ever survive the journey from here to Ourfa or to any other place at this season of the year. As a matter of fact, it has been quite unnecessary to consider the difficulties of such a journey. It seems to be fully established now that practically all who have been sent away from here have been deliberately shot or otherwise killed within one or two days after their departure. This work has not all been done by bands of Kurds but has for the most part been that of the gendarmes who accompanied the people from here or of companies of armed "tchetehs" (convicts) who have been released from prison for the purpose of murdering the Armenian exiles.

It has been repeatedly reported, and I think there is no doubt about the truth of these reports, that not a single man who has been sent away has been spared. Many of the women and children have been deliberately killed at the same time. A few of the more attractive women have been carried off to adorn the harems of some of the Kurdish chieftains and of some of the gendarmes. Some of the older women and children have been allowed to wander along, accompanied by gendarmes, with the certainty that all of them will soon perish from hunger, sickness and exhaustion.

I do not believe there has ever been a massacre in the history of the world so

\* Source: NA/RG 59/867.4016/269

## TELEGRAM RECEIVED\*

IHM

GREEN

From Constantinople  
(via Copenhagen)  
Dated Oct. 17, 1916.  
Recd. Oct. 20, 4:30 p.m.

Secretary of State,  
Washington.

2186, October 17, 9 p.m.

CONFIDENTIAL

Embassy's 2136, October 1, 8 p.m.

From report by eye-witness sent by Consul Jackson and from other reliable sources it appears that deportations accompanied by studied cruelties continue. Families are separated and scattered among Moslems. Clergy separated from their people, forced conversions to Islam perseveringly pushed, children and girls from deported families kidnapped. In order to avoid opprobrium of the civilized world, which the continuation of massacres would arouse, Turkish officials have now adopted and are executing the unchecked policy of extermination through starvation, exhaustion, and brutality of treatment hardly surpassed even in Turkish history. In spite of official opposition it has been possible to reach thousands and save their lives temporarily. But situation demands not only immediate financial assistance but active steps instead of formal protest. I therefore repeat suggestion in Embassy's 1948, July 15, 10 a.m., that Germany and Austria-Hungary be induced to force their Turkish ally to cease all further deportation and allow free relief work, as well as Mr. Philip's further suggestion in Embassy's telegram 2136, concerning forced conversions and the departure from Turkey of those who are able. Peet requests such part of the above as the Department may see fit be communicated to Barton who may use the information with some discretion.

**Strictly Confidential**

If such requests to Germany and Austria-Hungary are made through the usual channel and are found to be ineffective, which from information received in Berlin and from German sources here it is believed will be the fact, it is suggested if the gravity of the situation calls for such action and it is deemed advisable, that personal

\* Source: NA/RG59/867.4016/299

letters reciting the facts, written by the President to the Emperors of Germany and Austria may produce the desired result. In that case publicity should be given such letters.

ELKUS

EGAN  
AMBASSADOR

**Convention on the Prevention and Punishment of the Crime of Genocide**

**Approved and proposed for signature and ratification or accession by General Assembly resolution 260 A (III) of 9 December 1948**

**entry into force 12 January 1951, in accordance with article XIII**

***The Contracting Parties,***

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world,

Recognizing that at all periods of history genocide has inflicted great losses on humanity, and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided:

***Article 1***

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

***Article 2***

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group.

***Article 19***

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.

**Article 3**

The following acts shall be punishable:

- (a) Genocide;
- (b) Conspiracy to commit genocide;
- (c) Direct and public Incitement to commit genocide;
- (d ) Attempt to commit genocide;
- (e) Complicity in genocide.

**Article 4**

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

**Article 5**

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in article III.

**Article 6**

Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

**Article 7**

Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition.

The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

**Article 8**

Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.



**Article 9**

Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

**Article 10**

The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

**Article 11**

The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any nonmember State to which an invitation to sign has been addressed by the General Assembly.

The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

After 1 January 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

**Article 12**

Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

**Article 13**

On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a proces-verbal and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article 11.

The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession.

Any ratification or accession effected, subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

**Article 14**

The present Convention shall remain in effect for a period of ten years as from the date of its coming into force.

It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period.

Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

**Article 15**

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective. Article 16

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General.

The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

**Article 17**

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article XI of the following:

- (a) Signatures, ratifications and accessions received in accordance with article 11;
- (b) Notifications received in accordance with article 12;
- (c) The date upon which the present Convention comes into force in accordance with article 13;
- (d) Denunciations received in accordance with article 14;
- (e) The abrogation of the Convention in accordance with article 15;
- (f) Notifications received in accordance with article 16.

**Article 18**

The original of the present Convention shall be deposited in the archives of the United Nations.

A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in article XI.

LETTER FROM MATTHEW A. REYNOLDS, ACTING ASSISTANT SECRETARY, LEGISLATIVE  
AFFAIRS, UNITED STATES DEPARTMENT OF STATE

U.S. DEPARTMENT OF STATE,  
Washington, DC, July 29, 2008.

Hon. Joseph R. Biden, Jr.,  
Chairman, Committee on Foreign Relations, U.S. Senate,  
Washington, DC.

DEAR SENATOR BIDEN: I am writing in response to your concerns regarding responses to questions for the record submitted by you and Senator Menendez regarding the nomination of Marie Yovanovitch as Ambassador to Armenia.

Regarding your Question #1, Ms. Yovanovitch mentions an International Visitors Program under consideration that would bring archivists from Turkey and Armenia to the United States for professional training. Our goal is to help archivists protect the evidence of the past so that future generations will have the documentation of the mass killings and deportations of Armenians committed by Ottoman soldiers and other Ottoman officials in 1915. Our goal is not to open a debate on whether the Ottomans committed these horrendous acts; it is to help preserve the documentation that supports the truth of those events.

Regarding Ms. Yovanovitch's response to Senator Menendez's Question #8, the administration recognizes that the mass killings, ethnic cleansing, and forced deportations of over one and a half million Armenians were conducted by the Ottoman Empire. We indeed hold Ottoman officials responsible for those crimes.

In her testimony, Ms. Yovanovitch tried to convey her deep empathy with the profound suffering of the Armenian people and in no way sought to cast any doubt on historical facts.

We hope this information is helpful to you. Please do not hesitate to contact us if we can be of further assistance on this or any other matter.

Sincerely,

MATTHEW A. REYNOLDS,  
Acting Assistant Secretary,  
Legislative Affairs.

RESPONSES OF MARIE YOVANOVITCH TO QUESTIONS SUBMITTED  
BY SENATOR JOHN F. KERRY

*Question.* I strongly believe that the killings and other atrocities perpetrated against some 1.5 million Armenians by the Ottoman Empire beginning in 1915 clearly constituted genocide. Acknowledging when genocide has occurred is not simply a theoretical or legal exercise. It is key to preventing genocide from happening again. That's why, in my view, we must change United States policy to reflect the true nature of the tragic events that were perpetrated against the Armenians by calling them what they were—genocide.

I understand the following to be accepted facts:

- Article II of the 1948 Convention on the Prevention and Punishment of Genocide defines genocide as "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group"—and it lists "killing members of the group" as one of these acts.
- The United States has "never denied the tragic events of 1915," and the Bush administration has acknowledged "the forced exile and mass killing inflicted on as many as 1.5 million Armenians," as indicated by the State Department in its response to my letter of June 5, 2006.
- The atrocities conceived and carried out by the Ottoman Empire from 1915 to 1923 resulted in the deportation of nearly 2,000,000 Armenians, of whom about 1,500,000 men, women, and children were killed, the expulsion of 500,000 survivors, and a concerted campaign that resulted in the elimination of the more than 2,500-year presence of Armenians in their historic homeland.
- The Honorable Henry Morgenthau, U.S. Ambassador to the Ottoman Empire from 1913 to 1916, described to the Department of State the policy of the Government of the Ottoman Empire as "a campaign of race extermination," and was instructed on July 16, 1915, by Secretary of State Robert Lansing that the "Department approves your procedure . . . to stop Armenian persecution."
- Raphael Lemkin, who coined the term "genocide" in 1944, and who was the earliest proponent of the Convention on the Prevention and Punishment of Genocide, invoked the Armenian case as a definitive example of genocide in the 20th century.

- Proclamation 4838 of April 22, 1981 (95 Stat. 1813) issued by President Ronald Reagan, stated, in part, that "[l]ike the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other persecutions of too many other people—the lessons of the Holocaust must never be forgotten."
- President George W. Bush, on April 24, 2004, stated, "[o]n this day, we pause in remembrance of one of the most horrible tragedies of the 20th century, the annihilation of as many as 1,500,000 Armenians through forced exile and murder at the end of the Ottoman Empire."

Do you dispute any of the above? If so, which facts and why?

Answer. As noted above, the administration has never denied the facts of what happened in 1915, and it does not deny the facts that are listed above. The administration believes that the best way to honor the victims is to promote understanding and reconciliation between the people and Governments of Armenia and Turkey and to help Turkey come to terms with this dark chapter in history. The administration continues to encourage both Turkey and Armenia to work towards reconciliation. There are some hopeful signs that they are engaging each other.

Many Americans believe that the events of the past should be called "genocide." It has been President Bush's policy—as well as that of several previous Presidents on both sides of the aisle—not to use that term. The administration's focus is on encouraging people in Turkey to reconcile with their past and with the Armenian people regarding these horrific events.

There should be no doubt in anyone's mind that the U.S. Government and I certainly recognize and deplore the mass killings and deportations that occurred in 1915 and after. No words of any kind can convey our sorrow for the suffering that still endures as a result of these terrible events. It is exactly this tragedy that makes us so determined to support reconciliation between the Armenian and Turkish peoples today.

*Question.* Do you personally believe that these atrocities meet the definition of a genocide? If not, please specify why not and provide your legal opinion.

Answer. As the child of refugees—at a different time and place—I do feel very strongly about the great suffering experienced by the Armenian people, both at that time and today, as they remember this dark chapter in their history. I too mourn the loss of so many innocent lives and fully respect that the Armenian-American community and the Armenian people want their pain and loss to be acknowledged. The specific terminology the administration uses to refer to this tragedy is a policy determination made by the President. Should I be confirmed as the personal representative of the President, I would have the duty to faithfully represent the policies of the President and his administration.

*Question.* Can you explain how the administration's denial of the Armenian genocide can be reconciled with the United States long history of opposing genocide in any form?

Answer. The administration has never denied the facts of what occurred in 1915. President Bush acknowledges this horrific tragedy each year on April 24, Armenian Remembrance Day.

*Question.* Do you personally believe there should be a change in the administration's policy of nonrecognition of this genocide?

Answer. The administration has never denied the terrible events of 1915. The President annually recognizes this tragedy on Armenian Remembrance Day. This policy is determined by the President and, should I be confirmed as the personal representative of the President, I would have the duty to represent the policies of the President and his administration faithfully. I pledge to provide the very best advice in this process that I can; this is what I have tried to do my entire career.

*Question.* Can you explain why the administration still refuses to recognize these atrocities as a genocide?

Answer. The administration has never denied the terrible events of 1915 and acknowledges the human tragedy of the mass killings and forced exile of over 1.5 million Armenians at the end of the Ottoman Empire. The administration also understands that many Americans and many Armenians believe that these events should be called "genocide." It has been the policy of this administration, as well as that of previous administrations of both parties, not to use that term. The President's focus is on encouraging Turkish citizens to reconcile with their past and with the Armenian people. Our goal is to stimulate a candid exploration within Turkish society of these horrific events in an effort to help this reconciliation. This is not easy.

It was not easy for the United States to address its own historic dark spots. Turkey is making progress addressing these issues. The administration seeks not to undercut voices emerging in Turkey who call for a truthful exploration of these events in pursuit of Turkey's reconciliation with its own past and with Armenia; we share their goal of opening Turkey's past through honest, if painful, self examination.

*Question.* To the best of your knowledge, is there any effort underway to reexamine this policy? If so, when can Congress expect the result of this reexamination?

*Answer.* U.S. policy on all issues is open to discussion both within and from outside the administration. The Congress has been instrumental in raising this issue, as have many American citizens, as is appropriate in our democracy. Secretary Rice has made it clear that there are no taboo subjects and that all viewpoints are respectfully heard. If confirmed, I would seek to provide unbiased information and the best policy advice so that Washington policymakers can make the best decisions.

*Question.* As the United States Ambassador to Armenia, would you personally work to change United States policy and have these atrocities acknowledged as a genocide?

*Answer.* As the child of refugees—at a different time and place—I do feel very strongly about the great suffering experienced by the Armenian people both at that time and today as they remember this dark chapter in history. I too mourn the loss of so many innocent lives and fully respect that the Armenian-American community and the Armenian people want their pain and loss to be acknowledged. We all have strong feelings about this. But, as the personal representative of the President of the United States, an ambassador must faithfully represent the policies of the President and his administration. The Secretary has made it clear that there are no taboo subjects for internal discussion and that all viewpoints are respectfully heard. I pledge to provide the very best advice that I can; this is what I have tried to do my entire career.

*Question.* As the United States Ambassador to Armenia, what actions, if any, would you take against your employees, if they properly characterized the massacre of Armenians during WWI as a genocide?

*Answer.* As representatives of this administration, all State Department officers have the duty to represent the policies of the President and his administration faithfully, and I would expect the same of my staff. This is a basic tenet of a diplomatic career.

*Question.* During your June 19, 2008 confirmation hearing, you stated that referring to the Armenian genocide as genocide was a "policy decision" that senior officials, such as the President and the Secretary of State, could determine.

Please describe, in detail, the source, purpose, content, and conclusions of all administration "policy" documents, "decisions," and other materials concerning the Armenian Genocide that you reviewed and provide copies of these materials to the committee for its review.

*Answer.* The President's policy on this issue is described in the President's yearly Remembrance Day statements, and I have reviewed all the statements of this administration. They are part of the public record and are attached to this response. I have studied the history of the tragic massacres and forced exile that occurred at the end of the Ottoman Empire and U.S. policy in that regard. I have reviewed the "U.S. Official Records on the Armenian Genocide 1915-1917" and have read a number of books that examine the subject from various perspectives, including "The Burning Tigris," "A Shameful Act," and "Unsilencing the Past." The individual stories are horrifying; the magnitude of this terrible act—over 1.5 million murdered or deported—is simply incomprehensible. I also have reviewed the statements made by various U.S. officials at that time, including those presented to me at my confirmation hearing on June 19.

[The above-referenced statements follow:]

FOR IMMEDIATE RELEASE  
Office of the Press Secretary, April 24, 2001.

#### PRESIDENTIAL MESSAGE

Today marks the commemoration of one of the great tragedies of history: the forced exile and annihilation of approximately 1.5 million Armenians in the closing years of the Ottoman Empire. These infamous killings darkened the 20th century and continue to haunt us to this day. Today, I join Armenian Americans and the Armenian community abroad to mourn the loss of so many innocent lives. I ask all Americans to reflect on these terrible events. While we mourn the tragedy that

scarred the history of the Armenian people, let us also celebrate their indomitable will which has allowed Armenian culture, religion, and identity to flourish through the ages. Let us mark this year the 1700th anniversary of the establishment of Christianity in Armenia. Let us celebrate the spirit that illuminated the pages of history in 451 when the Armenians refused to bow to Persian demands that they renounce their faith. The Armenian reply was both courageous and unequivocal: "From this faith none can shake us, neither angels, nor men, neither sword, fire or water, nor any bitter torturers." This is the spirit that survived again in the face of the bitter fate that befell so many Armenians at the end of the Ottoman Empire.

Today, that same spirit not only survives, but thrives in Armenian communities the world over. Many Armenian survivors and their descendants chose to live in the United States, where they found safety and built new lives. We are grateful for the countless ways in which Armenian Americans continue to enrich America's science, culture, commerce and, indeed, all aspects of our national life.

One of the most important ways in which we can honor the memory of Armenian victims of the past is to help modern Armenia build a secure and prosperous future. I am proud that the United States actively supports Armenia and its neighbors in finding a permanent and fair settlement to the Nagorno-Karabakh dispute. I hope that this year we will see peace and reconciliation flourish in the south Caucasus region between Armenia and all its neighbors. The United States welcomes the opportunity to support the courageous efforts by the Armenian people to overcome years of hardship and Soviet repression to create a prospering, democratic, and sovereign Republic of Armenia.

Let us remember the past and let its lessons guide us as we seek to build a better future. In the name of the American people, I extend my heartfelt best wishes to all Armenians as we observe this solemn day of remembrance.

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FOR IMMEDIATE RELEASE  
Office of the Press Secretary, April 24, 2002.

PRESIDENT'S MESSAGE ON ARMENIAN MASSACRE

Today, we commemorate an appalling tragedy of the 20th century, the massacre of as many as 1.5 million Armenians through forced exile and murder at the end of the Ottoman Empire. These horrific killings left wounds that remain painful for people in Armenia, in Turkey, and around the world. I join the Armenian community in America and across the globe in mourning this horrendous loss of life.

Today is an occasion for the world to reflect upon and draw lessons from these terrible events. It is a day for recognizing that demonizing others lays the foundation for a dark cycle of hatred. Transcending this venomous pattern requires painful introspection about the past and wise determination to forge a new future based on truth and reconciliation. In this spirit, I look forward to Turkey restoring economic, political, and cultural links with Armenia.

The United States greatly values the contributions that Armenians make to our national life. With faith and courage, generations of Armenians have overcome great suffering and proudly preserved their centuries-old culture, traditions, and religion. The United States is also deeply grateful for Armenia's swift and decisive cooperation in the war against terrorism.

Just as the United States reached out to the Armenian people to provide shelter and freedom early in the last century, so did Armenia extend a supportive hand to the American people in the immediate aftermath of September 11. Our two peoples stand together in this fight in support of values that define civilization itself.

I am also very proud of America's strong support for a free Armenian state, whose citizens enjoy the fruits of peace and increasing prosperity. In the months to come, America will continue to increase its security cooperation with Armenia and with Armenia's neighbors to combat terrorism and pursue a lasting and just settlement to the Nagorno-Karabakh conflict, which will strengthen peace and stability in the Caucasus. The United States will also continue its strong support for Armenia's efforts to develop democratic and free market institutions, and to deepen its integration into the Euro-Atlantic community.

On behalf of the American people, I send warm wishes and expressions of solidarity to the Armenian people on this solemn day of remembrance. Together, our nations look with hope and determination toward a future of peace, prosperity, and freedom.

GEORGE W. BUSH

FOR IMMEDIATE RELEASE  
Office of the Press Secretary, April 24, 2003.

PRESIDENTIAL MESSAGE: ARMENIAN REMEMBRANCE DAY, 2003

Today marks the anniversary of a horrible tragedy, the mass killings and forced exile of countless Armenians in the final days of the Ottoman Empire. Many Armenians refer to these appalling events as the "great calamity," reflecting a deep sorrow that continues to haunt them and their neighbors, the Turkish people. The suffering that befell the Armenian people in 1915 is a tragedy for all humanity, which the world should not forget. I join the Armenian-American community and Armenians around the world in mourning the horrendous loss of life.

I also salute our wise and bold friends from Armenia and Turkey who are coming together in a spirit of reconciliation to consider these events and their significance. I applaud them for rising above bitterness, and taking action to create a better future. I wish them success, building on their recent and significant achievements, as they work together in a spirit of hope and understanding.

As we remember those who perished and suffered, we salute the nation of Armenia, and Armenians everywhere. The United States is grateful for the contributions of Armenian Americans to our national life. Generations of Armenians have employed wisdom, courage, and centuries-old traditions to overcome great suffering and enrich their adopted American homeland.

The United States is proud to be a friend of Armenia, a young state with an ancient heritage. We are deepening our partnership to help achieve a secure, prosperous, and dignified future for the citizens of Armenia. The United States is committed to achieving a just and lasting settlement to the Nagorno-Karabakh conflict. We will also continue to help Armenia as it strives to strengthen its democracy and market economy.

On behalf of the American people, I send solemn wishes to the Armenian people on this day of remembrance. Our nations stand together, determined to create a future of peace, prosperity, and freedom for the citizens of our countries, for our regions, and for the world.

GEORGE W. BUSH

FOR IMMEDIATE RELEASE  
Office of the Press Secretary, April 24, 2004.

ARMENIAN REMEMBRANCE DAY

On this day, we pause in remembrance of one of the most horrible tragedies of the 20th century, the annihilation of as many as 1.5 million Armenians through forced exile and murder at the end of the Ottoman Empire. This terrible event remains a source of pain for people in Armenia and Turkey and for all those who believe in freedom, tolerance, and the dignity of every human life. I join with my fellow Americans and the Armenian community in the United States and around the world in mourning this loss of life.

The United States is proud of the strong ties we share with Armenia. From the end of World War I and again since the reemergence of an independent Armenian state in 1991, our country has sought a partnership with Armenia that promotes democracy, security cooperation, and free markets. Today, our Nation remains committed to a peace settlement in the Nagorno-Karabakh conflict and is grateful for Armenia's continuing cooperation in the war on terror. By advancing understanding and goodwill, free nations can help build a brighter future for the world. Our country seeks to help Armenia expand its strategic relations with the United States and our European allies.

Generations of Armenian Americans have also strengthened our communities and enriched our Nation's character. By preserving their heritage, faith, and traditions, Armenian Americans enhance the diversity that makes America great.

I commend individuals in Armenia and Turkey who have worked to support peace and reconciliation, including through the Turkish-Armenian Reconciliation Commission, and call on Armenia and Turkey to restore their economic, political, and cultural ties. I also send warm wishes and expressions of solidarity to the Armenian people on this solemn day of remembrance.

GEORGE W. BUSH

FOR IMMEDIATE RELEASE  
OFFICE OF THE PRESS SECRETARY, APRIL 24, 2005.

PRESIDENT'S STATEMENT ON ARMENIAN REMEMBRANCE DAY

On Armenian Remembrance Day, we remember the forced exile and mass killings of as many as 1.5 million Armenians during the last days of the Ottoman Empire. This terrible event is what many Armenian people have come to call the "Great Calamity." I join my fellow Americans and Armenian people around the world in expressing my deepest condolences for this horrible loss of life.

Today, as we commemorate the 90th anniversary of this human tragedy and reflect on the suffering of the Armenian people, we also look toward a promising future for an independent Armenian state. The United States is grateful for Armenia's contributions to the war on terror and to efforts to build a democratic and peaceful Iraq. We remain committed to supporting the historic reforms Armenia has pursued for over a decade. We call on the Government of Armenia to advance democratic freedoms that will further advance the aspirations of the Armenian people. We remain committed to a lasting and peaceful settlement of the Nagorno-Karabakh conflict. We also seek a deeper partnership with Armenia that includes security cooperation and is rooted in the shared values of democratic and market economic freedoms.

I applaud individuals in Armenia and Turkey who have sought to examine the historical events of the early 20th century with honesty and sensitivity. The recent analysis by the International Center for Transitional Justice did not provide the final word, yet marked a significant step toward reconciliation and restoration of the spirit of tolerance and cultural richness that has connected the people of the Caucasus and Anatolia for centuries. We look to a future of freedom, peace, and prosperity in Armenia and Turkey and hope that Prime Minister Erdogan's recent proposal for a joint Turkish-Armenian commission can help advance these processes.

Millions of Americans proudly trace their ancestry to Armenia. Their faith, traditions, and patriotism enrich the cultural, political, and economic life of the United States. I appreciate all individuals who work to promote peace, tolerance, and reconciliation.

On this solemn day of remembrance, I send my best wishes and expressions of solidarity to Armenian people around the world.

GEORGE W. BUSH

FOR IMMEDIATE RELEASE  
*Office of the Press Secretary, April 24, 2006.*

PRESIDENTIAL MESSAGE

Today, we remember one of the horrible tragedies of the 20th century—the mass killings and forced exile of as many as 1.5 million Armenians in the final days of the Ottoman Empire in 1915. This was a tragedy for all humanity and one that we and the world must never forget.

We mourn this terrible chapter of history and recognize that it remains a source of pain for people in Armenia and for all those who believe in freedom, tolerance, and the dignity and value of every human life. It is a credit to the human spirit and generations of Armenians who live in Armenia, America, and around the globe that they have overcome this suffering and proudly preserved their centuries-old culture, traditions, and religion.

We praise the individuals in Armenia and Turkey who have sought to examine the historical events of this time with honesty and sensitivity. The analysis by the International Center for Transitional Justice, while not the final word, has made a significant contribution toward deepening our understanding of these events. We encourage dialogues, including through joint commissions, that strive for a shared understanding of these tragic events and move Armenia and Turkey towards normalized relations.

Today, we look with hope to a bright future for Armenia. Armenia's Millennium Challenge Compact reflects our confidence and the importance we place in Armenia making progress on democratic reform and advancement of free markets. We seek to help Armenia bolster its security and deepen its inclusion in the Euro-Atlantic family. We remain committed to securing a peaceful and lasting settlement of the Nagorno-Karabakh conflict and hope the leaders of Armenia and Azerbaijan will take bold steps to achieve this goal.



On this solemn day of remembrance, Laura and I express our deepest condolences to the Armenian people. Our nations stand together, determined to create a future of peace, prosperity, and freedom for the citizens of our countries and the world.

GEORGE W. BUSH

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FOR IMMEDIATE RELEASE  
Office of the Press Secretary, April 24, 2007.

PRESIDENTIAL MESSAGE: HONORING MEMORY OF 1.5 MILLION ARMENIAN LIVES LOST  
DURING OTTOMAN EMPIRE

Each year on this day, we pause to remember the victims of one of the greatest tragedies of the 20th century, when as many as 1.5 million Armenians lost their lives in the final years of the Ottoman Empire, many of them victims of mass killings and forced exile. I join my fellow Americans and Armenian people around the world in commemorating this tragedy and honoring the memory of the innocent lives that were taken. The world must never forget this painful chapter of its history.

All who cherish freedom and value the sanctity of human life look back on these horrific events in sorrow and disbelief. Many of those who survived were forced from their ancestral home and spread across the globe. Yet, in the midst of this terrible struggle, the world witnessed the indomitable spirit and character of the Armenian people. Many of the brave survivors came to America, where they have preserved a deep connection with their history and culture. Generations of Armenians in the United States have enriched our country and inspired us with their courage and conviction.

Today, we remember the past and also look forward to a brighter future. We commend the individuals in Armenia and Turkey who are working to normalize the relationship between their two countries. A sincere and open examination of the historic events of the late-Ottoman period is an essential part of this process. The United States supports and encourages those in both countries who are working to build a shared understanding of history as a basis for a more hopeful future.

We value the strong and vibrant ties between the United States and Armenia. Our Nation is grateful for Armenia's contributions to the war on terror, particularly for its efforts to help build a peaceful and democratic Iraq. The United States remains committed to working with Armenia and Azerbaijan to promote a peaceful settlement of the Nagorno-Karabakh conflict. We are also working to promote democratic and economic reform in Armenia that will advance the cause of freedom and justice.

Laura and I express our deepest condolences to Armenian people around the world on this solemn day of remembrance. We stand together in our determination to build a more peaceful, more prosperous, and more just world.

GEORGE W. BUSH

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FOR IMMEDIATE RELEASE  
Office of the Press Secretary, April 24, 2008.

STATEMENT BY THE PRESIDENT ON ARMENIAN REMEMBRANCE DAY

On this day of remembrance, we honor the memory of the victims of one of the greatest tragedies of the 20th century, the mass killings and forced exile of as many as 1.5 million Armenians at the end of the Ottoman Empire. I join the Armenian community in America and around the world in commemorating this tragedy and mourning the loss of so many innocent lives.

As we reflect on this epic human tragedy, we must resolve to redouble our efforts to promote peace, tolerance, and respect for the dignity of human life. The Armenian people's unalterable determination to triumph over tragedy and flourish is a testament to their strength of character and spirit. We are grateful for the many contributions Americans of Armenian heritage have made to our Nation.

We welcome the efforts by individuals in Armenia and Turkey to foster reconciliation and peace, and support joint efforts for an open examination of the past in search of a shared understanding of these tragic events. We look forward to the realization of a fully normalized Armenia-Turkey relationship.

The United States is committed to a strong relationship with Armenia based on shared values. We call on the Government of Armenia to take decisive steps to promote democracy, and will continue our support for Armenia to this end. We remain

committed to serving as an honest broker in pursuit of a lasting and peaceful settlement of the Nagorno-Karabakh conflict.

On this solemn day of remembrance, Laura and I express our deepest condolences to Armenian people around the world.

*Question.* What, if anything, has the State Department directed you to say in public statements on the Armenian genocide? Who, if anyone, directed you to make such statements in public?

Answer. I have not been directed to say anything. However, I understand that I have a duty to faithfully represent the policy of the President. There is the same expectation for all Foreign Service officers and executive branch officials—regardless of the subject. This is a basic tenet of a diplomatic career. At the same time, the Secretary has made it clear that there are no taboo subjects for internal discussion and that all viewpoints are respectfully heard.

The United States Government acknowledges and mourns the mass killings, ethnic cleansing, and forced deportations that devastated over one and a half million Armenians at the end of the Ottoman Empire. The United States recognizes these events as one of the greatest tragedies of the 20th century, the “Medz Yeghern,” or Great Calamity, as many Armenians refer to it. That is why every April the President honors the victims and expresses American solidarity with the Armenian people on Remembrance Day.

*Question.* Have you been directed not to use the word genocide when discussing the Armenian Genocide?

Answer. Policy on this issue is determined by the President. I understand that I have a duty to faithfully represent the policy of the President. There is the same expectation for all Foreign Service officers and executive branch officials—regardless of the subject. This is a basic tenet of a diplomatic career.

The administration understands that many Americans and many Armenians believe that the events of the past that I have referred to should be called “genocide.” It has been President Bush’s policy, as well as that of previous presidents of both parties, not to use that term. The President’s focus is on encouraging Turkish citizens to reconcile with their past and with the Armenian people.

*Question.* If the Republic of Turkey recognized the genocide, would the United States then recognize it also?

Answer. The United States Government acknowledges and mourns as historical fact the mass killings, ethnic cleansing, and forced deportations that devastated over one and a half million Armenians at the end of the Ottoman Empire. The United States recognizes these events as one of the greatest tragedies of the 20th century, the “Medz Yeghern,” or Great Calamity, as many Armenians refer to it. That is why every April the President honors the victims and expresses American solidarity with the Armenian people on Remembrance Day. It is the prerogative of the President to set the policy on how the administration characterizes these historical events.

We have strongly encouraged Turkey to come to terms with its past. That will not be easy, just as it has not been easy for the United States to come to terms with dark periods of our own past. As one part of that effort, the United States is prepared to provide assistance if Turkey and Armenia agree to establish a joint historical commission.

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RESPONSES OF MARIE YOVANOVITCH TO QUESTIONS SUBMITTED  
BY SENATOR CHRISTOPHER J. DODD

*Question.* Have you read the cable ref: 04 STATE 258893—Peace Corps-State Department Relations?

Answer. Yes, I have read this cable concerning Peace Corps-State Department Relations.

*Question.* Do you understand and agree to abide by the principles set forth in this cable?

Answer. Yes, I understand and, if confirmed, will abide by the guidelines as conveyed in 04 STATE 258893.

*Question.* Specifically, do you understand and accept that “the Peace Corps must remain substantially separate from the day-to-day conduct and concerns of our foreign policy” and that “the Peace Corps’s role and its need for separation from the

day-to-day activities of the mission are not comparable to those of other U.S. Government agencies”?

**Answer.** I agree that the Peace Corps, in order to effectively carry out its mandate, needs to be distinct from the United States mission in Armenia, as in other countries.

**Question.** Do you pledge, as Secretary Rice requests in 3.B of the cable, to exercise your chief of mission “authorities so as to provide the Peace Corps with as much autonomy and flexibility in its day-to-day operations as possible, so long as this does not conflict with U.S. objectives and policies”?

**Answer.** In line with Secretary Rice’s guidance on this issue, if confirmed, I intend to allow the Peace Corps to operate with as much autonomy as possible, bearing in mind my responsibility to provide for the safety and security of the volunteers and to coordinate United States objectives and policy in Armenia.

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RESPONSES OF MARIE YOVANOVITCH TO QUESTIONS SUBMITTED  
BY SENATOR BARACK OBAMA

Nearly 2 million Armenians were deported during the Armenian Genocide, which was carried out by the Ottoman Empire from 1915 to 1923, and approximately 1.5 million of those deported were killed. It is imperative that we recognize the horrific acts carried out against the Armenian people as genocide. The occurrence of the Armenian genocide is a widely documented fact supported by an overwhelming collection of historical evidence. I was deeply disturbed 2 years ago when the United States Ambassador to Armenia was fired after he used the term “genocide” to describe the mass slaughter of Armenians. I called for Secretary Rice to closely examine what I believe is an untenable position taken by the U.S. Government. I ask that you respond to the following questions:

**Question.** How do you characterize the events surrounding the Armenian genocide?

**Answer.** The United States Government acknowledges and mourns the mass killings, ethnic cleansing, and forced deportations that devastated over one and a half million Armenians at the end of the Ottoman Empire. The United States recognizes these events as one of the greatest tragedies of the 20th century, the “Medz Yeghern,” or Great Calamity, as many Armenians refer to it. That is why every April the President honors the victims and expresses American solidarity with the Armenian people on Remembrance Day. As the child of refugees—at a different time and place—I do feel very strongly about the great suffering experienced by the Armenian people, both at that time and today, as they remember this dark chapter in their history. I too mourn the loss of so many innocent lives and fully respect that the Armenian-American community and the Armenian people want their pain and loss to be acknowledged.

**Question.** If confirmed, what actions will you take to remember the victims of the Armenian Genocide?

**Answer.** If confirmed, I will continue the tradition of participating in the official memorial event held in Yerevan every April. I will refer to this great historic catastrophe as the “Medz Yeghern,” the term often used within Armenia to refer to that dark chapter of history. If confirmed, I also would make it a priority to promote understanding and reconciliation between the peoples and Governments of Armenia and Turkey. It is important for the United States to do everything that it can to encourage dialog between Armenia and Turkey, and to encourage Turkey, in particular, to examine the terrible events of that time openly. This was a tragedy that we and the world must never forget, so that it is never repeated.

**Question.** What steps is the State Department taking to encourage greater study and recognition of the Armenian Genocide in Turkey?

**Answer.** The United States Embassy in Ankara is committed to working with the Government of Turkey on ways in which the atrocities of 1915 can be studied. As a recent example, the administration is currently laying the groundwork for an International Visitor Program that would bring archivists from the Turkish State Archives to the United States to look at the ways in which we do historical research. As a confidence building measure, the United States Government has contacted Armenian archivists to participate in the program, in the hope that, upon return, the archivists from both countries could work together on a joint program that would study the issue.

In addition, our embassies take every opportunity in meetings with the Governments of Armenia and Turkey, and with civil society leaders from both countries, to encourage improved dialog between them. Since 2006, the United States Government has provided over \$700,000 in support of initiatives to increase people-to-people connections between Armenia and Turkey, including research projects, conferences, documentary production, and exchange and partnership programs with the goal of increasing cross-border dialog and cooperation. These programs are focused on bringing together Armenian and Turkish NGOs, think tank researchers, academics, and business leaders at the grass roots level by creating opportunities for them to work together on common projects that will benefit both countries.

*Question.* How will you work with your counterparts in Ankara to decriminalize discussion of the Armenian Genocide in Turkey? Is the Department satisfied with recent modifications to Article 301 of Turkey's Criminal Code that allowed individuals such as Hrant Dink to be prosecuted for speaking about the Genocide? Why or why not?

*Answer.* The administration has made clear to the Turkish authorities on many occasions that such prosecutions violate free expression, run counter to Turkey's aspiration to join the European Union, and undercut Turkey's strategic significance as an example of a secular democracy that can inspire reform throughout the broader Middle East and Central Asia. The scope for free expression in Turkey, including on the Armenian issue, has expanded significantly in recent years, but clearly there is much more to be done. In May 2008, Turkey amended Article 301 of its Penal Code, under which individuals have been prosecuted for "insulting Turkishness." While the administration would have preferred to have seen the repeal of Article 301, the amendments reduce the maximum possible sentence from 3 to 2 years and, most importantly, require the Minister of Justice to determine whether to accept the case for prosecution. The Minister's role should help to reduce significantly the number of cases brought by zealous prosecutors. The administration has encouraged the Turkish authorities to continue this progress and to end legal action against citizens for expressing their views.

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RESPONSES OF MARIE YOVANOVITCH TO QUESTIONS SUBMITTED  
BY SENATOR RUSSELL D. FEINGOLD

*Question.* What conditions must be met for the administration to finally recognize the slaughter of over 1.5 million Armenians during WWI by the Ottoman Empire as "genocide"? Specifically, if the Republic of Turkey recognized the genocide, would the United States then recognize it also? Additionally, how is the President's policy on recognizing the Armenian Genocide different from the Turkish Government's policy?

*Answer.* In contrast to the Turkish Government's policy, the United States Government acknowledges and mourns as historical fact the mass killings, ethnic cleansing, and forced deportations that devastated over one and a half million Armenians at the end of the Ottoman Empire. The United States recognizes these events as one of the greatest tragedies of the 20th century, the "Medz Yeghern," or Great Calamity, as many Armenians refer to it. That is why every April the President honors the victims and expresses American solidarity with the Armenian people on Remembrance Day. It is the prerogative of the President to set the policy on how the administration characterizes these historical events.

We have strongly encouraged Turkey to come to terms with its past. That will not be easy, just as it has not been easy for the United States to come to terms with dark periods of our own past.

*Question.* Should you be confirmed, how will you work to promote Armenian-Turkish reconciliation in a direction that would lead to full recognition of the Armenian genocide by Turkey and the United States? Additionally, how would you support efforts to promote overall reconciliation and improved relations between Armenia and Azerbaijan?

*Answer.* If confirmed, I will continue this administration's efforts to promote Turkish-Armenian reconciliation and normalization of relations. Specifically, I will continue, working with our Embassy in Ankara, administration efforts to encourage Turkey to open its land border, reinstitute transportation, communication, and utility links between the two countries, and reestablish diplomatic relations. Contact begins to build trust, and trust is the necessary first step to reconciliation, facilitating Turkey's ability and willingness to examine the dark spots in its own history.

The administration, through our Embassy in Ankara, also will be pressing for expanded freedom of expression in Turkey, helping to expand the public debate surrounding the events of 1915 that led to the amendment of Article 301 of the Turkish Penal Code, under which individuals have been prosecuted for "insulting Turkishness." We welcome this progress, though clearly there is more to be done. The administration will continue to encourage the Turkish authorities to end legal action against citizens for expressing their views.

As a Minsk Group cochair nation, we believe the single most important step toward bolstering peace and prosperity in Armenia as well as Azerbaijan would be a peaceful, just, and lasting settlement of the Nagorno-Karabakh conflict. During the past 2 years, the parties have moved closer than ever to a framework agreement based on the Basic Principles that have been the subject of intensive negotiations, thanks in large part to the active mediation of the United States as a cochair of the OSCE's Minsk Group. The Minsk Group cochairs remain fully committed to helping Armenia and Azerbaijan finalize these Basic Principles, and hope to build momentum in the coming months after an introductory meeting between Presidents Sargsyan and Aliyev in St. Petersburg on June 6. If I am confirmed, I would uphold our commitment to support the efforts of the Minsk Group cochairs to sustain the negotiations and narrow the differences between the sides to promote the soonest possible endorsement of the Basic Principles, so the parties can proceed on this basis with drafting a peace agreement.

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RESPONSES OF MARIE L. YOVANOVITCH TO QUESTIONS SUBMITTED  
BY SENATOR ROBERT MENENDEZ

*Question.* Does the United States have military or economic interests in Turkey that influence its decision on whether to use the word "genocide," when discussing the massacre of 1.5 million Armenians from 1915–1923?

*Answer.* Turkey is a long-standing NATO ally of the United States and an important partner in promoting peace and stability in the broader Middle East, and one with which we share democratic values. We seek to maintain strong United States-Turkey relations, just as we seek to maintain strong United States-Armenian relations. We believe our partnership will deepen with Turkey as it reconciles with its own painful past and with Armenia. We are encouraging Turkey to open its border, reinstitute transportation, communication, and utility links between the two countries, and reestablish diplomatic relations. The administration also has pressed for expanding freedom of expression in Turkey, which has helped to expand the public debate surrounding the events of 1915 and led to the amendment of Article 301 of the Turkish Penal Code, under which individuals have been prosecuted for "insulting Turkishness."

*Question.* What do you believe are the effects of Turkey's state-sponsored denial of a genocide on the survivors and their descendants?

*Answer.* Turkey's difficulty in coming to terms with this dark spot in its history only adds to the pain experienced by many Armenians and Armenian-Americans. The United States Government acknowledges and mourns as historical fact the mass killings, ethnic cleansing, and forced deportations that devastated over 1.5 million Armenians at the end of the Ottoman Empire. The United States recognizes these events as one of the greatest tragedies of the 20th century, the "Medz Yeghern," or Great Calamity, as many Armenians refer to it. That is why every April 24 the President honors the victims and expresses American solidarity with the Armenian people on Remembrance Day.

*Question.* Do you believe there can be reconciliation between Turkey and Armenia, without an acknowledgment of the genocide by Turkey?

*Answer.* To achieve full reconciliation, Turkey must come to terms with its past. This will not be easy and progress so far has been slow, although there have been some signs of change, such as the outrage and ethnic solidarity that resulted from the murder of Hrant Dink, and recent changes to Article 301. The administration will continue to work to promote understanding between Turkey and Armenia, including by encouraging the normalization of diplomatic relations between the two countries and the opening of their land border. If I am confirmed, I will continue to promote not only government-to-government discussions, but also people-to-people cultural and economic contacts and partnerships, and other cross-border and regional initiatives. Contact begins to build trust, and trust is the necessary first step to reconciliation, facilitating Turkey's ability and willingness to examine the dark spots in its history.

*Question.* In a 1951 U.S. court filing with the International Court of Justice, the U.S. filing stated that, "the Turkish massacres of Armenians, the extermination of millions of Jews and Poles by the Nazis are outstanding examples of the crime of genocide." Also, on April 22, 1981, President Ronald Reagan used the term genocide to describe the Armenian Genocide, stating, in an official proclamation: "Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it—and like too many other such persecutions of too many other peoples—the lessons of the Holocaust must never be forgotten."

What is your understanding of the reasoning behind the change in United States policy today that now prohibits executive branch officials from using the term genocide to describe the Armenian Genocide?

*Answer.* It has been President Bush's policy, as well as that of previous Presidents of both parties, not to use that term. The President's focus is on encouraging Turkish citizens to reconcile with their past and with the Armenian people. He seeks to support the painstaking progress achieved to date. A key part of that effort is to end Armenia's isolation in the region by encouraging normalization of relations between Armenia and Turkey and the opening of their land border. President Bush believes that normalization can and should be achieved.

The United States Government acknowledges and mourns the mass killings, ethnic cleansing, and forced deportations that devastated over one and a half million Armenians at the end of the Ottoman Empire. The United States recognizes these events as one of the greatest tragedies of the 20th century, the "Medz Yeghern," or Great Calamity, as many Armenians refer to it. That is why every April the President honors the victims and expresses American solidarity with the Armenian people on Remembrance Day.

*Question.* How can we expect Turkey to come to terms with its past when we, as Americans, are unwilling to speak honestly about the Armenian Genocide?

*Answer.* The administration has never denied the facts—over 1.5 million Armenians were murdered, starved, or deported at the end of the Ottoman Empire. This was a tragedy that we and the world must never forget, so that it is never repeated. Our focus is on encouraging the people of Turkey to reconcile with their past regarding these horrific events. We mourn this terrible chapter of history and recognize that it remains a source of great pain for the people of Armenia and of Armenian descent, and for all those who believe in the dignity and value of every human life.

*Question.* As the ambassador-designate to Armenia you are clearly mindful of the work of your predecessors in this important diplomatic post, including former Ambassador John Evans, who was fired for speaking truthfully about the Armenian Genocide? What lessons do you draw from Ambassador Evans' experience, particularly the way in which his tenure in Yerevan and his diplomatic career were ended?

*Answer.* I understand that I have a duty to faithfully represent the policy of the President. There is the same expectation for all Foreign Service officers and executive branch officials—regardless of the subject. This is a basic tenet of a diplomatic career. At the same time, the Secretary has made it clear that there are no taboo subjects for internal discussion and that all viewpoints are respectfully heard.

*Question.* There were some questions about the characterization of the Armenian Genocide that you were unable to answer because you were not authorized to speak on them. Do you know of other cases where the President limits speech of Department of State employees based on his policy determinations on the characterizations of historical events?

*Answer.* As part of the executive branch, the State Department follows the President's policies on all issues. There is the same expectation for all Foreign Service officers and executive branch officials—regardless of the subject. I understand that I have a duty to faithfully represent the policy of the President. This is a basic tenet of a diplomatic career.

*Question.* Do you believe the 1951 United States court filing with the International Court of Justice stating, "the Turkish massacres of Armenians, the extermination of millions of Jews and Poles by the Nazis are outstanding examples of the crime of genocide" was inaccurate?

*Answer.* The U.S. Government acknowledges and mourns the mass killings, ethnic cleansing, and forced deportations that devastated over one and a half million Armenians at the end of the Ottoman Empire. The administration also understands that many Americans and many Armenians believe that these horrible acts should be called "genocide." It has been President Bush's policy, as well as that of previous presidents of both parties, not to use that term.

President Bush believes that the best way to honor the victims is to remember the past, so it is never repeated, and to look to the future to promote understanding and reconciliation between the peoples and governments of Armenia and Turkey. A key part of that effort is to end Armenia's isolation in the region by encouraging normalization of relations between Armenia and Turkey and the opening of their land border. The Armenian Government has requested that we facilitate this process. It will not be easy nor will it likely be quick, but there are some hopeful signs. President Bush believes that normalization can and should be achieved.

*Question.* How does the administration's non-use of the genocide term advance United States efforts to promote Armenian-Turkish reconciliation?

*Answer.* The administration has never denied the terrible events of 1915 and acknowledges the human tragedy of the mass killings and forced exile of over 1.5 million Armenians at the end of the Ottoman Empire. The administration also understands that many Americans and many Armenians believe that these events should be called "genocide." It has been the policy of this administration, as well as that of previous administrations of both parties, not to use that term. The President's focus is on encouraging Turkish citizens to reconcile with their past and with the Armenian people. The administration's goal is to stimulate a candid exploration within Turkish society of these horrific events in an effort to help this reconciliation. This is not easy. It was not easy for the United States to address its own historic dark spots. We seek not to undercut voices emerging in Turkey who call for a truthful exploration of these events in pursuit of Turkey's reconciliation with its own past and with Armenia; we share their goal of opening Turkey's past through honest, if painful, self examination.

*Question.* The President's policies are not promoting an honest reexamination of its history, but actually intensifying Turkey's denial of the Armenian Genocide. What evidence can you identify for us today that can inspire any trust by the Senate that those words of facilitating dialog have borne any real results?

*Answer.* The administration's goal is to stimulate a candid exploration within Turkish society of these horrific events in an effort to help this reconciliation. This is not easy. It was not easy for the United States to address its own historic dark spots.

The administration has long pressed for expanding freedom of expression in Turkey, which has helped to expand the public debate surrounding the mass killings, forced exile, and ethnic cleansing that occurred during WWI at the end of the Ottoman Empire. After a long silence, Turkey is making progress addressing these issues. More than 100,000 Turkish citizens of all backgrounds demonstrated at the funeral of Hrant Dink, an Armenian-Turkish journalist murdered by a Turkish ultranationalist, and they demonstrated in support of tolerance and a candid exploration of Turkey's past. In May 2008, the Turkish Government amended Article 301 of the Turkish Penal Code, under which individuals have been prosecuted for "insulting Turkishness." While the administration would have preferred to have seen the repeal of Article 301, the amendments reduce the maximum possible sentence from 3 to 2 years and, most importantly, require the Minister of Justice to determine whether to accept the case for prosecution. The Minister's role should help to reduce significantly the number of cases brought by zealous prosecutors. The administration will continue to encourage the Turkish authorities to continue this progress and to end legal action against citizens for expressing their views on this (and any) issue.

The United States Embassy in Ankara also is committed to working with the Government of Turkey on ways in which the terrible events of 1915 can be studied. As a recent example, the United States Government is currently laying the groundwork for an International Visitor Program that would bring archivists from the Turkish State Archives to the United States to look at the ways in which we do historical research. As a confidence building measure, we also have contacted Armenian archivists to participate in the program, in the hope that, upon return, the archivists from both countries could work together on a joint program that would study the atrocities.

In addition, our embassies take every opportunity in meetings with the Governments of Armenia and Turkey, and with civil society leaders from both countries, to encourage improved dialog between them. Since 2006, the United States Government has provided over \$700,000 in support of initiatives to increase people-to-people connections between Armenia and Turkey, including research projects, conferences, documentary production, and exchange and partnership programs with the goal of increasing cross-border dialog and cooperation. These programs are focused on bringing together Armenian and Turkish NGOs, think tank researchers, aca-



demics, and business leaders at the grass roots level by creating opportunities for them to work together on common projects that will benefit both countries.

*Question.* The President opposes the recognition of the Armenian Genocide because he believes it will harm reconciliation, however, he does not take this same position with the genocide in Darfur, although it is still heartily denied by the Sudanese Government. How is the Armenian Genocide any different?

*Answer.* The mass murder and ethnic cleansing of over 1.5 million Armenians in 1915 is a tragedy of epic proportions for all of humanity and one that is commemorated every year in the United States so that we never forget this dark chapter in history. Many Americans believe that these events should be called "genocide." It has been President Bush's policy—as well as that of several previous Presidents on both sides of the aisle—not to use that term. The administration's focus is on encouraging people in Turkey to reconcile with their past and with the Armenian people regarding these horrific events.

*Question.* What will you do to help end Turkey's over 15-year-long blockade against Armenia?

*Answer.* Facilitating Armenia's regional integration by opening its border with Turkey is a priority for the United States. If confirmed, this would be one of my key priorities as ambassador—not only by supporting government-to-government discussions—but by promoting people-to-people contacts and partnerships, and other cross-border and regional initiatives. Contact begins to build trust, and trust is the necessary first step to reconciliation and conflict resolution. If confirmed, I also look forward to working with my colleagues at our embassy in Ankara in this common effort. Clearly, the status quo is not helpful to anyone.

Fortunately, some progress has been achieved in recent years. There are regular charter flights between Yerevan and Istanbul and other flights to Antalya; bus connections via Georgia are numerous; and trade with Turkey through Georgia is common. However, both countries would benefit greatly from increased direct trade, connecting their electrical grids, and implementing other measures natural to neighbors.

The United States also supports more cross-border dialog and cooperation between the people of Armenia and Turkey through research initiatives, conferences, and exchange programs. Our embassies take every opportunity in meetings with the Governments of Armenia and Turkey, and with civil society leaders from both countries, to encourage improved dialog. Since 2006, the United States Government has provided over \$700,000 in support of initiatives to increase people-to-people connections between Armenia and Turkey, including research projects, conferences, documentary production, and exchange and partnership programs with the goal of increasing cross-border dialog and cooperation. These programs are focused on bringing together Armenian and Turkish NGOs, think tank researchers, academics, and business leaders at the grass roots level by creating opportunities for them to work together on common projects that will benefit both countries.

*Question.* How does Turkey and Azerbaijan's blockade of Armenia harm United States interests in the region, in particular our interest to promote an East-West trade corridor and minimize the influence of Russia and Iran?

*Answer.* Facilitating Armenia's regional integration is a particular priority for the United States. The United States Government has worked to end Armenia's isolation both by promoting reconciliation between Armenia and Turkey to reopen their land border, and by working to find a peaceful and lasting settlement to the Nagorno-Karabakh conflict with Azerbaijan. The U.S. Government believes regional integration is in the economic interest of all three countries and certainly in our interest. For example, U.S. investment is hampered by regional divisions. With its borders to the east and west closed, Armenia relies more than we would like on its relations with Iran. In terms of Russia's influence, Armenia's history and currently complicated relations with Azerbaijan and Turkey provide the impetus for a close relationship with Russia. In looking at the region as a whole, our strategic interests are focused on several issues—the advance of freedom and democracy; security, including counterterrorism and peaceful resolution of separatist conflicts; and energy. All would benefit greatly from good neighborly relations and regional integration of the South Caucasus.

*Question.* Currently, the United States assistance to Nagorno Karabakh is limited to only humanitarian assistance, however, there are serious needs for economic development, which have been ignored for over a decade. Do you support a shift from humanitarian to developmental assistance for Nagorno Karabakh to facilitate the construction of a hospital and other projects?



*Answer.* Since 1998, the United States has provided roughly \$29 million in funding for projects that meet the highest priority needs, such as demining, health, drinking water, shelter, and infrastructure reconstruction. The administration believes these are the most appropriate and pressing priorities, based on a very recent (December 2007) needs assessment conducted by USAID in Nagorno-Karabakh, actual humanitarian conditions on the ground, and international legal constraints arising from the unresolved nature of the Nagorno-Karabakh conflict.

*Question.* What restrictions, if any, are in place that prohibit communications between United States and Nagorno-Karabakh officials? What is the justification for such restrictions, considering that the Nagorno-Karabakh officials have been democratically elected in free and internationally-monitored elections and are the legitimate representatives of the people of Nagorno-Karabakh? Where are these restrictions codified or enumerated?

*Answer.* No country, including Armenia, recognizes Nagorno-Karabakh as an independent entity. In accordance with the international legal principle of territorial integrity, Nagorno-Karabakh remains a part of Azerbaijan, and its future status is the subject of negotiations currently mediated by the OSCE's Minsk Group, of which the United States is a cochair. The United States strives to remain an honest broker of these negotiations. Because of these sensitivities, our level of interaction with de facto officials from Nagorno-Karabakh is limited. State Department policy authorizes only the United States cochair of the OSCE Minsk Group and his staff to maintain regular contact with the de facto Nagorno-Karabakh authorities and to travel on a regular basis to Nagorno-Karabakh, with other United States officials meeting with the de facto authorities of Nagorno-Karabakh with the permission of the United States cochair. This policy is not codified in official State Department regulations, but is widely disseminated to all United States officials planning to travel to Armenia or Azerbaijan.

*Question.* Would you permit USAID personnel, who are not Armenian nationals, to visit Nagorno-Karabakh?

*Answer.* USAID personnel, like other United States officials, may travel to Nagorno-Karabakh with the permission of the United States cochair of the OSCE Minsk Group, who has the United States lead in mediating the Nagorno-Karabakh conflict. USAID personnel have traveled to Nagorno-Karabakh in the past with the permission of the United States cochair to implement humanitarian aid programs.

*Question.* Would you visit with government officials from Nagorno-Karabakh, if they requested such a meeting?

*Answer.* The United States cochair and his staff maintain regular contact with de facto officials from Nagorno-Karabakh. Under current U.S. policy, if confirmed, I would not meet with such officials unless requested to do so by the U.S. cochair.

RESPONSES OF MARIE YOVANOVITCH TO QUESTIONS SUBMITTED  
BY SENATOR BARBARA BOXER

*Question.* Can you please provide the State Department's definition of the term genocide and an explanation of how the killing and forced exile of 1.5 million Armenians between 1915-1923 fails to meet that definition?

*Answer.* The United States became a State Party to the Convention on Prevention and Punishment of the Crime of Genocide in 1989. Genocide is defined in Article II of the Convention, as subject to the understandings made by the Senate in providing its advice and consent to ratification, and the State Department accepts that definition.

The administration has never denied the terrible events of 1915 and acknowledges the human tragedy of the mass killings and forced exile of as many as 1.5 million Armenians at the end of the Ottoman Empire. The administration also understands that many Americans and many Armenians believe that these events should be called "genocide." It has been the policy of this administration, as well as that of previous administrations of both parties, not to use that term. The President's focus is on remembering the past and on encouraging Turkish citizens to reconcile with their past and with the Armenian people. The United States believes that establishing an honest albeit painful dialog on these events is the best way to achieve reconciliation, peace, and stability in the region and to help encourage a full understanding of these terrible events.

*Question.* Have you, at any time, been advised, counseled, or informed in an explicit or implicit way not to use the term genocide?

Answer. Policy on this issue is determined by the President. I understand that I have a duty to faithfully represent the policy of the President. There is the same expectation for all Foreign Service officers and executive branch officials—regardless of the subject.

*Question.* Have you reviewed the evidence provided by our own United States diplomats and ambassadors at the time of the 1915 Armenian Genocide (including reports and cables from United States Ambassador Henry Morgenthau, United States Ambassador Abram Elkus, United States Consul Jesse Jackson, and United States Consul Leslie Davis) that is available in the United States archives?

Answer. I have read a number of books on this subject that quote from the officials you mention, and I am familiar with key passages that they have written, including those passages that were raised during my confirmation hearing on June 19. I am acquainted with the history of the tragic massacres and forced exile that occurred at the end of the Ottoman Empire, and with U.S. policy in that regard. I also have reviewed the "U.S. Official Records on the Armenian Genocide 1915–1917," and have read a number of books looking at the subject from various perspectives. The individual stories are horrifying; the magnitude of these terrible acts—over 1.5 million killed or forcibly deported—is simply incomprehensible.

*Question.* Do you acknowledge that the United States Government affirmed the Armenian Genocide in its 1951 International Court of Justice (ICJ) filing, which read in part: "The Genocide Convention resulted from the inhuman and barbarous practices, which prevailed in certain countries prior to and during World War II, when entire religious, racial and national minority groups were threatened with and subjected to deliberate extermination. The practice of genocide has occurred throughout human history. The Roman persecution of the Christians, the Turkish massacres of Armenians, the extermination of millions of Jews and Poles by the Nazis are outstanding examples of the crime of genocide. (Document follows).

## INTERNATIONAL COURT OF JUSTICE

## PLEADINGS, ORAL ARGUMENTS, DOCUMENTS

RESERVATIONS TO THE  
CONVENTION ON THE PREVENTION  
AND PUNISHMENT OF THE  
CRIME OF GENOCIDE

ADVISORY OPINION OF MAY 28th, 1951



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I. *The Genocide Convention*

The Genocide Convention resulted from the inhuman and barbarous practices which prevailed in certain countries prior to and during World War II, when entire religious, racial and national minority groups were threatened with and subjected to deliberate extermination. The practice of genocide has occurred throughout human history. The Roman persecution of the Christians, the Turkish massacres of Armenians, the extermination of millions of Jews and Poles by the Nazis are outstanding examples of the crime of genocide. This was the background when the General Assembly of the United Nations considered the problem of genocide. Not once, but twice, that body declared unanimously that the practice of genocide is criminal under international law and that States ought to take steps to prevent and punish genocide.

Answer. It is my understanding that the U.S. Government did file this document with the International Court of Justice in 1951.

*Question.* Do United States-Turkish relations influence the Bush administration's policy concerning the Armenian Genocide in any way?

Answer. Turkey is a long-standing NATO ally of the United States and an important partner in promoting peace and stability in the broader Middle East. We seek to maintain strong United States-Turkey relations, just as we seek to maintain strong United States-Armenian relations. We do not believe that use of the term "genocide" will contribute to Turkish-Armenian reconciliation and normalization of relations. Instead, we are encouraging Turkey to open its border, reinstitute trans-

portation, communication, and utility links between the two countries, and reestablish diplomatic relations. The administration also has pressed for expanding freedom of expression in Turkey, which has helped to expand the public debate surrounding the events of 1915 and led to the amendment of Article 301 of the Turkish Penal Code, under which individuals have been prosecuted for "insulting Turkishness."

*Question.* Do you fear you could lose your job or be demoted if you were to use the word "genocide" to describe the atrocities committed against the Armenians?

*Answer.* Policy on this issue is determined by the President. I understand that I have a duty to represent the policy of the President faithfully. There is the same expectation for all Foreign Service officers and executive branch officials—regardless of the subject.

*Question.* In preparations for this hearing, you may have reviewed your predecessor's responses to questions from the Senate Foreign Relations Committee. Do you have any reservations about Ambassador Richard Hoagland's initial written responses to the SFRC?

*Answer.* I did review his responses. I believe that we must make it clear that the administration has never denied the facts—as many as 1.5 million Armenians were murdered, starved, or deported at the end of the Ottoman Empire. Indeed, the administration has stated this quite clearly. This was a tragedy that we and the world must never forget, so that it is never repeated. We mourn this terrible chapter of history and recognize that it remains a source of great pain for the people of Armenia and of Armenian descent, and for all those who believe in the dignity and value of every human life.

*Question.* What actions, if any, would you take against your employees if they properly characterized the massacre of Armenians during WWI as genocide?

*Answer.* As representatives of this administration, all State Department officers have the duty to represent the policies of the President and his administration faithfully, and I would expect the same of my staff. This is a basic tenet of a diplomatic career. At the same time, Secretary Rice has made it clear that there are no taboo subjects for internal discussion and that all viewpoints are respectfully heard. I would follow the same policy with my employees.

*Question.* Would you advise Members of Congress against supporting the Armenian Genocide resolution, H.Res.106, which was recently passed by the House Committee on Foreign Affairs?

*Answer.* If confirmed, as the personal representative of the President of the United States, I would have the duty of faithfully representing the policies of the President and his administration. If asked by Members of Congress, I would provide my understanding of the reasoning underlying the President's policy.

*Question.* Would you support a decision to allow USAID personnel who are not Armenian nationals to visit Nagorno Karabakh?

*Answer.* USAID personnel, like other United States officials, may travel to Nagorno-Karabakh with the permission of the United States cochair of the OSCE Minsk Group, who has the United States lead in mediating the Nagorno-Karabakh conflict. USAID personnel have traveled to Nagorno-Karabakh in the past with the permission of the United States cochair to implement humanitarian aid programs.

*Question.* Would you visit with government officials from Nagorno-Karabakh if they requested such a meeting?

*Answer.* The United States cochair and his staff maintain regular contact with de facto officials from Nagorno-Karabakh. Under current U.S. policy, if confirmed, I would not meet with such officials unless requested to do so by the United States cochair.

*Question.* Will you consult with former Ambassador John Evans before you depart for Armenia?

*Answer.* Yes, if confirmed, I would consult with former Ambassador Evans and others before I depart for Armenia in order to better understand the complex issues and challenges that I would face.

RESPONSES OF MARIE YOVANOVITCH TO QUESTIONS SUBMITTED  
BY SENATOR ROBERT P. CASEY, JR.

*Question.* United States assistance to Armenia has demonstrated effectiveness in promoting free market reform and is vital to democracy building in Armenia. What actions will you take to continue to facilitate a robust assistance program?

*Answer.* If confirmed, I will strongly support the continued evaluation and fine-tuning of the United States Government assistance programs and will coordinate closely with the Office of the Director of Foreign Assistance, the Office of Management and Budget, and Congress to ensure that future budget requests meet United States Government policy goals, as well as the development needs of Armenia.

Many of the United States Government assistance programs in Armenia have achieved measurable success, particularly in promoting economic growth. For example, in part because of United States Government assistance, the poverty rate in Armenia fell from 56 percent in 1999 to 30 percent in 2005 (based on IMF reporting); rural poverty fell from 48 percent to 28 percent. However, the events surrounding the flawed Presidential elections in February and its aftermath prove that there is still much work needed to foster democratic reform. In the wake of these developments, the U.S. Government is evaluating how to better target our assistance programs to achieve our policy objectives by focusing more on increasing the capacity of civil society to seek accountable and transparent governance.

Armenia was recently chosen as one of 10 pilot countries for which the United States Government will develop a "Country Assistance Strategy" (CAS). The CAS will identify goals and priorities for United States assistance over a 5-year period, and will cover not only the Department of State and USAID, but all other United States Government agencies providing assistance to Armenia. The process of developing the CAS should assist us in determining how the United States can best contribute to Armenia's economic, social, and democratic development.

*Question.* Please explain the rationale behind the administration decision to reduce aid to Armenia by over 50 percent in its fiscal year 2009 request, while maintaining or increasing aid to every other former Soviet republic?

*Answer.* The reduced request for fiscal year 2009 does not detract from the critical importance of Armenia to United States interests nor does it signal a change in United States policy. Rather, the request level meets the country's development needs and is appropriate within the context of assistance priorities within the region and around the globe. Armenia has made real progress on reversing rural poverty; nevertheless, the government's commitment to democratic reform is not as strong as others in the region, and Armenia still struggles with rampant corruption and weak democratic institutions.

Within the fiscal year 2009 assistance request for Eurasia, funding is prioritized to help the most reform-oriented countries in the region—Georgia, Ukraine, and Moldova—by promoting economic and energy independence, helping to diversify export markets, and improving democratic governance in the face of increasing Russian economic and political pressure.

*Question.* What will be your key priorities as Ambassador to Armenia?

*Answer.* If I am confirmed, my top priority would be to support the efforts of the United States in working toward regional stability by facilitating Armenian-Turkish relations, including the opening of their border, and a peaceful settlement to the Nagorno-Karabakh conflict with Azerbaijan. The status quo in both situations is unacceptable and not in U.S. or regional interests. Promoting good governance in Armenia is also a key United States goal. The conduct of the recent Presidential elections and their violent aftermath in which 10 individuals died were deeply disturbing. The path toward democracy is rarely fast or smooth. The United States Government's aim is to help the Armenian Government and the Armenian people restore democratic momentum and to renew their own stated mission of moving forward to become a country where government institutions are transparent and accountable and where rule of law is accepted by all. The relationship of the United States Government with Armenia is broad and deep, both on a bilateral level and between our peoples. Over the past 17 years, the United States has provided close to \$2 billion in assistance and materially improved the lives of millions of Armenians. If confirmed, I will do everything in my power to ensure that United States interests are promoted and protected, that the bilateral relationship flourishes, and that Armenia's isolation ends and regional stability is enhanced.

*Question.* What do you think will be your greatest challenges?

*Answer.* If confirmed, my greatest challenges will be in working to reduce Armenia's geographic isolation and helping Armenia recover from recent setbacks to its

democratic development. Supporting Armenia's regional integration is a priority for the United States.

Achieving normal relations between Armenia and Turkey is a principal concern. As a key part of that effort, the United States supports the opening of the Turkish-Armenian land border. The status quo is not helpful to either country. Some progress has been achieved in recent years. There are regular charter flights between Yerevan and Istanbul and other flights to Antalya; bus connections via Georgia are numerous; and trade with Turkey through Georgia is common. Both countries would greatly benefit from increased, direct trade with the other, connecting their electrical grids, and implementing other measures natural to neighbors. The United States also supports more cross-border dialog and cooperation between the people of Armenia and Turkey through research initiatives, conferences, and exchange programs.

Reconciliation between Armenia and Turkey, however, will require dealing with sensitive, painful issues. Turkey needs to come to terms with a dark chapter in its history—the mass killings and forced exile of up to 1.5 million Armenians at the end of the Ottoman Empire. That will not be easy, just as it has not been easy for the United States to come to terms with dark periods of our own past. For its part, Armenia must be ready to acknowledge the existing border and disavow any claim on the territory of modern Turkey, and respond constructively to any efforts Turkey may make.

Another major step toward regional integration would be a peaceful, just, and lasting settlement of the Nagorno-Karabakh conflict. During the past 2 years, the parties have moved closer than ever to a framework agreement based on a set of Basic Principles developed through intensive negotiations under the auspices of the Minsk Group cochair.

Another challenge will be to work with Armenia to strengthen its democratic institutions and processes, including respect for human rights and fundamental freedoms, and to regain the democratic momentum lost after the flawed presidential election in February and its violent aftermath.

*Question.* How do you plan to help promote United States-Armenia trade and business cooperation?

*Answer.* If confirmed, I intend to work to provide United States businesses with information about opportunities involving Armenia. The United States now ranks near the bottom of the list of Armenia's trading partners, with trade turnover in 2007 of approximately \$194 million—just 4.4 percent of the total. Promotion of trade and business cooperation between the United States and Armenia will require greater awareness of Armenia and the Caucasus as a whole by United States business. Some sectors, such as information technology, already have significant U.S. investment. But others, financial services and insurance for example, hold largely untapped potential. I also believe there is considerable opportunity for the establishment of United States-based franchises in Armenia. If confirmed, I would work to identify new opportunities for United States exports to Armenia. This week's visit to Armenia by Assistant Secretary of Commerce David Bohigian is an important step forward.

Another critical factor for improved trade and business relations between the United States and Armenia is the need for the Armenian Government to create a more favorable investment environment through reforms of its tax administration and customs procedures, and improvements to its legal system. The United States Government is already actively working on these issues with the Armenian authorities through a variety of assistance programs. Our embassy also works closely with the American Chamber of Commerce in Armenia, which has played a significant role in creating private sector support for needed reforms.

Although our embassy does not have a Foreign Commercial Service presence, it plays a strong advocacy role on behalf of United States firms that encounter legal problems while doing business in Armenia. The United States Government presses the Armenian Government to investigate and resolve disputes in a prompt and equitable manner, noting that the perception of an unfair business climate will not encourage the foreign investment that Armenia seeks to attract.

Finally, I believe that the key to unlocking Armenia's economic potential—and opening up more opportunities for United States-Armenian business cooperation—lies in the resolution of regional conflicts. If confirmed, I will support the continued efforts of the United States Government to open the land border with Turkey and to achieve a peaceful solution to the Nagorno-Karabakh conflict. Armenia's economic integration into the wider region remains an important United States policy objective.

RESPONSES OF MARIE YOVANOVITCH TO QUESTIONS SUBMITTED  
BY SENATOR NORM COLEMAN

ARMENIAN GENOCIDE

Genocide remembrance is vital in the effort to end this crime against humanity, and the world rightfully looks to the United States to demonstrate leadership in both remembrance and prevention. The Armenian Genocide is settled history, and is overwhelmingly documented in the WWI-era archives of the United States, France, Great Britain, Russia, Germany and Austria-Hungary. Nevertheless, it has been the continual policy of the executive branch in contemporary history to refrain from employing the accurate and generally recognized term "genocide" to describe what President Bush himself acknowledged was "one of the most horrible tragedies of the 20th century, the annihilation of as many as 1,500,000 Armenians through forced exile and murder at the end of the Ottoman Empire."

*Question.* Do you acknowledge that the events in 1915 involved the annihilation of as many as 1,500,000 Armenians through forced exile and murder at the hands of the Ottoman Empire?

*Answer.* Yes, the United States Government acknowledges and mourns the mass killings, ethnic cleansing, and forced deportations that devastated over 1.5 million Armenians at the end of the Ottoman Empire. The United States recognizes these events as one of the greatest tragedies of the 20th century, the "Medz Yeghern," or Great Calamity, as many Armenians refer to it. That is why every April the President honors the victims and expresses American solidarity with the Armenian people on Remembrance Day. This was a tragedy that we and the world must never forget, so it is never repeated. We mourn this terrible chapter of history and recognize that it remains a source of great pain for the people of Armenia and of Armenian descent, and for all those who believe in the dignity and value of every human life.

*Question.* In your view, what specific actions should the United States take to convince the Turkish Government that a global campaign of genocide denial and intimidation of 3rd parties that seek to reaffirm this crime against humanity serve no constructive purpose?

*Answer.* The United States Government has worked to stimulate a candid exploration within Turkish society of these horrific events in an effort to help Turkey reconcile with the past. This is not easy. It was not easy for the United States to address its own historic dark spots.

The administration has long pressed for expanding freedom of expression in Turkey, which has helped to expand the public debate surrounding the mass killings, forced exile, and ethnic cleansing that occurred during WWI at the end of the Ottoman Empire. After a long silence, Turkey is making progress addressing these issues. More than 100,000 Turkish citizens of all backgrounds demonstrated at the funeral of Hrant Dink, an Armenian-Turkish journalist murdered by a Turkish ultranationalist, and they demonstrated in support of tolerance and a candid exploration of Turkey's past.

The scope for free expression in Turkey, including on the Armenian issue, has expanded significantly in recent years, but there is much more to be done. The Turkish Government responded in May 2008 by amending Article 301 of the Turkish Penal Code, under which individuals have been prosecuted for "insulting Turkishness." While the administration would have preferred to have seen the repeal of Article 301, the amendments reduce the maximum possible sentence from three to 2 years and, most importantly, require the Minister of Justice to determine whether to accept the case for prosecution. The Minister's role should help to reduce significantly the number of cases brought by zealous prosecutors. The administration will continue to encourage the Turkish authorities to continue this progress and to end legal action against citizens for expressing their views.

Our Embassy in Ankara also is committed to working with the Government of Turkey on ways in which the terrible events of 1915 can be studied. As a recent example, we are currently laying the groundwork for an International Visitor Program that would bring archivists from the Turkish State Archives to the United States to look at the ways in which we do historical research. As a confidence building measure, we also have contacted Armenian archivists to participate in the program, in the hope that, upon return, the archivists from both countries could work together on a joint program that would study the issue.

In addition, our embassies take every opportunity in meetings with the Governments of Armenia and Turkey, and with civil society leaders from both countries, to encourage improved dialogue between them. Since 2006, the United States has



provided over \$700,000 in support of initiatives to increase people-to-people connections between Armenia and Turkey, including research projects, conferences, documentary production, and exchange and partnership programs with the goal of increasing cross-border dialog and cooperation. These programs are focused on bringing together Armenian and Turkish NGOs, think tank researchers, academics and business leaders at the grass roots level by creating opportunities for them to work together on common projects that will benefit both countries.

*Question.* As Ambassador to Armenia, what will you do to assure the Armenian Government and its people that the United States is mindful of the facts and ongoing unresolved consequences of the events of 1915?

*Answer.* As the child of refugees—at a different time and place—I do feel very strongly about the great suffering experienced by the Armenian people both at that time and today as they remember this dark chapter in their history. I, too, mourn the loss of so many innocent lives and fully respect that the Armenian-American community and the Armenian people want their pain and loss to be acknowledged. If confirmed, I would assure the Armenian people that the United States Government acknowledges and mourns the mass killings, ethnic cleansing, and forced deportations that devastated over one and a half million Armenians at the end of the Ottoman Empire; that we recognize these events as one of the greatest tragedies of the 20th century; and that every April the President honors the victims and expresses American solidarity with the Armenian people on Remembrance Day. If confirmed, I also will continue the tradition of participating in the official memorial event held in Yerevan every April. I will refer to this great historic catastrophe as the “Medz Yeghern,” the term often used within Armenia to refer to that dark chapter of history. Most importantly, I would make it a priority, if confirmed, to promote understanding and reconciliation between the peoples and governments of Armenia and Turkey. It is important for the United States to do everything that it can to encourage dialog between Armenia and Turkey and to encourage Turkey to come to terms with this dark chapter in history and examine the terrible events of that time openly. This was a tragedy that we and the world must never forget.

*Question.* As you know, Armenia continues to offer full relations to Turkey without preconditions, and a bilateral commission to deal with historic and contemporary issues that presently divide the two nations. As Ambassador to Armenia, what specific steps will you take with your counterpart serving in Turkey to hasten the normalization of relations between Armenia and Turkey and to secure an affirmative response from Turkey to Armenia's offer of a bilateral commission?

*Answer.* The administration strongly encourages Turkey to move ahead in normalizing relations with Armenia and reopening the two countries' border.

If confirmed, I will support efforts by the United States Embassy in Ankara to launch an International Visitor Program that would bring archivists from the Turkish State Archives and hopefully from Armenia to examine methodologies for conducting historical research, including on the mass killings and forced deportations of 1915.

I will also support our effort begun in 2006 to promote people-to-people connections between Armenia and Turkey, including research projects, conferences, documentary production, and exchange and partnership programs with the goal of increasing cross-border dialog and cooperation. These programs are focused on bringing together Armenian and Turkish NGOs, think tank researchers, academics and business leaders at the grass roots level by creating opportunities for them to work together on common projects that will benefit both countries.

Turkey has suggested convening a bilateral commission to deal with historic and contemporary issues, as part of the normalization process. The administration hopes to see the commission convene and full relations normalize between Turkey and Armenia in the nearest future.

*Question.* The United States has repeatedly and unsuccessfully demanded that President Aliyev and other senior Azerbaijani officials desist from war preparations and threats against Armenia and the Nagorno Karabakh Republic. What specific additional actions should the United States take to ensure that war is not triggered by the actions of Azerbaijan?

*Answer.* The United States Government, as a cochair of the OSCE Minsk Group mediating the Nagorno-Karabakh conflict, has led the way in formulating a set of Basic Principles that offers the best hope for a negotiated and peaceful settlement. We are actively involved in encouraging the Government of Azerbaijan to work with the Government of Armenia and within the Minsk Group to finalize the Basic Principles and proceed on that basis with drafting a comprehensive peace settlement, which would provide the surest guarantee there is not another war. The June 6



meeting in St. Petersburg between Azerbaijani President Aliyev and Armenian President Sargsyan restored momentum in the Minsk Group talks and should clear the way for an invigorated effort to bridge remaining differences on the Basic Principles. The U.S. Government played an active role in deescalating military tension in early March, during the most serious ceasefire violation along the Line of Contact in over a decade. Additionally, the United States calibrates all of its security assistance to Azerbaijan to ensure that it is not usable in an offensive operation against Armenia, does not affect the military balance between Azerbaijan and Armenia, and does not undermine or hamper ongoing efforts to negotiate a peaceful settlement of the Nagorno-Karabakh conflict.

*Question.* What is your analysis of the pace of democratic advancement in Armenia in light of the February elections, as well as efforts by the new president to further democratic reform—including the formation of a coalition government, the organization of a public council to include all sectors of civil society, the support for the creation of a commission of inquiry into the post-election violence, and pledged electoral and governance reform?

*Answer.* The developments noted in the question are positive in principle, and we welcome them. However, the key will be to have these steps fully implemented, not just announced. Implementation of other reforms has not been as fast as we had hoped, and we continue to press for changes not just in law but also in practice. While we welcome recent revisions to the Law on Rallies, Marches, and Protests, we have been disappointed that the opposition has been unable to gain permission to rally, despite applying for it almost 50 times. We welcome the fact that the opposition was allowed to hold a demonstration on June 20, despite never being given official permission. While we welcome the recent release of some persons detained for their political views, we note that many dozens more remain in prison and must be released. We look to the upcoming Parliamentary Assembly of the Council of Europe meeting this week for their views on the pace of progress and encourage the Government of Armenia to do all that it can to heal the rifts created in its society in the aftermath of the March 1 violence.

*Question.* In your view, what is the most constructive way in which the United States, and you as United States Ambassador, work to further democratic reforms in Armenia? What immediate steps does this involve?

*Answer.* Promoting good governance and democracy in Armenia is a key priority. The conduct of the February Presidential elections and their violent aftermath on March 1, in which at least 10 individuals died, were deeply disturbing and disappointing. The United States Government's aim is to help the Armenian Government and the Armenian people restore democratic momentum and to renew their own stated mission of moving forward to become a country where government institutions are transparent and accountable and where rule of law is accepted by all. In the short term, it is essential that the Armenian Government support an independent, objective, and inclusive investigation into the fateful events of March 1 and release those who have been held on politically-motivated charges. It is important that freedom of assembly and freedom of expression are fully protected. Longer term, it is important that the judiciary becomes truly independent. The U.S. Government is looking at how our democracy programs can be targeted to better support civil society, watchdog organizations, the independent media, and development of the Internet. U.S. Government programs will continue to focus on anticorruption efforts and strengthening the rule of law. The Armenian authorities need to show the will to move forward with a reform program that is responsive to the legitimate desires of the people and that inspires public confidence in the country's political and economic processes.

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RESPONSES OF PHILIP REEKER TO QUESTIONS SUBMITTED  
BY SENATOR JOSEPH R. BIDEN, JR.

*Question.* As ambassador, what steps would you take to resolve the name dispute between Athens and Skopje? If confirmed, what steps will you take to coordinate with your counterpart in Athens to assure that the dispute receives adequate attention from the State Department?

*Answer.* If confirmed, I will work closely with the political and party leaders in Macedonia to urge their utmost flexibility, cooperation, and constructive engagement in the U.N. process led by Matthew Nimetz, so that a mutually acceptable solution can be found and Macedonia's Euro-Atlantic integration can proceed.

If confirmed, I will coordinate very closely with Ambassador Speckhard in Athens to ensure that the administration is well informed of developments related to the name issue and that our reporting and recommendations from the field reflect a joint best assessment of the situation and how the administration's continued close engagement could help facilitate a solution.

With my counterpart in Athens, if confirmed, I also will seek to facilitate constructive communication between both sides to clarify their respective positions, reduce tensions, and resolve any bilateral irritants that might impede resolution of the issue.

*Question.* Are you satisfied with the progress of the United Nations-sponsored process to bring a resolution to the naming dispute? Why or why not?

Answer. Although a mutually acceptable solution remains to be found, U.N. Negotiator Ambassador Matthew Nimetz's significant experience and strong engagement remain invaluable contributions to a solution to the name dispute.

With the strong support of the administration, Ambassador Nimetz has stepped up his efforts and the dialog between the parties has intensified. I believe that the sooner this issue is resolved, the better the chances for Macedonia to rapidly move toward full integration in NATO and the European Union.

If confirmed, I will fully support the U.N. process toward resolving the name issue, as do both Governments in Skopje and Athens.

*Question.* What role should the United States play in promoting reconciliation between the country's ethnic Albanian parties?

Answer. The United States Government has long encouraged constructive dialog between Macedonia's political parties and between government and opposition on issues of overriding interest for the country—especially implementation of the Ohrid Framework Agreement.

The administration will continue to urge that interparty rivalry and competition for votes finds healthy expression and outlet within Macedonia's democratic institutions and in accordance with Macedonian law. If I am confirmed, I will use my good offices to facilitate positive dialog and consensus-building, for implementation of the Ohrid Framework and other issues critical to Macedonia's Euro-Atlantic aspirations.

*Question.* How will you and the embassy work to address the issue of smuggling along the border with Kosovo?

Answer. If confirmed, I will seek, within means provided by Congress, to continue important United States assistance programs that assist the Macedonian Government increase the capacity of its law enforcement, customs, security, and border control institutions. These programs also assist the Macedonian Government to address remaining weaknesses in the judiciary and to tackle corruption.

The United States Government is providing Macedonia's Interior Ministry, criminal and border police, and customs specialized training, equipment and advice on developing a modern, highly effective border control system to combat trafficking-in-persons, smuggling of WMD materials, conventional weapons, and narcotics, and to detect and intercept illicit movements of people and other contraband across Macedonia's borders.

The administration also is working to enhance the capacity of Macedonia's judicial institutions and prosecutors to fight transnational crime, trafficking, money laundering and terrorism, and prevent Macedonia from becoming a transit hub for organized crime to the European Union and to the United States.

The administration also is facilitating regional cooperation on investigations, seizures, arrests, prosecutions, and other joint efforts to deter criminal or terrorist organizations from using the region as a safe haven or transit point.

If confirmed, I will work with our Ambassador in Pristina to deepen coordination between the Governments of Macedonia and Kosovo and, as appropriate, with NATO's Kosovo Force, the international civilian and security missions in Kosovo, and other international organizations active in the region, to advance these efforts.

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RESPONSES OF PHILIP REEKER TO QUESTIONS SUBMITTED BY  
SENATOR CHRISTOPHER J. DODD

*Question.* Have you read the cable ref: 04 STATE 258893—Peace Corps-State Department Relations?

Answer. Yes, I have read the cable.

*Question.* Do you understand and agree to abide by the principles set forth in this cable?

Answer. I understand and agree to abide by the guidelines as conveyed in the cable.

*Question.* Specifically, do you understand and accept that "the Peace Corps must remain substantially separate from the day-to-day conduct and concerns of our foreign policy" and that "the Peace Corps's role and its need for separation from the day-to-day activities of the mission are not comparable to those of other U.S. Government agencies"?

Answer. I understand and accept these principles, which govern the relationship between U.S. missions and the Peace Corps.

*Question.* Do you pledge, as Secretary Rice requests in 3.B of the cable, to exercise your chief of mission "authorities so as to provide the Peace Corps with as much autonomy and flexibility in its day-to-day operations as possible, so long as this does not conflict with U.S. objectives and policies"?

Answer. I pledge to exercise my authorities as chief of mission according to this guideline laid out by Secretary Rice as Departmental policy.

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RESPONSES OF ASIF CHAUDHRY TO QUESTIONS SUBMITTED  
BY SENATOR CHRISTOPHER J. DODD

*Question.* Have you read the cable ref 04 STATE 258893—Peace Corps-State Department Relations?

Answer. Yes, I have read the cable 04 STATE 258893 concerning Peace Corps-State Department Relations.

*Question.* Do you understand and agree to abide by the principles set forth in this cable?

Answer. Yes, I understand the principles set forth in 04 STATE 258893 and, if confirmed, will abide by the guidelines described in the cable.

*Question.* Specifically, do you understand and accept that "the Peace Corps must remain substantially separate from the day-to-day conduct and concerns of our foreign policy" and that "the Peace Corps's role and its need for separation from the day-to-day activities of the mission are not comparable to those of other U.S. Government agencies"?

Answer. I understand and accept that in order for the Peace Corps to maintain its unique people-to-people contacts to promote world peace and friendship, it needs to remain substantially separate from the mission. I agree that this need is distinct from other U.S. Government agencies.

*Question.* Do you pledge, as Secretary Rice requests in 3.B of the cable, to exercise your chief of mission "authorities so as to provide the Peace Corps with as much autonomy and flexibility in its day-to-day operations as possible, so long as this does not conflict with U.S. objectives and policies"?

Answer. Consistent with the guidance contained in 04 STATE 258893, if confirmed, I will allow the Peace Corps to operate in Moldova with as much autonomy and flexibility as possible, so long as those operations are consistent with my responsibility to coordinate United States objectives and policy in Moldova.

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RESPONSES OF JOHN BEYRLER TO QUESTIONS SUBMITTED  
BY SENATOR JOSEPH R. BIDEN, JR.

*Question.* For the last several years, the Russians have proven very adept in dividing traditional allies within the Euro-Atlantic community. If confirmed, what steps would you take to develop a joint strategy for managing relations with Russia in cooperation with our European allies?

Answer. If confirmed, I will work to enhance trans-Atlantic cooperation by continuing to engage our European partners in Moscow on a variety of key strategic issues, specifically those related to Russia. Throughout my career I have found discussions on Russia with European colleagues in both official and informal settings to be thought-provoking and productive, and I would hope to continue such talks in Moscow, if confirmed. Through the use of a variety of existing mechanisms that include NATO and the NATO-Russia Council, the G-8, the OSCE, United States-European Union summits and meetings at all levels, as well as bilateral meetings with individual European partners, the United States continues to strengthen Euro-Atlantic coordination on issues of paramount importance to our nations.

*Question.* Where does the administration think Russia will be in 5 or 10 years? Where would you like Russia to be? To what extent will our current policy toward Russia allow us to bridge the gap between those answers?

*Answer.* We desire for Russia to develop strong democratic institutions, modernize its economy, join global, rules-based organizations, such as the WTO and OECD, and develop and maintain productive relationships—characterized as respectful—with both its neighbors and other countries around the world. Russia remains an important partner to address nonproliferation of weapons of mass destruction, Iran, North Korea, Middle East Peace, and other global challenges such as climate change, corruption and international organized crime, and terrorism. We have sought ways to cooperate on these important issues to our national security, without losing sight of the importance of free market principles and promoting democratic values as Russia continues to transform. It takes steady engagement to nurture such a relationship. Our current policy has been aimed at precisely this, but at this time of change in the Kremlin and our own administration we will need to look for new opportunities for engagement and be ready to adjust to changes and challenges as needed over the next decade.

*Question.* Russia faces a host of existential threats to the country's future—demographic collapse, an insurgency in the North Caucasus, depopulation of the far east, and a failure to invest in the country's domestic energy infrastructure to name a few. How effective has the Russian Government been in dealing with these challenges? Are the Kremlin's recent actions in Abkhazia intended to deflect attention away from these domestic problems?

*Answer.* Russia does indeed face a number of significant challenges, including improving the health of its population and decreasing mortality rates, addressing complex and diverse challenges to stability in some of the Southern republics, addressing migration out of certain regions, such as the Far East, and modernizing its infrastructure. The Russian Government appears to recognize these challenges, launching a number of initiatives in each of these areas. For example, since 2005, President Medvedev (then Deputy Prime Minister) directed implementation of "National Projects" in health, agriculture, education, and housing. While demographic results improved in 2007, 2008 appears mixed with a decline of .07 percent in population from January to April. The impact of other reforms has also been mixed, but we expect the new government to continue to focus on these critical development challenges. We hope that as Russia addresses these challenges, it does so in adherence to international obligations in areas such as human rights. Regarding Abkhazia, Russian behavior may be motivated by both domestic and foreign policy concerns. We look to Russia to act responsibly to deescalate the situation, work with the Friends of Georgia to encourage the defacto Abkhaz authorities to engage in direct negotiations with Georgia, and respect Georgia's territorial integrity and sovereignty.

*Question.* Corruption is reportedly endemic in Russia. How high does the problem go, and what—if anything—is the Russian Government doing to combat it? What role should the U.S. Embassy play in efforts to root out corruption?

*Answer.* President Medvedev and other Russian Government officials acknowledge the enormous challenge of addressing corruption, which runs deep in Russian society and government. Medvedev has placed a renewed emphasis on the need to establish respect for rule of law and enact comprehensive anticorruption measures. Within the first months of his presidency, Medvedev has created a Presidential Council on corruption, an interagency anticorruption task force, has instructed government agencies such as the Procuracy to review legislation with an eye to eliminating loopholes for bureaucrats who encourage corrupt practices, and encouraged law enforcement reforms, investigations, and prosecutions. Bodies such as the Investigative Committee under the Procuracy and Ministry of Interior have formed special anticorruption units. In the Duma, a special anticorruption committee has been formed to review legislation and make recommendations for future anticorruption legislation. In the past 2 months there have been examples of investigations and prosecutions of corrupt officials ranging from mid-level law enforcement to mayors and governors. Also, President Medvedev is considering measures to increase the independence of the judiciary.

Despite these efforts, the scope of the corruption problem is large and many investigations and prosecutions are arbitrary and often for political or commercial purposes. The challenges of corruption are significant and systemic, but the United States stands ready to assist in supporting Russia's internal efforts to combat corruption and strengthen rule of law, whether through accession to the OECD Bribery Convention (a prerequisite for OECD membership), cooperation in implementation

of the U.N. Convention against Corruption, or through bilateral technical cooperation.

*Question.* Prior to her assassination, Anna Politkovskaya was widely known as one of the bravest voices for decency in Russia. While she never stressed the point, she was also an American citizen. What has the U.S. Government done to help bring the individuals responsible for her murder to justice?

*Answer.* The United States remains deeply disturbed by acts of violence committed against journalists, particularly killings, such as the brutal murders of independent journalist Anna Politkovskaya and Paul Klebnikov. We have repeatedly urged the Russian Government to ensure that it is meeting its commitments to protect journalists and freedoms of speech and press, as well as bringing those responsible for such acts of violence to justice. We have been in regular touch with Novaya Gazeta, Politkovskaya's newspaper, law enforcement authorities, and the Ministry of Foreign Affairs, as we follow the case and press for progress.

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RESPONSES OF MARIE YOVANOVITCH TO QUESTIONS SUBMITTED  
BY SENATOR JOSEPH R. BIDEN, JR.

*Question.* What has the State Department done to end Turkey's denial of the Armenian Genocide?

*Answer.* The administration has worked to stimulate a candid exploration within Turkish society of these horrific events in an effort to help Turkey reconcile with the past. This is not easy. It was not easy for the United States to address its own historic dark spots.

The administration has long pressed for expanding freedom of expression in Turkey, which has helped to expand the public debate surrounding the mass killings, forced exile, and ethnic cleansing that occurred during WWI at the end of the Ottoman Empire. After a long silence, Turkey is making progress addressing these issues. More than 100,000 Turkish citizens of all backgrounds demonstrated at the funeral of Hrant Dink, an Armenian-Turkish journalist murdered by a Turkish ultranationalist, and they demonstrated in support of tolerance and a candid exploration of Turkey's past.

The scope for free expression in Turkey, including on the Armenian issue, has expanded significantly in recent years, but clearly there is much more to be done. The Turkish Government responded in May 2008 by amending Article 301 of the Turkish Penal Code, under which individuals have been prosecuted for "insulting Turkishness." While the administration would have preferred to have seen the repeal of Article 301, the amendments reduce the maximum possible sentence from 3 to 2 years and, most importantly, require the Minister of Justice to determine whether to accept the case for prosecution. The Minister's role should help to reduce significantly the number of cases brought by zealous prosecutors. The administration will continue to encourage the Turkish authorities to continue this progress and to end legal action against citizens for expressing their views.

Our embassy in Ankara also is committed to working with the Government of Turkey on ways in which the terrible events of 1915 can be studied. As a recent example, the United States Government is currently laying the groundwork for an International Visitor Program that would bring archivists from the Turkish State Archives to the United States to look at the ways in which we do historical research. As a confidence building measure, the United States Government has contacted Armenian archivists to participate in the program, in the hope that, upon return, the archivists from both countries could work together on a joint program that would study the issue.

In addition, our embassies take every opportunity in meetings with the Governments of Armenia and Turkey, and with civil society leaders from both countries, to encourage improved dialogue between them. Since 2006, the United States has provided over \$700,000 in support of initiatives to increase people-to-people connections between Armenia and Turkey, including research projects, conferences, documentary production, and exchange and partnership programs with the goal of increasing cross-border dialog and cooperation. These programs are focused on bringing together Armenian and Turkish NGOs, think tank researchers, academics and business leaders at the grass roots level by creating opportunities for them to work together on common projects that will benefit both countries.

*Question.* What is the United States doing to end the destructive Turkish blockade of Armenia? Is it your intention to have the United States Ambassador in Ankara visit Yerevan in an effort to move this issue? Is it your intention to have the

new ambassador to Yerevan (if confirmed) travel to Ankara to advance an end to the blockade?

**Answer.** Facilitating Armenia's regional integration by opening its land border with Turkey is a priority for the United States. If confirmed, I would give this important issue my utmost attention—not only by supporting government-to-government discussions—but by promoting people-to-people contacts and partnerships, and other cross-border and regional initiatives. I would certainly work closely with my counterpart in Ankara to advance this goal, including travel to each other's host country, as appropriate. Contact begins to build trust, and trust is the necessary first step to reconciliation and conflict resolution. I also look forward to working with my colleagues at our embassy in Ankara in this common effort. Clearly, the status quo is not helpful to anyone.

Fortunately, some progress has been achieved in recent years. There are regular charter flights between Yerevan and Istanbul and other flights to Antalya; bus connections via Georgia are numerous; and trade with Turkey through Georgia is common. However, both countries would benefit greatly from increased direct trade, connecting their electrical grids, and implementing other measures natural to neighbors. The United States also supports more cross-border dialog and cooperation between the people of Armenia and Turkey through research initiatives, conferences, and exchange programs. Our embassies take every opportunity in meetings with the Governments of Armenia and Turkey, and with civil society leaders from both countries, to encourage improved dialog. Since 2006, the United States Government has provided over \$700,000 in support of initiatives to increase people-to-people connections between Armenia and Turkey, including research projects, conferences, documentary production, and exchange and partnership programs with the goal of increasing cross-border dialog and cooperation. These programs are focused on bringing together Armenian and Turkish NGOs, think tank researchers, academics and business leaders at the grass roots level by creating opportunities for them to work together on common projects that will benefit both countries.

**Question.** Wouldn't the end of the blockade and the establishment of peaceful commerce and economic linkages between Armenia, Turkey, and among the states of the South Caucasus not promote the long-term stability and prosperity of the entire region? Doesn't the absence of these linkages undermine the region's peace and prosperity?

**Answer.** I agree that improved commerce and economic linkages in the region would promote its stability and prosperity. Therefore, facilitating Armenia's regional integration is a priority for the United States. We work steadfastly to end Armenia's isolation both by promoting reconciliation between Armenia and Turkey to reopen their border, and by working to find a peaceful and lasting settlement to the Nagorno-Karabakh conflict with Azerbaijan. The administration believes regional integration is in the economic interest of all three countries and certainly in our interest; for example, United States investment is hampered by regional divisions. With its borders to the east and west closed, Armenia relies more than we would like on its relations with Iran. In terms of Russia's influence, Armenia's history and currently complicated relations with Azerbaijan and Turkey provide the impetus for a close relationship with Russia. The administration is working with Armenia to help it diversify its sources of energy supply through electricity cooperation with Georgia, and eventually, by tying Armenia into Caspian oil and natural gas infrastructure. In looking at the region as a whole, the administration's strategic interests are focused on several issues. The advance of freedom and democracy; security, including counterterrorism and peaceful resolution of separatist conflicts; and energy. The administration believes that all would benefit greatly from good neighborly relations and regional integration of the South Caucasus.

**Question.** Azerbaijan's substantial revenue stream from its oil exports is facilitating increasingly aggressive military spending and dangerous rhetoric. What is the administration doing bilaterally to prevent further destabilizing conflict in the South Caucasus? What is the administration telling Baku?

**Answer.** The administration consistently stresses publicly and privately in Baku that there is no military solution to the Nagorno-Karabakh conflict. As a cochair of the OSCE Minsk Group mediating the Nagorno-Karabakh conflict, the United States has led the way in formulating a set of basic principles that offers the best hope for a negotiated and peaceful settlement, which is the only way ahead. The administration consistently stresses to the authorities in Baku that any rhetoric intimating that war is an option is dangerous and undercuts our efforts to negotiate a just and lasting settlement, which is outlined by the basic principles. The administration therefore encourages the Government of Azerbaijan to work with the Gov-



ernment of Armenia and within the Minsk Group to finalize the basic principles. The June 6 meeting in St. Petersburg between Azerbaijani President Aliyev and Armenian President Sargsyan restored momentum in the Minsk Group talks and should clear the way for an invigorated effort to bridge remaining differences on the basic principles. The U.S. Government played an active role in deescalating military tension in early March, during the most serious ceasefire violation along the Line of Contact in over a decade.

*Question.* Fourteen years passed since the end of the conflict over Nagorno-Karabakh without a permanent resolution and still people are dying along an unsettled border. What progress has the Minsk process achieved in that time and doesn't the lack of progress warrant a reexamination of this approach?

*Answer.* During negotiations over the past 2 years, Armenia and Azerbaijan have moved closer than ever to a framework agreement based on the "basic principles" outlined by the Minsk Group cochair. The Minsk Group cochair—the United States, France, and Russia—are working with the Foreign Ministers of Armenia and Azerbaijan to build on new momentum following the positive meeting of Presidents Sargsyan and Aliyev on June 6 in St. Petersburg, with the goal of narrowing the remaining differences on the basic principles between the sides in coming months. Ultimately, it is up to the Presidents of Armenia and Azerbaijan to take the difficult decisions required to finalize the Basic principles.

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RESPONSES OF TINA KALDANOW TO QUESTIONS SUBMITTED  
BY SENATOR JOSEPH R. BIDEN, JR.

*Question.* Kosovo faces a challenging road ahead, particularly as it relates to interethnic reconciliation. The minority protections that were engineered into the Ahtisaari Plan and are now being adopted by the Kosovar Government could end up completely insulating the two communities from each other. Kosovo's ethnic Albanian leadership have already made some admirable initial attempts to reach out to minority Serbs, but what more needs to be done to ensure that the two communities are not permanently estranged? How is the Department planning to contribute to this process?

*Answer.* Implementation of the Ahtisaari plan, with its significant provisions for protection of minority rights in Kosovo, remains a key priority for the United States Government. The newly-established International Civilian Office (ICO) will have the leading role in supervising the implementation of the plan.

The United States is supporting ICO's efforts through both secondment of personnel and strong political backing on the ground. The United States Embassy in Pristina is also directly engaged on a daily basis in encouraging Kosovo's Government to reach out to its minority communities, with a special emphasis on the Serb community. The embassy has supported the formation of a government with Serb participation, ensured that Kosovo's constitution contains all the protections for minorities required by the Ahtisaari plan, and worked to propel passage of over 40 new laws enshrining those protections. The embassy will continue to encourage Kosovo's Government to implement laws on decentralization of authority, provide funding and support for returns of Serb refugees and internally displaced persons, and ensure Serb and other minority concerns are heard and acted upon as a matter of priority. The embassy will continue to speak with members of the Serb community directly, facilitate communications with the government when necessary, and sponsor other creative ways of encouraging interethnic dialog, including programs for youth and civil society initiatives that work at grass roots level.

*Question.* The United States support for the people of Kosovo is a compelling counterargument to the narrative put forward by radical extremists that the United States is anti-Muslim. It is a case in which the United States risked American lives to protect innocent Muslim civilians, stood by them for 8 long years, and midwived the creation of an independent Muslim state in the heart of Europe. Why hasn't the administration done more to highlight United States support for Kosovo in the Muslim world? Are there plans to do so in the future?

*Answer.* Since Kosovo declared its independence in line with the Ahtisaari plan in February 2008, 43 countries have announced recognition of the new state, including several members of the Organization of the Islamic Conference (OIC). The OIC has historically been supportive of Kosovo. The United States and its European partners, as well as the Kosovo Government itself, are working to encourage further recognitions among the OIC countries. Kosovo's newly appointed Foreign Minister, with United States support and assistance, has met with representatives of key

Middle Eastern and Gulf states, while United States officials have also made high-level approaches to these countries. We anticipate that with continued progress and stability in Kosovo, additional OIC member states will recognize its independence in the next few months.