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MARK-UP ON H. RES. 169, EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES WITH RESPECT TO DEMOCRACY, FREE ELECTIONS, AND HUMAN RIGHTS IN THE LAO PEOPLE'S DEMOCRACTIC REPUBLIC; H. CON. RES. 200, EXPRESSING THE STRONG OPPOSITION OF CONGRESS TO THE MILITARY COUP IN PAKISTAN AND CALLING FOR A CIVILIAN, DEMOCRATICALLY-ELECTED GOVERNMENT TO BE RETURNED TO POWER IN PAKISTAN; AND H. CON. RES. 211, EXPRESSING THE STRONG SUPPORT OF THE CONGRESS FOR THE RECENTLY CONCLUDED ELECTIONS IN THE REPUBLIC OF INDIA AND URGING THE PRESIDENT TO TRAVEL TO INDIA

MARKUP

BEFORE THE

SUBCOMMITTEE ON ASIA AND THE PACIFIC

OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

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MARK-UP ON H. RES. 169, H. CON. RES. 200, AND H. CON. RES. 211

Wednesday, October 27, 1999

HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON ASIA AND THE PACIFIC,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, D.C.

The Subcommittee met, pursuant to call, at 1:30 p.m., in room 2255, Rayburn House Office Building, Hon. Doug Bereuter (Chairman of the Subcommittee) presiding.

Mr. BEREUTER. The Subcommittee will come to order. We meet in session to consider two, possibly three resolutions today. The first is H. Res. 169, a resolution regarding democracy, free elections and human rights in the Lao People's Democratic Republic. Then, the Subcommittee will review the H. Con. Res. 211, a resolution introduced by Mr. Ackerman addressing the recent elections in India. Possibly, if we get things in order, we will consider H. Con. Res. 200, a resolution related to a military coup in Pakistan.

I would point out to my Democratic colleagues that all three resolutions have lead Democratic sponsors.

The first order of business will be H. Res. 169 which the clerk will report H. Res. 169.

The CLERK. H. Res. 169, Expressing the sense of the House of Representatives with respect to democracy, free elections, and human rights in the Lao People's Democratic Republic.

[The Resolution H. Res 169 appears in the appendix.]

Mr. BEREUTER. Without objection for the reading of the resolution will be dispensed with, printed in the record in full, and open for amendments. The resolution was introduced on May 13, 1999, by our colleague from Minnesota, Mr. Vento and was referred to the Subcommittee on Asia and the Pacific.

Before we begin the formal process of considering the resolution, the Chair has a few comments about the resolution. I would then recognize the Ranking Member or another Member on the minority side for any comments that they might like to offer about this legislation.

This resolution simply expresses the sense of the House of Representatives with respect to democracy, free elections and human rights in Laos. The people of Laos, especially the Lao Hmong, continue to experience gross violations of fundamental human rights at the hands of the communist Lao regime.

House Resolution 169 calls upon the Laotian Government to respect international norms for the protection of human rights and democratic freedoms, to issue a public statement reaffirming its

commitment to protecting religious freedoms and basic human rights, to fully institute a process of democracy with open, free and fair elections, and to allow access for international human rights monitors, including the International Committee of the Red Cross and Amnesty International, to visit inside Lao prisons and to all regions within Laos to investigate allegations of human rights abuses.

The Chair urges approval of H. Res. 169. I will shortly be offering an amendment in the nature of a substitute that has been agreed upon by the resolution's author. However, first I call upon the Ranking Democrat or anyone on the Democratic side since Mr. Lantos will be a few minutes late.

Is there anyone who would like to speak on the resolution?

Mr. ACKERMAN. Good job, Mr. Chairman.

Mr. BEREUTER. Thank you. Is there further discussion?

Mr. ROHRABACHER. Would you like me to get this over with right now?

Mr. BEREUTER. What is it?

Mr. ROHRABACHER. It is a statement about this, but it is maybe not essential that Mr. Lantos hear this, so if we are waiting for Mr. Lantos, I will just——

Mr. BEREUTER. All right. Proceed.

Mr. ROHRABACHER. Thank you. Mr. Chairman, today as we consider H. Res. 169, expressing the sense of the House with respect to democracy and, human rights in the Lao People's Democratic Republic—boy, that is a mouthful of words there, is not it?—I believe it is absolutely essential for the Subcommittee to be aware of a troubling recent development in Laos.

I am referring to specifically the cases of Houa Ly and Michael Vang, American citizens who have been missing in Laos for over 6 months. These two American men disappeared near the border between Thailand Laos on April 19th and have not been heard from since. According to American eyewitnesses, they were last seen under the control of Lao Government authorities.

The evidence I have seen and heard from, including the American eyewitnesses from congressional research missions undertaken by Chairman Gilman's staff, from nongovernmental organizations, and from the families of the two men all convince me that these men were abducted by the Lao Government.

Families of these two men were here in Washington just 2 weeks ago and testified before the Congressional Human Rights Caucus meeting, and they pleaded, their eyes were filled with tears, for us to help them to find their husbands and their fathers. A State Department investigation conducted cooperatively with that same Lao Government that seized the men has surprisingly not turned up anything.

Unbelievably, these American families were forced to file a formal Freedom of Information Act request in order to get the information from the State Department that it already knew about the circumstances of this situation.

Even as we speak, they continue to wait for information. This is an unbelievable and inexcusable situation, Mr. Chairman, and it cannot go on. We have certainly a duty to try to do something about it.

I happen to believe this goes to the heart of how American citizens can expect to be protected by their government. We cannot set up a two-tier class of protection for American citizens where an American citizen of a country that is under a dictatorial rule has the different type of protections or different level of protection than an American citizen who was born in the United States. These people are citizens and deserve the utmost protection of their government.

Because of these developments I am urging this Committee to take up H. Res. 332 which condemns the Laotian regime for this abduction and let me say that perhaps we can work out a situation where I might be able to put together an amendment for the bill we are discussing today that could be submitted in Full Committee that would take care of the Committee taking the official position on the abduction of American citizens.

[The prepared statement of Mr. Philip Smith appears in the appendix.]

Mr. BEREUTER. Thank you, Mr. Rohrabacher. I am familiar with this issue and the circumstances, and I have additional information on that subject which is not generally available. I will make it available to the gentleman. I also have visited with Mr. Green from Wisconsin about it. He, I believe, is the Congressman of one of the two Americans who was abducted, and I know that the gentleman from Wisconsin would like to move separate legislation if we can work out some details.

Mr. ROHRABACHER. Whichever is best for the Chairman, that would be fine with me. Separate legislation or an amendment to this one——

Mr. BEREUTER. Mr. Green has his preference, and you and I might talk about that.

Mr. ROHRABACHER. OK.

Mr. BEREUTER. Thank you. I do have an amendment which as I mentioned has been agreed to and supported to by the lead sponsor, Mr. Vento. The Clerk will report the amendment in the nature of a substitute.

[The amendment of Mr. Bereuter appears in the appendix.]

The CLERK. The amendment in the nature of a substitute to H. Res. 169 offered by Mr. Bereuter, amend the preamble to read as follows: Whereas since the 1975 overthrow——

Mr. BEREUTER. Without objection, the amendment will be considered as read.

The amendment before the Subcommittee incorporates a number of minor technical revisions that have been raised by the Department of State and other sources. For example, some of the international conventions which Laos has adopted have been listed in this substitute. The name of the ruling party in Laos has been corrected, and some language providing more specificity to reports of human rights abuses has been added. I think it strengthens the resolution in that respect.

Are there comments or is there debate on the proposed amendment in the nature of substitute? The gentleman from New York.

Mr. ACKERMAN. An improvement on an already recognized good job, Mr. Chairman.

Mr. BEREUTER. Thank you. The question then is on the adoption of the amendment. Members who are in favor will say aye. Aye. Members opposed will say no. The ayes appear to have it. The ayes do have it. The amendment is agreed to.

Are there further amendments to the resolution? If there are no further amendments, the question occurs on agreeing to the bill, as amended.

Members who are in favor will say aye. Aye. Members who are opposed will say no.

The ayes have it, and the resolution, as amended, is agreed to.

Without objection, the staff is authorized to make technical, grammatical, and conforming changes to the text just agreed to H. Con. Res. 211.

Mr. BEREUTER. I would like now, unless the Senior Democratic Member has a concern about timing, to go first to the India resolution if you have no objections.

I want to then reverse the order of the call, and we will take up H. Con. Res. 211, a resolution regarding the election in India. This is House Con. Res. 211. The Clerk will read.

The CLERK. House Con. Res. 211, Expressing the strong support of the Congress for the recently concluded elections in the Republic of India and urging the President to travel to India, whereas the republic of India is a long-standing parliamentary——

[The Resolution H. Con. Res. 211 appears in the appendix.]

Mr. BEREUTER. Without objection, the reading of the bill will be dispensed with, printed in the record in full, and open for amendment.

H. Con. Res. 211 was just introduced by our Subcommittee colleague, Mr. Ackerman. Over 350 million Indians voted in a lengthy five-phase election process that lasted from early September until early October. It resulted in the return of the BJP coalition to power with 303 of the 543 seats in the Parliament.

Thus, Prime Minister Vajpayee returns at the helm of a large and more reliable coalition. There are many things one could say about democracy in India. It is raucous. It is loud. It is sometimes violent. It is uniquely Indian.

A recent survey in *The Economist* revealed these interesting and impressive statistics: 63 percent of Indians believe their vote matters; 22 percent of Indians actually participate in political rallies or in election meetings before the election; and faith and democracy seems to be strongest in the lower economic classes which are more likely to vote than the upper economic class Indians.

Certainly India deserves accommodation for the way it conducted its elections. It is a major logistical undertaking. We look forward to working with the new government, and I have personally wished it well as it tackles the enormous task before it.

I would like now to call upon the author of the resolution for comments that he would like to make to explain the resolution.

Mr. ACKERMAN. Thank you, Mr. Chairman. Let me thank you and your staff and the Subcommittee for working with me in considering our resolution this afternoon. I want to thank Mr. Gejdenson and Mr. Lantos as well, for cosponsoring the resolution.

The resolution, Mr. Chairman, recognizes the Indian peoples abiding commitment to democracy and salutes them for the passion

with which they choose their own destiny. No country reflects our own values more in that part of the world than does India. It is high time we seriously begin to recognize this fact and graduate from the mere platitudes to some tangible policy changes toward this government.

I believe that it is time to reexamine our basic premise regarding U.S.-India policy in South Asia. We should abandon the old paradigms and cold war hang-ups and see that India, the democracy, is our natural ally in the region. The best way to demonstrate our commitment to the people of India is by insuring that the President travels to India as soon as possible and I want to thank you very much, again, for scheduling this in such a prompt fashion, Mr. Chairman.

Mr. BEREUTER. Thank you, Mr. Ackerman, for your initiative. Are there other members who would like to comment upon the resolution before us?

Mr. GEJDENSON. Mr. Chairman?

Mr. BEREUTER. Yes.

Mr. GEJDENSON. Just briefly, I want to commend the Committee for taking this up. All too often we fail to recognize that India, the most populous democracy in the world, has done such a spectacular job in maintaining its democratic institutions.

As someone raised in Connecticut, I have great pride that Ambassador Chester Bowles, in two terms in India, really helped develop a solid relationship between India and the United States and while oftentimes it is the relationship between India and Pakistan and China that is America's focus, the relationship directly between India and the United States, both politically and economically, is one of the most important relationships I think we have and when you take a look at India with almost a quarter of a billion middle class well-educated and very talented people, and large work force available, it is, I think, both potentially our greatest economic opportunity and our greatest economic competitor. It is important for us to focus on that relationship for all those reasons and I commend the Committee for taking this up today.

Mr. BEREUTER. Thank you, Mr. Gejdenson. Are there further comments about the resolution before us? Mr. Rohrabacher?

Mr. ROHRABACHER. I think it is a good resolution and I would just say that India is certainly now in a position to become one of America's great friends and this was not—however, I would differ with Mr. Ackerman's assessment in past history. Our complaints against India in the past were not cold war hang-ups.

India voted against us consistently in the United Nations and was everything but an ally of the Soviet Union during the cold war. However, the cold war is over, and, as far as I can see, the stability that is reflected in these elections should be commended by this Congress. The fact is they have had tremendous progress in India, and India has shed some of its past socialist beliefs, I believe that hindered India's economic progress and today. The Indian economy is doing much better and has much greater potential than it did.

I would think it would be much better for American business interests to look at India, the stability there, the democracy there, and the fundamental institutions that are at play than to look at

Communist China as a place to put their money and put their investment.

All countries will be competitors in a world marketplace. However, India offers a great opportunity for America to become better involved and if we can get over this darn Kashmir issue, which I think is the heart of the problem that creates this problem in South Asia, I think that we would find that India would become a very great friend of the United States and a true friend of democracy. We could even further our relationship more than what we have had in the past and more than where we are right now. And so I think this is a good resolution, and it is a good step. We should recognize progress they have had there.

Will the Chairman yield? I would like to yield to Mr. Ackerman.

Mr. BEREUTER. Sure, I would be happy to.

Mr. ACKERMAN. I thank the gentleman for his general concurrence with my point of view which proves only that even when we agree we can quibble. I do not believe that India has ever voted against us in the United Nations. I do not believe there has ever been a vote in the United Nations for us or against us for India to have participated in one way or the other. As a matter of fact, at least 75 percent of the work that the U.N. does is arrived at by consensus which means India as well as everybody else agrees. There are some procedural votes, of course, by which we find India, as well as others, who do vote differently than we do. That does not mean that they are against us. And it does not mean that we are against them. Certainly, democracies have a right to see and view things in different ways.

As far as holding on to the remnants of some socialist views, that is the choice of any democracy including some great friends such as Great Britain and such as Israel as well as others. Being a democracy does not mean that you have to mirror everything we in the United States do and to exactly parrot the American line. We have some great democracies in this world which come to their basic principles and beliefs the same as we do by natural and honest means.

And I do thank the gentlemen for his support and agreement and look forward to working with the rest of the Committee as we move forward on this.

Mr. BEREUTER. Thank you, Mr. Ackerman and Mr. Rohrabacher. Is there anyone who would make further comments? If not, we will move to the mandatory process.

Are there amendments to the resolution? If there are no further amendments, the question occurs on agreeing to the resolution, as amended.

Members in favor will say aye. Aye. Members opposed will say no.

The ayes have it. Resolution is agreed to. As the resolution is agreed to, I thank the gentleman for working with us so carefully on this issue so that we can try to maintain positive and improving relationships with India and so that we are balanced in our approach.

Without objection, the staff director is authorized to make technical, grammatical, and conforming changes to the text just agreed to H. Con. Res. 211

Mr. BEREUTER. The third and final order of business is H. Con. Res. 200, a resolution related to the military coup in Pakistan. The Clerk will read.

The CLERK. H. Con. Res. 200 Expressing strong opposition to the military coup in Pakistan and calling for a civilian, democratically elected government to be returned to power in Pakistan.

[The H. Con. Res 200 appears in the appendix.]

Mr. BEREUTER. Without objection further reading of the bill will be dispensed with, printed in the record in full and open for amendment.

H. Con. Res. 200 was introduced on October 19, 1999, by our colleague, Mr. Gejdenson. Last week, the Subcommittee held a hearing on the military coup in Pakistan, and I think there is no need to go into great detail in light of that hearing and of all of the attention to this matter and the press. Members, of course, are free to discuss this in our discussion period.

Certainly, the civilian government of Prime Minister Nawaz Sharif had great difficulties, but it is entirely appropriate to express at least serious concern about the military intervention. It is fair to note that military commanders who seized power for the good of the state are rarely successful in restoring order, and oftentimes they end up, unfortunately, having some of the same problems of corruption as the elected government they replaced. We hope that is not the case, and I personally hope that the transition back to elected leadership will be rapid.

The U.S. can and should want to do everything it can to seek a restoration of civilian rule as soon as possible and urge the military leaders to set a time table for that civilian restoration. At the appropriate time the Chair will offer an amendment in the nature of a substitute that has been agreed upon by the resolution's author, but first I turn to the Ranking Member, Mr. Lantos, and as he is not here, I would turn to the author of the resolution, the Ranking Member of the Full Committee, Mr. Gejdenson.

Mr. GEJDENSON. Thank you, Mr. Chairman. One of the traps I think people fall into occasionally is that they simply write-off certain countries as opportunities for democracy. I remember as a student visiting friends in Spain at the University who told me that Spain was a country where the people just could not really have a democratic society. They have obviously, and thankfully, been proven wrong as in many of the other former non-democratic countries throughout Europe and Latin America.

It is with great dismay that I introduce this resolution on Pakistan because I think that while democracy in Pakistan has been in a state of struggle for some time, having it snuffed out by military coup is not the way to improve democratic institutions.

Two weeks ago, the cause of democracy in Pakistan did suffer a mortal blow when the military regime replaced the democratically-elected government. I think to say the democratic government may have had problems is an assessment you can make of many governments, but clearly the solution for democratic governments with problems is more democracy, not the end of democracy. One of the times we saw a military replace one of the democratic regimes they ended up staying for 14-years.

Democracy is built by a pattern of repetition. It is built by a process of transparency, the rule of law, respect for human rights, and the will of the people. And it is a sad irony that the President just yesterday signed the Defense Appropriation bill which gives them the authority to waive sanctions against India and Pakistan and that we are today marking up a resolution asking him not to waive at least the military aspects of these sanctions against Pakistan.

But that is exactly what we are doing and we are doing it because if we, the strongest democracy in the world, do not speak out for democratic institutions, other countries will think it appropriate to remove democratic governments when it becomes inconvenient or problematic.

History has proven to us that democratic societies are inherently more stable, ultimately more prosperous, and inevitably respect both their own citizens and neighboring citizens' human rights. Stability and prosperity are two things that Pakistan desperately needs. I would call on the generals in charge of Pakistan today to quickly return to democratic institutions, and until then, we should not have any military assistance or sales to Pakistan.

I want to join with my colleagues, Mr. Lantos, Mr. Ackerman, Mr. Gillmor, and another distinguished Member, Mr. Pallone from New Jersey, for co-sponsoring the resolution. I appreciate the time the Chairman has given me. There are responsibilities that bring me back to the House at this point, but I want to thank the Chairman for marking this bill up.

Mr. BEREUTER. The gentleman understands that I will have an amendment to the substitute.

Mr. GEJDENSON. Well, the gentleman from Connecticut would prefer his original language. If we had wanted other language, I guess we would have drafted it that way. I appreciate the Chairman marking up the bill.

Mr. BEREUTER. I understand.

Mr. GEJDENSON. And I, at least, will not lead an effort, not being a member of the Subcommittee, to stop the Chairman.

Mr. BEREUTER. All right. I did not want to do anything without the gentleman understanding that I will offer an amendment. Thank you. The substitutes I am about to offer has a concurrence of Mr. Gejdenson.

Before we turn to that, however, there are other Members who may like to make opening comments—Mr. Cooksey and then Mr. Ackerman.

Mr. COOKSEY. Thank you, Mr. Chairman. I, too, am concerned about the loss of democracy in Pakistan. Pakistan had been an ally of ours for many years during the cold war at a critical time and at a critical place geographically when the threat was the Soviet Union.

I could not help but notice that one of the justifications for doing this deed that they did when they overthrew the government was that they had some problems in this emerging democracy with corruption and dishonesty among the politicians.

The same thing that is going on in Russia right now, which is also an emerging democracy, we had some very heated discussions the last 2 weeks about Russia. And the same thing that goes on

in a lot of places where you have a high illiteracy and do not seem to have people that are really committed to honesty and integrity in government.

And that occurs in the United States. There was a Governor of Arkansas who had to resign last year for some problems like this. We have a Governor in my home state of Louisiana that is under multiple indictments and is going to trial in January. But the difference is that we have the rule of law in our country, and when people are guilty of corruption, there is a process to take them through. Hopefully that gets them out of office and out of government. That process works.

Unfortunately, the military in Pakistan chose to overthrow the government which I think cannot work and will not work in this information age, in this period of globalization. I think it is a mistake. That said, though, I was struck by an article that was in the *New York Times* yesterday. The brother of the new military leader, of Pakistan is a physician in Chicago and he was very assuring that his brother is not an overbearing, mindless, military dictator. But still, we have got to be committed to the rule of law and to democracy because in this day and era, those people will not survive.

So I am concerned about Pakistan. I think they should be—the leaders should be chastised for overthrowing democracy, but I am not ready to throw them out and throw caution to the wind, but tell them that they have got to move back to democracy very quickly and they have got to do the things that will make that country work and then get some people in government and if they do not perform, go through the processes that we use where they have a judiciary system to handle crooked politicians that occur in so many other countries and this country.

Thank you, Mr. Chairman.

Mr. BEREUTER. Dr. Cooksey, thank you very much.

Mr. Ackerman?

Mr. ACKERMAN. I chuckle, Mr. Chairman. You will see the General running for election with posters that say, "Endorsed by my brother in America." I ask unanimous consent to put the opening statement of Congressman Brown in the record after the statements by Members who are here personally making their statements.

Mr. BEREUTER. Without objection.

[The prepared statement of Mr. Brown appears in the appendix.]

Mr. ACKERMAN. Mr. Chairman, let me commend you and the staff of the Subcommittee for the very cooperative manner in which you have been conducting the affairs of the panel, and it does not go unnoticed that the resolutions today are principally sponsored by Democrats and that all of us on the Committee feel comfortable enough to commingle on the dias rather than sit on opposite sides. I think it is a substantive rather than just symbolic.

Let me also commend Mr. Gejdenson for introducing the resolution and my colleague on the Subcommittee, Mr. Lantos, for his leadership as well on this measure.

Mr. Chairman, the resolution is a manifestation of the deep anguish many of us feel at the most unfortunate turn of events in Pakistan. As the winds of democracy are sweeping through much

of the developing world, the men in uniform have chosen to abort democracy in that country with the barrel of a gun. This strangling of democratic principles and values is unacceptable to the international community and this murder of democracy must be reversed.

I strongly believe that the Administration will be making a great mistake if, in any way, it initiates measures to accommodate the military rule simply by citing the supercilious argument that there is no alternative in sight.

The Pakistani people's wishes, their democratic wishes, are the real solution. Notwithstanding General Pervez Musharraf's moderate words, we should not be lulled into thinking that this will be a moderate government. After all, he has suspended the constitution and the elected national and provincial assemblies. He has dismissed the government, and he has declared a state of emergency. He is also the author of Pakistan's ill-fated invasion of India last summer.

I am concerned, as is the Administration, over what we did not hear from General Musharraf. We did not hear a clear time table for new elections and the reestablishment of democratic government. We call upon the Pakistani rulers to immediately announce a timetable for the restoration of democracy.

I believe that we must remain engaged with Pakistan, but that we should do so on the side of the Pakistani people. We must identify and support democratic elements within Pakistan so that the people of Pakistan can enjoy once again their democratic rights. The people of Pakistan are not celebrating the demise of democracy. They are at best celebrating the demise of an allegedly corrupt government.

And finally, Mr. Chairman, the demise of democracy which I think all of us hope is only temporary, spells danger to the whole of South Asia. I am especially concerned that the military rulers of Pakistan may turn out to be as reckless as they have proved to be in aborting democracy in their nation, in their dealings with their neighboring democracy, India.

I strongly support Secretary Albright's call yesterday that Pakistan should build confidence with India, pull back its forces from the line of control in Kashmir.

I also urge the Pakistani regime to cutoff its relations with the Taliban regime in Afghanistan. No regime in Pakistan should have anything to do with the medieval forces of the Taliban.

Mr. Chairman, once again, I thank you for your leadership in bringing this resolution up today.

Mr. BEREUTER. Thank you very much, Mr. Ackerman. Are there other Members who wish to be recognized? Gentleman from California.

Mr. ROHRABACHER. Well, as I reminded the Full Committee at a hearing last week, what is happening in Pakistan has been predicted for a number of years. I personally predicted it time and again saying that if we did not do something about Afghanistan that it would bring democracy down in Pakistan. I do not know how many times I have expressed that, and the chickens are coming home to roost in terms of the policy by the U.S. Government that led to this very situation.

I support the resolution. I support the underlying resolution. I support the changes the Chairman will propose.

We need to express our strong support of democratic government, especially in situations like this in South Asia where there is such great instability. Unfortunately, this Administration has back policies that have led to greater instability and now led to this destruction of democracy.

The drug money alone in Afghanistan is enough to destabilize the whole region, and that is what is happening. Last year, the opium production in Afghanistan doubled, according to the United Nations. That places billions of dollars in the hands of evil people in this very poor part of the world. Is there any doubt why democracy was then corrupted in Pakistan? Yet, for years, we have had a policy by the U.S. Government, at the very least it was acquiescing to this Taliban dictatorship, and this is not even bringing up, of course, the atrocities they commit on women and their own people.

Yes, we need to call for democracy in Pakistan, but we also need to be courageous enough—and moral enough—to back positive forces in Afghanistan and elsewhere and to support policies that will strengthen democracy's chances in countries like Pakistan.

And let me just say this in terms about the resolution itself. By the way, let me put on the record we are looking forward, and yet to be contacted by the State Department about the next batch of documents that will underscore or disprove the charges of America's policy toward the Taliban. We are foot-dragging.

But in terms of the underlying legislation we are talking about today, we need to come out forthright for democracy. I was already contacted, of course, by the representatives of the current regime in Pakistan. They have all these great things that they want to do and perhaps they are well motivated. Perhaps the general's brother really does feel that he is doing good things for his country, and I think that he may well be highly motivated.

As the Chairman noted, rarely do we see the elimination of democratic institutions and then find a positive result at the end. So it is imperative if this General in charge of the government in Pakistan now wants reform, it is imperative that he gets the support of the people in doing that reform.

If he does not go to the people directly with a referendum and ask the people to have a thumb's up or a thumb's down vote on whether or not he can conduct those reforms, he should be treated no differently than any other gangster who has taken over a country with guns. If he has some kind of a referendum that indicates the people of Pakistan wanted this type of intervention or to clean up a very desperate situation of corruption and chaos in their society, well then, we should take a second look.

But until that referendum, this general is nothing more than a clique of people with guns who have assumed power over a democratically elected government and deserve this type of criticism and this condemnation. So thank you very much, Mr. Chairman.

Mr. BEREUTER. Thank you, Mr. Rohrabacher.

Are there further comments?

The gentleman from California, Mr. Martinez.

Mr. MARTINEZ. Well, I do not know that I entirely agree with my colleague or not, but I do not entirely disagree with him, as far as policies, but I would not blame it all on the present Administration. The fact is that for years and years we have been dancing with dictators and supporting governments that were corrupt and governments that were not really democracies. Some that claimed they were democracies, but were not really democracies.

If you think Mexico, where one party has ruled for all the years and named every President years before he becomes President, has the answer to democracy, then I will eat your hat. But the fact is that even in Central and South America that have been so close to us, when we ruled so Central American countries and we had people occupying them from our military here, we did not leave democracies when we left. We handpicked strong men that were going to protect our interests there. We did not leave democracies. We left dictatorships. I do not know how we can reconcile that.

But in this particular situation here, the general might be wanting to do some good here and is talking about coming to a democratic election eventually, but he took over a government that we were supporting that was absolutely corrupt and we have done that in the past. You know, Batista's government was an absolute, corrupt government.

In Nicaragua, it was actually a corrupt government and we supported him. Why do you think they were overthrown? Because the people finally got fed up of being oppressed and denied human rights and everything else and being political prisoners, so they rose up. And when they rose up, do you think they were friend with us? No, because we supported the governments that were in power at the time they were abusing them and the same thing goes here.

There is a lot of corruption in this past government and now somebody has stepped up in a copy. I do not abide by a coup and I do not think that people should live under a military dictatorship, but the fact is that in this instance it may turn out to do some good, if it cleans up the corruption.

I say there are other governments that we ought to be more interested in whether we support them or not and what kind of a way they are running their government, not just because they call themselves a democracy, but whatever they calls themselves, because it is not always true. A lot of times they are calling themselves a democracy, and it is a misnomer. But regardless, I think if this resolution is decrying a military takeover, I think we ought to do that.

I remember before in that little country of Grenada where Bishop came up here trying to meet with the Administration or anybody that would listen to him because he wanted to develop some relationships and try to help his country develop their economy and they refused to meet with him because why? He leaned left. That was the explanation. He leaned left.

Well, he went back and because he could not get anywhere here, there was a military coup that upset him and killed him, in fact, then that was really a left leaning government, worse than what we had before. Our students were in danger and everything else. We have seemed to botch everything up because we do not under-

stand other countries, what is really right for them and their country, and what really governments are like in those countries. We support the wrong government.

But I would hope that in this case all we are doing is decrying the fact that there was a military coup and that is not the way to take over a country or run a country, but that we at least give them a chance in this process to maybe move back toward democracy and sometimes our statements are so strong we paint people into a corner and just out of self-pride of their country, they are going to refuse to knuckle under to us. So I hope we are doing this in a diplomatic way, a more diplomatic way than we have ever done before.

Thank you, Mr. Chairman. I yield back.

Mr. BEREUTER. Thank you. The gentleman from Florida, Mr. Wexler.

Mr. WEXLER. Thank you, Mr. Chairman. I respectfully ask that I be recorded in the affirmative in the first two votes. Mr Martinez may want the same.

Mr. BEREUTER. Yes, without objection.

Mr. MARTINEZ. I have a written statement I would like submitted for the record.

Mr. BEREUTER. For this resolution?

Mr. MARTINEZ. Yes.

Mr. BEREUTER. Without objection, that will be the order.

[The prepared statement of Mr. Martinez appears in the appendix.]

Mr. BEREUTER. We will see if it is possible for us to complete our work. I have an amendment in the nature of a substitute which the Clerk will read.

The CLERK. Amendment in the nature of a substitute to H. Con. Res.——

Mr. BEREUTER. Without objection, the amendment will be considered as read.

[The amendment of Mr. Bereuter appears in the appendix.]

Mr. BEREUTER. This substitute makes only two changes, with the concurrence of Mr. Gejdenson. It strikes the prohibition against IMET. It calls upon the President to withhold consideration of arms or equipment or provision of military services until the government is reinstated. That remains in the resolution even though a waiver is in the DOD bill, as pointed out, which the President has signed in the last several days.

I believe the IMET program gives us good results. It is one of the few vehicles we have to help influence the next generation of military leaders of, in this case, Pakistan.

Currently, the total number of noncommissioned and commissioned Pakistani officers that are being trained in the United States or being trained by the U.S. elsewhere is a grand total of two. They are two mid-level officers. I would hate to see that small number changed. The gentleman from Connecticut agrees with the changes and so that is the entire nature of this substitute amendment's content.

Is there discussion?

Mr. ROHRABACHER. I frankly——

Mr. BEREUTER. The gentleman from California.

Mr. ROHRABACHER—[continuing]. I frankly am going to vote against this. I do not think that we should be giving any leeway to any regime to any regime that overthrows a democratic government, military regime period. So I will vote against this.

Mr. BEREUTER. Is there further discussion?

All those in favor of the amendment in the nature of a substitute will say aye. Those who are opposed will say no.

The ayes appear to have it. The ayes do have it. The amendment is agreed to.

I have a further amendment which I would like to have distributed and, while we are doing that, I would say to Mr. Ackerman in light of what you said a few minutes ago, if all of my colleagues would turn to page 4.

[The amendment of Mr. Bereuter appears in the appendix.]

Mr. BEREUTER. The gentleman is talking about the time table. That strikes me as a good idea, and I just had drafted in handwritten form to apply that to subsection 4 on page 4. We may not have time to get to that, but it might be something we could consider doing in Full Committee. For example, in line 12 of page 4 after the word "the" insert "immediate release of a time table for the". It will go under restoration of democracy and the rule of law. Amendment to the Amendment in the Nature of a Substitute.

Mr. ACKERMAN. I ask unanimous consent that the staff be able to insert this if the amendment successfully passes through the Committee.

Mr. BEREUTER. Is there an objection? Hearing none, that will be the order.

The amendment I have before you makes a couple of changes. Very frankly, it is suggested and requested by a Member of the Full Committee. I happen to agree that it is appropriate. Mr. Gejdenson would prefer not to change it. You heard him express that. I think I could very succinctly tell you that basically where you find the word "opposition" expresses, in fact, the word "concern" is expressed on two different locations, perhaps three. Where it calls for the immediate restoration of a civilian democratically led government, the amendment simply says "rapid" since I think "immediate" is really out of the question. That is the nature of the amendment.

I think it reflects reality, the loss of civilian control in Pakistan was a complicated matter. Restoration to civilian control is going to be complicated as well. I think we have every right to call for a time table which we have just done. That is the purpose of the amendment that I offer and have before you. Is there a discussion?

Mr. ROHRABACHER. Mr. Chairman, I am going to vote against this. I understand the practical nature. I do not think we should give any leeway to a group which staged military overthrow of a democratically-elected government. If this regime moves forward and gets some sort of plebiscite or referendum indicating that they were operating with the will of the people, well, that is something else again. But until that time we will have to treat this regime in Pakistan like any other dictatorship that has overthrown a democratically elected government. So I oppose softening it.

Mr. BEREUTER. I agree with the gentleman's sentiment, and I do not believe that the amendment I am offering, in fact, sends any

positive messages to the Pakistanis. It is certainly not my intent. I do not, however, think you can ask for immediate restoration. Rapid is certainly possible and especially if you combine it with the time table which we are now doing.

Is there further discussion?

Hearing none, then the vote is on the amendment to the substitute.

All those in favor will say aye. All those opposed will say no. The ayes appear to have it. The ayes do have it.

Are there further amendments to the resolution? If there are no further amendments, the question occurs on agreeing to the resolution, as amended, as the Members in favor will say aye. Those opposed will say no.

The ayes appear to have it and the resolution, as amended, is agreed to without objection. The staff director is authorized to make technical, grammatical and conforming changes to the text just agreed to.

I want to thank all of my colleagues in attendance at the markup today, and the staff for their assistance on both sides of the aisle. The Subcommittee stands adjourned.

[Whereupon, at 2:24 p.m., the Subcommittee was adjourned.]

A P P E N D I X

OCTOBER 27, 1999

IV

106TH CONGRESS
1ST SESSION

H. RES. 169

Expressing the sense of the House of Representatives with respect to democracy, free elections, and human rights in the Lao People's Democratic Republic.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 1999

Mr. VENTO (for himself and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on International Relations

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RESOLUTION

Expressing the sense of the House of Representatives with respect to democracy, free elections, and human rights in the Lao People's Democratic Republic.

Whereas in 1975, the Pathet Lao party supplanted the existing Lao government and the Lao Royal Family, and established a "people's democratic republic", in violation of the 1962 Declaration on the Neutrality of Laos and its Protocol, as well as the 1973 Vientiane Agreement on Laos;

Whereas since the 1975 overthrow of the existing Lao Government, Laos has been under the sole control of the Lao People's Democratic Party;

Whereas the present Lao Constitution provides for human rights protection for the Lao people, and Laos is a signatory to international agreements on civil and political rights;

Whereas Laos has become a member of the Association of Southeast Asian Nations, which calls for the creation of open societies in each of its member states by the year 2020;

Whereas despite that, the State Department's "Country Reports on Human Rights Practices for 1998" notes that the government has only slowly eased restrictions on basic freedoms and begun codification of implementing legislation for rights stipulated in the Lao Constitution, and continues to significantly restrict the freedoms of speech, assembly, and religion;

Whereas according to Amnesty International, serious problems persist in the human rights record of the Government of Laos, including the continued detention of political prisoners and the treatment of such prisoners in a manner that is degrading, abusive, and inhumane;

Whereas in February 1998, one political prisoner of the Government of Laos, Thongsouk Saysangkhi, died, and an unknown number of other political prisoners still remain inside its prisons; and

Whereas allegations of persecution and human rights abuse of the Hmong who repatriated to Laos continue, and Hmong families of detained political prisoners are reported to be threatened daily under the Communist Government in Laos: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the present Government of Laos should—

(1) respect international norms of human rights and democratic freedoms for the Lao people, and fully honor its commitments to those norms and freedoms as embodied in its constitution and international agreements, and in the 1962 Declaration on the Neutrality of Laos and its Protocol and the 1973 Vientiane Agreement on Laos;

(2) issue a public statement specifically reaffirming its commitment to protecting religious freedom and other basic human rights;

(3) fully institute a process of democracy, human rights, and openly contested free and fair elections in Laos, and ensure specifically that the National Assembly elections—currently scheduled for 2002—are openly contested; and

(4) allow access for international human rights monitors, including the International Committee of the Red Cross and Amnesty International, to Lao prisons, and to all regions of the country to investigate allegations of human rights abuses, including those against the Hmong people, when requested.

○

Testimony of Philip Smith, Washington, D.C., Director
Lao Veterans of America

Human Rights Violations in the Lao Peoples Democratic Republic (Laos)

before the
U.S. Congressional Human Rights Caucus
Tuesday, October 12, 1999
2172 Rayburn HOB
U.S. House of Representatives
Washington, D.C.

—

On behalf of the Lao Veterans of America (LVA), the nation's largest Lao and Hmong non-profit veterans organization, and for many voiceless and forgotten people still suffering in Laos, I extend our deepest gratitude to the Congressional Human Rights Caucus and International Relations Committee Chairman Ben Gilman as well as Congressman George Radanovich, Congressman Mark Green and Congressman Bruce Vento. We are thankful for your good efforts to arrange this important event in Congress regarding human rights violations in the Lao Peoples Democratic Republic (LPDR).

The extraordinary work of the Congressional Human Rights Caucus and the leadership of its Co-Chairmen, Congressman Tom Lantos and Congressman John Porter, is evident from today's proceedings on human rights violations in Laos. Clearly, the Caucus has raised awareness about key issues and improved the lives of untold numbers of individuals in Southeast Asia and elsewhere around the globe.

I am honored to submit also for the record, the testimony of our National President, Colonel Wangyee Vang, who could not be with us today. In the interest of time, I will limit my remarks. For additional information, however, please also refer to the LVA's recent testimony to the House Trade Subcommittee. In it, we discuss our findings regarding the LPDR regime--including the abduction by LPDR security forces in April of Mr. Houa Ly and Mr. Michael Vang. Moreover, it details the deplorable human rights situation in the LPDR as well as the shocking extent of religious persecution and ethnic cleansing operations which are now targeting thousands of Hmong and other minority peoples in a number of key provinces in Laos.

Finally, we are grateful to Representatives Mark Green and George Radanovich for their forthcoming legislation condemning the LPDR regime for its human rights violations in Laos and the abduction of the two Hmong-Americans. We also appreciate Congressman Vento's

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SUBCOMMITTEE ON
WESTERN HEMISPHERE

SUBCOMMITTEE ON
ASIA AND THE PACIFIC

THE HONORABLE MATTHEW G. "MARTY" MARTINEZ

SUBCOMMITTEE ON ASIA AND THE PACIFIC

OPENING STATEMENT

ON

H.CON.RES. 200

Mr. Chairman, the Pakistani people deserve better than being ruled by military strongmen; they also deserve better than the systemic corruption and crony capitalism that has been the signature hallmark of the Sharif government. Military coups, however, should not, must not be an acceptable way to resolve political differences. I therefore applaud the Administration's position opposing the coup and calling for the prompt return to Pakistan's constitutional democracy.

During the Cold War, Pakistan was an important ally of the United States. It is now a self-declared nuclear state that demands our undivided attention. Because of U.S. national security interests in the region, and our abiding interest in a stable, democratic and economically vibrant Pakistan, we must remain engaged with Pakistan. However, Pakistan's self-anointed leaders must recognize that if democracy is not restored soon, their country risks isolation by the international community.

Finally, I would venture to say that if the Pakistani people had a vote here today, that this resolution would be soundly defeated. I think this says more about the desperate conditions faced by the vast majority of the Pakistani people, than on the future of democracy in Pakistan.

Thank you Mr. Chairman.

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Thank you Mr. Chairman.

The last Hmong and Lao refugee camp--Ban Napho repatriation camp--near Nakhom Phanom, Thailand, is now slated for closure at the end of 1999. Because of the current human rights climate in the LPDR, ongoing ethnic cleansing operations, as well as the problem of Mr. Michael Vang and Mr. Houa Ly's abduction by LPDR security forces, significant concern is growing about the current time-table for the repatriation of the refugees and asylum seekers in the camp.

There are presently over a thousand Lao and Hmong refugees at Ban Napho repatriation camp, including Hmong veterans who served in special elite and clandestine units created by the CIA and Defense Department during the Vietnam War to support U.S. covert activities. Many Lao and Hmong-Americans from across the United States still have family Members in the Ban Napho camp, as well as in Laos itself; they are understandably concerned that their loved-ones will disappear in Laos like the tragic fate that recently befell the two missing Americans as well as former Hmong repatriation leader Vue Mai.

A number of Members of Congress--including Congressman George Radanovich, Chairman Ben Gilman, Senator Paul Wellstone and Senator Rod Grams--have expressed serious concern about the use of hundreds of Thai troops and police to surround the Ban Napho refugee camp and involuntarily repatriate many of the Hmong and Lao refugees back to the LPDR regime. On September 28, despite U.S. Congressional protests, Thai security force members, in apparent cooperation with Communist authorities in Laos and misguided elements in the U.S. State Department and UNHCR, returned nearly 300 Hmong and Lao refugees back to the brutal Communist regime in Laos that they fled. Significant numbers of these refugees are Lao and Hmong veterans of the U.S. Secret Army in Laos and their families.

We share the view with many in the U.S. Congress that the United States and Thailand continue to have a moral obligation to protect the well-being of the Hmong and Lao refugees in Ban Napho camp and place a moratorium on the repatriation, until an acceptable solution can be developed that takes into account current realities with regard to the two abducted Americans and LPDR ethnic cleansing operations.

It appears that there is a emerging consensus on Capitol Hill that the situation in Southeast Asia--with regard to the deplorable behavior of the Lao government as well as the current timetable for the repatriation of the Hmong and Lao refugees in Ban Napho camp--is unacceptable.

U.S. Congressional Research Missions and Independent Journalist Have Confirmed The Role of UNHCR & The U.S. Department of State in the Forced Repatriation Of Hmong Refugees From Ban Napho Camp To Laos

It is important to explode the ongoing myth perpetuated by the UNHCR and the U.S. Department of State whereby they claim that there has not been actual forced repatriation of Hmong and Lao refugees from Thailand to Laos. In fact, numerous journalists and Congressional fact-finding missions throughout the 1990s, confirmed repeatedly the reality of the forced repatriation of Hmong refugees and asylum seekers by the UNHCR in coordination with State Department officials. These included Congressional research mission's lead by the offices of Rep. Bill

McCollum, Rep. Steve Gunderson, Chairman Chris Smith, Chairman Ben Gilman and others. Investigative journalists, including Marc Kaufman of the *Philadelphia Inquirer,* Brian Bonner of the *St. Paul Pioneer Press*, author Dr. Jane Hamilton-Merritt *(Tragic Mountains)*, and others, likewise uncovered the truth about the UNHCR and State Department's joint role in the forced repatriation of Hmong refugees with the help of Thai and Lao authorities. Perhaps one of the most high profile cases regarding the UNHCR's aggressive role in the forced repatriation of the Hmong refugees was the arrest and horrific imprisonment of the six top Hmong and Lao camp leaders from Ban Napho in 1995 (*National Review*, Oct. 23, 1995; & *The World and I, Sept.* 1995). This heavy-handed, brutality on the part of UNCHR and State Department eventually backfired, and led to high-level Congressional hearings and numerous Congressional letters by Chairman Ben Gilman, Chairman Chris Smith, Congressman Bruce Vento, Congressman Dana Rohrabacher, Congressman Steve Gunderson, Congressman Duncan Hunter and others. These efforts by Congress eventually overturned the policy and opened Ban Napho Camp up to rescreening for the Hmong. As a result, eventually some 3500 Hmong and Lao veterans and their families were saved from the UNCHR's repatriation camp at Ban Napho and allowed to come to the United States (*Philadelphia Inquirer*, April 7, 1996; *St. Paul Pioneer Press*, April 17, 1996; *Washington Times,* April 22, 1996). Many of the refugees were reunited with their families and are now members of the Lao Veterans of America, serving as productive citizens in their communities across the United States.

A equally dangerous and disturbing myth perpetuated by both UNCHR and State is that the Hmong refugees that have been repatriated from Thailand to Laos have been monitored adequately and treated properly. These assertions by UNHCR and State also have turned out to be false. Only after independent journalists and Congressional investigators reviewed the situation carefully was it learned the this was not true. For example, as reported by the *Fresno Bee* in 1997, Mr. Kou Yang, a Hmong refugee repatriated back to Laos (who was eventually able to make it out of the LPDR a second time), testified in 1997 before the Congressional Human Rights Caucus about the terrible abuses that he and his people suffered in Laos after their repatriation by the UNHCR. The case of Mr. Vue Mai is another example. UNHCR and State again mislead Congress about their ability to provide security to Vue Mai and other Hmong and Lao refugees in an apparent effort to pursue their agenda with regard to the repatriation of the Laotian refugees and the closure of Ban Napho camp. Indeed, even after the disappearance of Vue Mai in Laos, UNCHR and State sought to pressure and involuntarily repatriate all of his fellow Vue-clan family members in Ban Napho camp back to Laos against their wishes. This was well documented by Marc Kaufman of the *Philadelphia Inquirer* at the time at research he did at Ban Napho camp and in subsequent newsarticles that he wrote on the issue.

Let me also simply state that it is our sincere hope that, because of your ongoing good work, the lives and destiny of thousands of Lao and Hmong people might be changed. Distinguished Members of the Human Rights Caucus, we ask you to intercede at this time to help save the freedom-loving Hmong and Lao people, including many former veterans and their families, from forced repatriation, [redacted] persecution and death in Thailand and the LPDR. Thank you.

###

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 169 OFFERED BY MR. BEREUTER

Amend the preamble to read as follows:

Whereas since the 1975 overthrow of the existing Government of the Lao People's Democratic Republic, Laos has been under the sole control of the Lao People's Revolutionary Party;

Whereas the present Lao constitution provides for a wide range of freedoms for the Lao people, including freedom of speech, freedom of assembly, and freedom of religion, and Laos is a signatory to international conventions on genocide, racial discrimination, discrimination against women, war crimes, and rights of the child;

Whereas since July 1997, Laos has been a member of the Association of Southeast Asian Nations (ASEAN), an organization which has set forth a vision for the year 2020 of a membership consisting of "open societies . . . governed with the consent and greater participation of the people" and "focus(ed) on the welfare and dignity of the human person and the good of the community";

Whereas, despite the Lao constitution and the membership by Laos in ASEAN, the Department of State's Laos Country Report on Human Rights Practices for 1998 states that the Lao Government's human rights record deteriorated and that the Lao Government restricts freedom of speech, assembly, association, and religion;

Whereas Amnesty International reports that serious problems persist in the Lao Government's performance in the area of human rights, including the continued detention of prisoners of conscience in extremely harsh conditions, and that in one case a prisoner of conscience held without trial since 1996 was chained and locked in wooden stocks for a period of 20 days;

Whereas Thongsouk Saysangkhi, a political prisoner sentenced to 14 years imprisonment in November 1992 after a grossly unfair trial, died in February 1998 due to complications of diabetes after having been detained in harsh conditions with no medical facilities;

Whereas there are at least 5 identified, long-term political prisoners inside the Lao Government's prison system and the possibility of others whose names are not known; and

Whereas there continue to be credible reports that some members of the Lao Government's security forces commit human rights abuses, including arbitrary detention and intimidation: Now, therefore, be it

Amend the text after the resolving clause to read as follows:

1 That it is the sense of the House of Representatives that
2 the present Government of the Lao People's Democratic
3 Republic should—
4 (1) respect internationally recognized norms of
5 human rights and the democratic freedoms of the
6 people of Laos and honor in full its commitments to
7 those norms and freedoms as embodied in its con-

1 stitution and its participation in international orga-
2 nizations and agreements;
3 (2) issue a public statement specifically re-
4 affirming its commitment to protecting religious
5 freedom and other basic human rights;
6 (3) institute fully a democratic electoral system,
7 with openly contested, free, and fair elections by se-
8 cret ballot, beginning no later than the next Na-
9 tional Assembly elections, currently scheduled to be
10 held in 2002; and
11 (4) allow unrestricted access by international
12 human rights monitors, including the International
13 Committee of the Red Cross and Amnesty Inter-
14 national, to all prisons and to all regions of the
15 country to investigate alleged abuses of human
16 rights, including those against the Hmong minority.

Amend the title so as to read: "A resolution expressing the sense of the House of Representatives with respect to democracy and human rights in the Lao People's Democratic Republic.".

H.L.C.

.....

(Original Signature of Member)

106TH CONGRESS
1ST SESSION

H. CON. RES. 211

IN THE HOUSE OF REPRESENTATIVES

Mr. ACKERMAN submitted the following concurrent resolution; which was referred to the Committee on _____

CONCURRENT RESOLUTION

Expressing the strong support of the Congress for the recently concluded elections in the Republic of India and urging the President to travel to India.

Whereas the Republic of India is a longstanding parliamentary democracy where citizens may freely change their government;

Whereas India has a thriving multiparty system where a broad spectrum of political views are represented;

Whereas India recently conducted a successful round of elections, involving over 650,000,000 registered voters and

resulting in a 60 percent voter turnout and re-election of Prime Minister Atal Bihari Vajpayee;

Whereas India and the United States share a special relationship as the world's most populous democracy and the world's oldest democracy, respectively, and have a shared commitment to upholding the will of the people and the rule of law;

Whereas the President has expressed his continued desire to travel to South Asia; and

Whereas India continues to be a shining example of democracy for all of Asia to follow: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) congratulates the people of the Republic of India on the successful conclusion of their recent national elections;

(2) congratulates Prime Minister Atal Bihari Vajpayee on his re-election;

(3) calls on the President to travel to India as part of any trip to South Asia; and

(4) urges the President to broaden our special relationship with India into a strategic partnership.

Amendment to the Amendment
in the Nature of a Substitute
Offered by Mr. Bereuter

In the preamble of the resolution, strike "Expressing strong opposition" and insert in lieu thereof "Expressing strong concern".

On page 3, line 3, strike "condemns", and insert in lieu thereof "expresses concern on"

On page 3, line 8, strike "condemns", and insert in lieu thereof "expresses concern regarding"

On page 4, line 10, strike "immediate" and insert in lieu thereof "rapid"

Page 4, line 12, after the word "the" insert, "immediate release of a timetable for"

106TH CONGRESS
1ST SESSION

H. CON. RES. 200

Expressing the strong opposition of Congress to the military coup in Pakistan and calling for a civilian, democratically-elected government to be returned to power in Pakistan.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 19, 1999

Mr. GEJDENSON (for himself, Mr. LANTOS, Mr. ACKERMAN, and Mr. PALLONE) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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CONCURRENT RESOLUTION

Expressing the strong opposition of Congress to the military coup in Pakistan and calling for a civilian, democratically-elected government to be returned to power in Pakistan.

Whereas the United States has a vital interest in promoting stability in South Asia, reducing tensions between India and Pakistan, and promoting United States political, economic, strategic, and humanitarian interests in both of those nations;

Whereas on October 12, 1999, the armed forces of Pakistan, led by Army Chief of Staff General Pervez Musharraf, overthrew the democratically-elected Government of Pakistan in violation of the Constitution of the Islamic Republic of Pakistan;

Whereas on October 15, 1999, General Musharraf declared a state of emergency, suspended Pakistan's Constitution, dismissed the national government and the legislature, and declared himself Pakistan's supreme leader;

Whereas Pakistani Prime Minister Nawaz Sharif, his brother Shabaz Sharif who was the chief minister of Punjab, and several cabinet members have been placed under house arrest;

Whereas the United States has a vital interest in the promotion of democracy abroad and is strongly opposed to military takeovers of democratically-elected governments;

Whereas the United States has invoked section 508 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted by division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277), which provides that none of the funds appropriated or otherwise made available under that Act may be obligated or expended to finance directly any assistance to any country whose duly elected head of government is deposed by military coup or decree;

Whereas Pakistan's military rulers must understand that the United States will not carry on a business-as-usual relationship until a civilian, democratically-elected government is returned to power;

Whereas the Department of Defense Appropriations Act, 2000 (presented by Congress on October 14, 1999, for the President's approval), would grant the President the ability to waive sanctions against India and Pakistan otherwise required under section 102(b) of the Arms Export Control Act (22 U.S.C. 2799aa–1) and section 620E(e)

of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), and would also grant the President, for the first time since the invocation of section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), the ability to approve commercial and government-to-government military sales to Pakistan;

Whereas Congress believes that the United States should not consider the sale of any military equipment or services, or reinstatement of Pakistan's eligibility for international military education and training, until a civilian, democratically-elected government is returned to power in Pakistan; and

Whereas the military has been in control of Pakistan for 25 of Pakistan's 52-year history, and no democratically-elected head of state there has completed an elected term of office: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That CongressÐ

3 (1) condemns the overthrow of the democrat-
4 ically-elected Government of Pakistan by the armed
5 forces of Pakistan on October 12, 1999, in violation
6 of the Constitution of the Islamic Republic of Paki-
7 stan;

8 (2) further condemns the subsequent declara-
9 tion by General Musharraf of a state of emergency,
10 the suspension of Pakistan's Constitution, the dis-
11 missal of the national government and the legisla-

ture, and the declaration of himself as Pakistan's supreme leader;

(3) expresses grave concern about the implications for security and stability in the South Asia region, in light of the history of tensions between India and Pakistan and the fact that both nations have recently tested nuclear devices, and urges both of those countries to exercise restraint in the current environment;

(4) calls for the immediate restoration of a civilian, democratically-elected government in Pakistan, including the legislature, and the restoration of democracy and the rule of law;

(5) urges the armed forces of Pakistan to respect the human rights of all Pakistani citizens, including those members of the national government who are currently being illegally detained in violation of their constitutional and human rights; and

(6) calls on the President not to consider exercising the waiver authority which would be granted to him by the Department of Defense Appropriations Act, 2000 (presented by Congress on October 14, 1999, for the President's approval), to allow the sale of any military equipment or services to Pakistan, or reinstatement of Pakistan's eligibility for

1 international military education and training, until a
2 civilian, democratically-elected government is re-
3 turned to power in Pakistan.

○

H.L.C.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. CON. RES. 200 OFFERED BY MR. BEREUTER

Amend the preamble to read as follows:

Whereas the United States has a vital interest in promoting stability in South Asia, reducing tensions between India and Pakistan, and promoting United States political, economic, strategic, and humanitarian interests in both of those nations;

Whereas on October 12, 1999, the armed forces of Pakistan, led by Army Chief of Staff General Pervez Musharraf, overthrew the democratically-elected Government of Pakistan in violation of the Constitution of the Islamic Republic of Pakistan;

Whereas on October 15, 1999, General Musharraf declared a state of emergency, suspended Pakistan's Constitution, dismissed the national government and the legislature, and declared himself Pakistan's supreme leader;

Whereas Pakistani Prime Minister Nawaz Sharif, his brother Shabaz Sharif who was the chief minister of Punjab, and several cabinet members have been placed under house arrest;

Whereas the United States has a vital interest in the promotion of democracy abroad and is strongly opposed to military takeovers of democratically-elected governments;

Whereas the United States has invoked section 508 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999, as enacted by division A of the Omnibus Consolidated and Emergency Supple-

mental Appropriations Act, 1999 (Public Law 105–277), which provides that none of the funds appropriated or otherwise made available under that Act may be obligated or expended to finance directly any assistance to any country whose duly elected head of government is deposed by military coup or decree;

Whereas Pakistan's military rulers must understand that the United States will not carry on a business-as-usual relationship until a civilian, democratically-elected government is returned to power;

Whereas the Department of Defense Appropriations Act, 2000, (presented by Congress on October 14, 1999, for the President's approval), would grant the President the ability to waive sanctions against India and Pakistan otherwise required under section 102(b) of the Arms Export Control Act (22 U.S.C. 2799aa–1) and section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), and would also grant the President. for the first time since the invocation of section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375), the ability to approve commercial and government-to-government military sales to Pakistan;

Whereas Congress believes that the United States should not consider the sale of any military equipment or services until a civilian, democratically-elected government is returned to power in Pakistan; and

Whereas the military has been in control of Pakistan for 25 of Pakistan's 52–year history, and no democratically-elected head of state there has completed an elected term of office: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 That Congress—

2 (1) condemns the overthrow of the democrat-
3 ically-elected Government of Pakistan by the armed
4 forces of Pakistan on October 12, 1999, in violation
5 of the Constitution of the Islamic Republic of Paki-
6 stan;

7 (2) further condemns the subsequent declara-
8 tion by General Musharraf of a state of emergency,
9 the suspension of Pakistan's Constitution, the dis-
10 missal of the national government and the legisla-
11 ture, and the declaration of himself as Pakistan's
12 supreme leader;

13 (3) expresses grave concern about the implica-
14 tions for security and stability in the South Asia re-
15 gion, in light of the history of tensions between
16 India and Pakistan and the fact that both nations
17 have recently tested nuclear devices, and urges both
18 of those countries to exercise restraint in the current
19 environment;

20 (4) calls for the immediate restoration of a ci-
21 vilian, democratically-elected government in Paki-
22 stan, including the legislature, and the restoration of
23 democracy and the rule of law;

1 (5) urges the armed forces of Pakistan to re-
2 spect the human rights of all Pakistani citizens, in-
3 cluding those members of the national government
4 who are currently being illegally detained in violation
5 of their constitutional and human rights; and
6 (6) calls on the President not to consider exer-
7 cising the waiver authority which would be granted
8 to him by the Department of Defense Appropria-
9 tions Act, 2000 (presented by Congress on October
10 14, 1999, for the President's approval), to allow the
11 sale of any military equipment or services to Paki-
12 stan until a civilian, democratically-elected govern-
13 ment is returned to power in Pakistan.

Statement for Rep. Sherrod Brown

Asia and Pacific Markup of H. Con. Res. 200

Mr. Chairman,

I rise in strong support of this resolution and wish to commend you and Mr. Gejdenson for ensuring this subcommittee sends a strong a message to the Pakistani military that the United States will not tolerate its contempt for the rule of law. As I have said before, no matter how unpopular he was, Nawaz Sharif was elected by the people of Pakistan to lead their government. If General Musharraf was unhappy with his Prime Minister, he should have resigned his commission and entered the political arena.

That's how democracy works. It works for us, it works for Taiwan, and it works for India. At the same time General Musharaaf's storm troopers were deposing their government, about 370 million people in India were electing their government without the help of their military. Think about that -- if a nation of one billion people with more Muslims than all of the people that live in Pakistan can hold an election, then we ought to be using India as an example of how the rest of the world should behave.

On the other end of the spectrum, the Pakistani military has once again toppled an elected government, and we find ourselves wondering how we should engage a nation of 140 million people that -- thanks to the People's Republic of China -- now possesses a few dozen nuclear weapons.

Mr. Chairman, I don't think it's too much of a stretch to suggest that the current crisis in Pakistan came to be because we've placed too much emphasis on building military ties and not enough emphasis on respecting the rule of law. For the last four decades we have armed and trained the Pakistani military, and placed little emphasis on building a stable government. The results have been all too predictable.

The Cold War is over -- there is no more Great Game, because there is no more Soviet threat to southwest Asia. As such, we need to stop providing military know-how to governments that show no interest in respecting the human, religious, and political freedoms of their people.

That's why even though I intend to support this resolution, we need to focus our efforts on implementing legislation that would prevent the Administration from having the authority to waive military sanctions against Pakistan. We shouldn't be dangling F-16's in front General Musharraf in exchange for his half-hearted commitment to step aside and restore democratic government. This carrot and stick approach with the Pakistani military hasn't helped sustain democracy in the past, and it won't happen now.

So while I urge my colleagues to support this resolution, I also ask that you consider taking stronger action than the legislation that we're considering today.

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THE HONORABLE MATTHEW G. "MARTY" MARTINEZ

SUBCOMMITTEE ON ASIA AND THE PACIFIC

OPENING STATEMENT

ON

H.CON.RES. 200

Mr. Chairman, the Pakistani people deserve better than being ruled by military strongmen; they also deserve better than the systemic corruption and crony capitalism that has been the signature hallmark of the Sharif government. Military coups, however, should not, must not be an acceptable way to resolve political differences. I therefore applaud the Administration's position opposing the coup and calling for the prompt return to Pakistan's constitutional democracy.

During the Cold War, Pakistan was an important ally of the United States. It is now a self-declared nuclear state that demands our undivided attention. Because of U.S. national security interests in the region, and our abiding interest in a stable, democratic and economically vibrant Pakistan, we must remain engaged with Pakistan. However, Pakistan's self-anointed leaders must recognize that if democracy is not restored soon, their country risks isolation by the international community.

Finally, I would venture to say that if the Pakistani people had a vote here today, that this resolution would be soundly defeated. I think this says more about the desperate conditions faced by the vast majority of the Pakistani people, than on the future of democracy in Pakistan.

Thank you Mr. Chairman.